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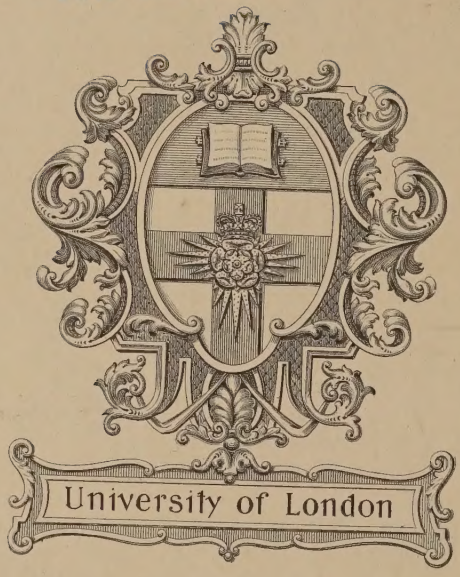

REPORTS

FROM

COMMISSIONERS:

TWENTY VOLUMES.

—*(8.)*—

CORPORATION OF LONDON.

Session

31 *January* —— 12 *August* 1854.

VOL. XXVI.

1854.

REPORTS FROM COMMISSIONERS:

1854.

TWENTY VOLUMES:—CONTENTS OF THE

EIGHTH VOLUME.

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[1772.] REPORT of the COMMISSIONERS appointed to inquire into the existing state of the CORPORATION of the CITY of LONDON, and to collect Information respecting its CONSTITUTION, ORDER and GOVERNMENT, &c.; together with the MINUTES of EVIDENCE, and APPENDIX, p. 1

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REPORT

OF

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO

THE EXISTING STATE OF THE CORPORATION OF THE CITY OF LONDON,

AND TO COLLECT

INFORMATION RESPECTING ITS CONSTITUTION, ORDER, AND GOVERNMENT,

&c.

TOGETHER WITH

THE MINUTES OF EVIDENCE

AND APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1854.

[1772]

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COMMISSION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To Our right trusty and well-beloved Councillors Henry Labouchere and Sir John Patteson, Knight, and Our trusty and well-beloved George Cornewall Lewis, Esquire, Greeting: Whereas We have deemed it expedient that a Commission should issue to inquire into the existing state of the Corporation of the City of London: Know ye that We, reposing great trust and confidence in your zeal, ability, and discretion, have nominated, constituted, and appointed, and do by these presents nominate, constitute, and appoint you, the said Henry Labouchere, Sir John Patteson, and George Cornewall Lewis, to inquire into the existing state of the Corporation of the City of London, and to collect information respecting its constitution, order, and government. And We do hereby enjoin you to inquire and collect information respecting the rights, privileges, powers, jurisdictions, Civil and Criminal, of the said Corporation, and the Administration of Justice within the same, its Prisons and Police, and also into the mode of electing and appointing the different Members of the said Corporation and its different Officers, and also into the state, rights and privileges of the Freemen and Liverymen thereof, and also into the nature, amount, and quality of the property of the said Corporation, and into the nature and amount of its Income and Revenue from whatever source derived, and into the management and expenditure of the same, and into all other matters and things in any way relating to the said Corporation concerning which you shall think it necessary to inquire for Our full and complete information in this behalf: And We do further enjoin you to consider whether any measures may be necessary to make better provision for the future Government of the said City of London, and to report to Us the result of such consideration: And, for the better discovery of the truth in the premises, We do, by these presents, give and grant to you, or any two or more of you, full power and authority to call before you, or any two or more of you, such or so many of the Officers of the said Corporation, and such other persons as you shall judge necessary, by whom you may be the better informed of the truth in the premises, and to inquire of the premises and every part thereof by all other lawful ways and means whatsoever: And We do hereby give and grant unto you, or any two or more of you, full power and authority, when the same shall appear to be requisite, to administer an Oath or Oaths to any person or persons whatsoever to be examined before you, or any two or more of you, touching or concerning the premises: And We do also give and grant to you, or any two or more of you, full power and authority to cause all and singular the Officers belonging to the said Corporation to bring and produce upon Oath before you, or any two or more of you, all and singular Charters, Rolls, Records, Orders, Deeds, Books, Papers, or other writings belonging to the said Corporation, or to any of the said Officers of the Corporation as such Officers, touching or concerning the premises: And Our further will and pleasure is that you, or any two or more of you, upon due examination of the premises, do and shall, within the space of twelve calendar months after the date of this Our Commission, certify unto Us in writing, under your hands and seals respectively, what you shall find touching or concerning the premises upon such inquiry as aforesaid: And We further will and command, and by these presents ordain, that this Our Commission shall continue in full force and virtue, and that you Our Commissioners, or any two or more of you, shall and may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment: And We do hereby direct and appoint that you, or any two or more of you, may have liberty to certify

your several proceedings from time to time to Us, as the same shall be respectively completed and perfected: And We do hereby command all and singular Our Justices of the Peace, Sheriffs, Mayors, Bailiffs, Constables, Officers, Ministers, and all other Our loving subjects whatsoever, as well within liberties as without, that they be assistant to you and each of you in the execution of these presents, and for your assistance in the due execution ot this Our Commission. We do hereby authorise and empower you, or any two or more of you, to appoint a Secretary to this Our Commission, and to attend you, whose service and assistance We require you to use from time to time as occasion may require. In witness whereof We have caused these Our Letters to be made Patent. Witness Ourself at Westminster, the Twenty-second day June, in the seventeenth year of Our reign.

By Warrant under the Queen's Sign Manual,

C. ROMILLY.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

YOUR Majesty having been graciously pleased to issue a Commission under the Great Seal, bearing date the 22d day of June 1853, and to nominate constitute, and appoint us, Your Majesty's Commissioners therein-named, "to "inquire into the existing state of the Corporation of the City of London, and "to collect information respecting its constitution, order, and government;" likewise to enjoin us "to inquire and collect information respecting the rights, "privileges, powers, jurisdictions, civil and criminal of the said Corporation, and "the administration of justice within the same, its prisons and police, and also "into the mode of electing and appointing the different members of the said "Corporation and its different officers; and also into the state, rights and privileges "of the freemen and liverymen thereof, and also into the nature, amount, and "quality of the property of the said Corporation and into the nature and amount "of its income and revenue from whatever source derived, and into the "management and expenditure of the same, and into all other matters and things "in any way relating to the said Corporation concerning which we should think "it necessary to inquire for Your Majesty's full and complete information in this "behalf," and further to enjoin us "to consider whether any measures may be "necessary to make better provision for the future Government of the said "City of London, and to report to Your Majesty the result of such consideration."

We, Your Majesty's Commissioners, having made due inquiry into these matters, in the execution of Your Majesty's commands, now humbly beg leave to report the nature and extent of our investigation, and the conclusions at which we have arrived.

We lost no time, after the receipt of Your Majesty's Commission, in informing the Lord Mayor of the nature of the inquiry which we were ordered to institute, and we received from the Town Clerk, Mr. Serjeant Merewether, a letter offering, on the part of the Corporation of the City of London, to furnish us with all such information, both oral and documentary, as would assist us in the performance of our duty. Having procured all such parliamentary papers and other authentic documents as were likely to throw light upon the subjects referred to us, and having especially referred to the second report of the Commissioners appointed to inquire into the Municipal Corporations in England and Wales, presented in 1837, which relates exclusively to London and Southwark,* we proceeded to the examination of witnesses on the first of November last. The course which we adopted, was to receive in the first instance the evidence of persons who condemned the constitution of the Corporation of London, or impugned its administration; who had complaints to make against any specific acts of its officers; or who had suggestions to offer for the improvement of the Corporation, either in its form or management. When this class of evidence had been completed, we examined all the principal officers of the Corporation, and other of its leading members. As the reporters of the public press, and other persons were admitted during our examinations, and as facilities were afforded to the City authorities for obtaining, day by day, authentic notes of the evidence which we received, the witnesses connected with the Corporation were fully apprised of the statements which had been made to us by the previous witnesses, and were thus enabled to afford such explanations relative to the system of the Corporation or the conduct of its governors and officers, as seemed to them requisite. We think it right to state that we found the utmost readiness in all quarters to assist

* Ordered by the House of Commons to be printed, 25th April 1837. (Sess. Paper, 239.)

us in the execution of Your Majesty's Commission, by the communication of facts and suggestions. This readiness was manifested, not only by independent witnesses, who were unconnected with the Corporation, but also by the governing members of the Corporation, and by its officers, all of whom willingly came forward to describe their several duties, and to state the facts respectively falling under their cognizance.

Having carefully considered and compared the statements and opinions which have been thus brought before us, we will proceed to set forth, in compliance with the injunctions of Your Majesty's Commission, the views which we have been led to form upon the existing state of the Corporation of the City of London, its constitution, order, and government, its jurisdictions, civil and criminal, its prisons and police, the mode of electing its members and officers, the rights of its freemen and liverymen, its property, revenue, and expenditure; and lastly, to state our opinion "whether any measures may be "necessary to make better provision for the future government of the said City "of London."

In reporting the results of our inquiries into the Corporation of London, we propose first to explain the peculiarity of its position as distinguished from other municipal corporations in England, and afterwards to describe its existing constitution and administration; to which we shall annex such suggestions for the amelioration of defects in the system as appear to us to be indicated by our investigation. In describing the existing constitution and administration of the Corporation of London, we shall abstain from repeating those facts which were laboriously ascertained and accurately set forth by the Municipal Commissioners in their report of 1837, already cited. We shall likewise confine ourselves to those institutions which form a part of the Corporation of London, or are necessarily connected with it, and therefore we shall say nothing upon the Trading Companies, which are not constituent portions of the Corporation.

The first report of the Commissioners for inquiring into the Municipal Corporations in England and Wales was presented to Parliament in March 1835; and in a subsequent part of the same year the important Act of the 5 & 6 Will. 4. c. 76, intituled "An Act to provide for the Regulation of "Municipal Corporations of England and Wales," founded upon this Report, received the Royal assent (9 Sept. 1835). The first report of the Commissioners did not extend to the Corporation of London; and accordingly in the Act which was founded on that report it is not included among the boroughs enumerated in the schedules, to which alone the Act applies. The Commissioners did not, as we have before mentioned, report upon the City of London until the year 1837, when they made it the subject of their second report. No legislative measure was, however, founded upon this report, and indeed the Commissioners themselves appear to intimate their opinion that the defects which they pointed out might be effectually remedied by the Common Council, without recourse to Parliament. "As we are commanded" (they say) "by the terms of Your Majesty's Commission, to collect information respecting "the defects in the constitution of the municipal corporations, we shall point "out what appear to us to be the principal defects in that of the Corporation "of London. It is to be recollected that with respect to many of these, the "powers possessed by the Common Council enable the Corporation, if so "disposed, to apply remedies to a great extent without the assistance of the "legislature. We mention this, not with the view of entering into a discussion, "which we consider not to be within the authority of our Commission, as to "the remedies proper to be applied; but because the circumstance that the "remedy is within the reach of the Corporation itself gives a peculiar "character to the continuance of the defect."

econdReport, p. 2.

Since the year 1837, in which the second report of the municipal Commissioners was presented, an Act has been passed relative to the City Police (2 & 3 Vict. c. 94.); also an Act regulating elections in the City of London, (12 & 13 Vict. c. 94.), an Act providing for the sanitary improvement of the City, (11 & 12 Vict. c. 163), and other enactments have been made, by which the Corporation of London was affected. Various changes have likewise been made since that year by Acts of the Common Council, but no substantial or systematic reform of the Corporation of London has been accomplished, either by the legislation of Parliament, or by measures of the Common

Council, since the presentation of the report of the Municipal Commissioners in 1837.

The operation of the General Municipal Act of 1835 may be described as twofold: first, it reformed the constitution of all the enumerated boroughs; secondly, with respect to many of them, it enlarged their districts by advancing their boundaries. This latter object was effected with respect to ninety-three boroughs, by the adoption of the boundaries of the Parliamentary Boroughs, fixed by the Boundary Act of 2 & 3 Will. 4. c. 64. With respect to the boundaries of boroughs, prior to the Act of 1835, the Municipal Commissioners make in their first report, the following statement: "In most important towns "the suburbs have extended themselves far beyond the limits of the corporate "authority. The population of the city and county of Bristol is 59,000; the "suburbs beyond the city contain an additional population of 45,000. The "population of the city of Rochester is only 9,891; the district immediately "adjoining it, including the town of Chatham, comprises nearly 22,000 persons. "The city of Carlisle contains 8,356 persons; the suburbs are of as great extent, "and contain a population of 10,713. At Hull, the municipal borough contains "15,996; the county of the town, including the borough, 32,958; the suburbs, "which are beyond the jurisdiction of the borough magistrates, contain 20,000 "more." (p. 30.)

The principle adopted by the Boundary Commissioners with respect to the parliamentary boroughs was to recommend the inclusion, within the new boundary, of those parts of the town which had been built since the original limits had been fixed. In their report to Lord Melbourne, dated 10th February 1832, they state that "they adopted as their guide the "principle of including the whole of the modern town within the new "boundary." (Sess. Paper, 36, 1832.) The borough of Liverpool and the city of Bristol, in both of which the extension of the area of the parliamentary borough to a considerable distance beyond the old limits was recommended by the Commissioners, may serve as examples of their procedure in this respect. The nature of the changes proposed for the city of Bristol is clearly explained in the annexed statement, extracted from the report on that town.

TABLE showing the PRESENT CONDITION of the PRESENT CITY of BRISTOL, and of the PROPOSED BOROUGH—(1831-2.)

Bristol.	Population, 1831.	Number of Houses.
City - - - - -	59,034	9,700
Out Parish of St. Philip and St. Jacob - -	15,777	3,022
Out Parish of St. James and St. Paul - -	4,495	967
Clifton - - - - -	12,032	1,703
Part of Bedminster, near City - -	12,000	2,200
Part of Tything of Stoke Bishop, in Westbury-upon-Trym - - - -	1,000	250
Bristol within proposed boundary - -	104,338	17,842

According to this statement, the original city of Bristol contained a number of persons and of houses little more than half of those contained in the enlarged district formed by the Commissioners, which was intended to include the then existing town and its suburbs. The adoption of the limits fixed by the Boundary Act of 2 & 3 Will. 4. c. 64. in the Municipal Corporations Act of 1835, had therefore the effect of rendering the boundaries of the municipal, as well as the parliamentary borough co-extensive with the existing town, as enlarged since the original area of the municipal borough had been determined.

Now, as the City of London is not enumerated in the schedules to the Municipal Corporations Act, neither its internal constitution, nor its boundaries have been affected by the provisions of that Act. The position of the Corporation of London is indeed so peculiar as to render its comprehension in a general measure of municipal regulation a matter of extreme difficulty, and to point it out as a fit subject for special and separate legislation. The antiquity, extent, and importance of its privileges, the long series of its

charters, the large amount of its revenues, its metropolitan position, and its historical associations, combine to give it a character different from that of any other municipal borough. It may be added that the continued predominance of the popular element in the formation of its governing body furnished a reason in 1835 for excepting it from the Municipal Corporations Act; seeing that one of the principal defects which that Act was intended to remedy, was the practical exclusion of the principle of popular election from the government of the borough, and the accumulation of power in the hands of a small body of persons. The Commissioners state in their general report of 1835, "The most common and most striking defect in "the constitution of the municipal corporations of England and Wales, is "that the corporate bodies exist independently of the communities among "which they are found. The corporations look upon themselves, and are "considered by the inhabitants, as separate and exclusive bodies; they have "powers and privileges within the towns and cities from which they are "named, but in most places all identity of interest between the corporation "and the inhabitants has disappeared." From the defect described in this passage the Corporation of London has for many years been exempt. The manner in which the Common Council is elected has produced to a great extent an identity of interests between the governing municipal body and the existing municipal community, and has secured to the latter a council representing their general opinions and feelings. The Municipal Commissioners particularly advert to the Common Council of London as distinguishing that Corporation from the close corporations which then prevailed throughout the country.

First Report, p. 32.

First Report, p. 36.

But, although the constitution of the Corporation of London has secured to the inhabitants of the City a fair representation of their interests, that representation is confined to the persons dwelling within the narrow area of the City proper, and does not extend to the population of the larger portion of the metropolis. The boundaries of the City of London were fixed at an early period of our history, and there is no record of their having ever been enlarged so as to follow the growing size of the town, and to include the houses added from time to time, to the ancient City, and forming with it continuous lines of streets.

Second Report, p. 2. Merewether, 4788-92.

The area of the metropolis is more or less arbitrary, inasmuch as London cannot be said to be recognized by the law as one town, and its boundaries have never been fixed either by enactment or custom. Different metropolitan districts have indeed been appointed for special purposes: thus the metropolitan district fixed for the Commissioners of Police, the metropolitan district of the Commissioners of Sewers, under the Act of 11 & 12 Vict. c. 112, and the metropolitan district of the Postmaster-General differ from one another, as well as from the metropolis according to the limits adopted by the Registrar-General and used by him for the late census.

The earliest formation of a metropolitan district for statistical purposes arose from the bills of mortality prepared and issued by the company of parish clerks. London, within the bills of mortality, was formed of the parishes included in these lists, with successive augmentations from 1603 to 1817. The metropolis, as returned by Mr. Rickman in the census abstracts of 1801 to 1831, consisted of this district, with some additional parishes. Since that time the metropolis of the Registrar-General has been used for the census and other statistical objects. The metropolis recognized by the Registrar-General is formed of thirty-six registration districts, extending from Hampstead in the north to Wandsworth in the south, and from Stepney in the east to Chelsea in the west. Its greatest dimensions measured in these directions are 11 and 15½ miles. It is according to this division that the census of the metropolis for the year 1851 has been arranged; and we append to this report a statement showing the area, number of inhabited houses, population since 1801, and assessment for each of these thirty-six districts, as constituting the metropolis according to the Registrar-General. It appears from this statement that the entire metropolis within these limits contains an area of 78,029 acres, with 305,933 inhabited houses; that its population was 958,863 in 1801, and 2,362,236 in 1851, having more than doubled in the last fifty years; and that the value of its property assessed to the poor rate in 1852 was 9,964,348*l*. It appears, further, that the area of the City of London proper is 723 acres; that it contained 14,693 inhabited houses in 1851; that its population was 128,833 in 1801, and 129,128 in 1851; and that its assessment was 953,110*l*. in 1852. The

relation therefore of the City of London proper to the entire metropolis, measured by these facts, stands thus :—

	Entire Metropolis.	City of London.
Area in acres	78,029	723
Population in 1801	958,863	128,833
Population in 1851	2,362,236	129,128
Inhabited houses in 1851	305,933	14,693
Assessment in 1852	£9,964,348	£953,110

It will be observed that, whereas the population of the entire metropolis has more than doubled in the last fifty years, the population of the City of London has remained nearly stationary. This difference is owing to the fact that the City of London was covered with houses, and fully peopled at the beginning of this century; whereas, in the outskirts of the town, a great addition of new houses and a corresponding increase of population has taken place since that period. This difference will be more forcibly shown if we compare with the City some of the outlying parishes, in which the great increase of buildings in this century has taken place. Thus in the following districts the population has consider ably more than doubled since 1801 :—

Districts.	Population in 1801.	Population in 1851.
Kensington	20,465	120,004
Pancras	31,779	166,956
Islington	10,212	95,329
Stepney	34,909	110,775
Poplar	8,278	47,162
Lambeth	27,985	139,325
Newington	14,847	64,816
Total	148,475	724,367

As the metropolis grows, not in its central portion but at its extremities, by adding, as it were, successive annular portion to its area, it follows, as a necessary consequence, that the City, which lies at its centre, forms in successive years a constantly smaller and smaller portion of the entire metropolis, as measured by its population. Thus in 1801 the population of the City was about a seventh part of the population of the metropolis; whereas in 1851 it was only an eighteenth part. A similar remark, though probably in a less degree, applies to the comparative amounts of the rateable property. As to the area of the City, it forms an insignificant portion of the surface of the entire metropolitan district, being only a 108th part. The importance of the City of London in relation to the rest of the metropolis arises, not from its area or its population, or even its rateable property, but from its central position, and from the magnitude of the mercantile and pecuniary transactions which are daily carried on within its limits.

From this statement it results that the area included within the boundaries of the City of London forms only a small portion of the entire metropolitan district. It is, however, the only part of the metropolis which has a municipal corporation. The city of Westminster, Marylebone, Finsbury, and the Tower Hamlets north of the Thames, and Southwark, Lambeth, and Greenwich south of the Thames, are indeed parliamentary boroughs, returning members to the House of Commons, and they are all situated within the limits of the metropolis; but they are not municipal boroughs, nor do they possess any municipal organization. In all that large part of London which lies without the City, those functions of government which are ordinarily performed by municipal authorities are provided for either by general statutes, irregularly reinforced or modified by local Acts, or by parochial institutions; or, lastly, in some cases, by the interference of the executive government.

The whole district of the City proper lies to the north of the Thames; a certain connection, however, subsists between the Corporation of London and a portion of the present parliamentary borough of Southwark, the exact nature of which is described in the report of 1837 and in the evidence annexed to our report, but which is of so limited an extent as to be little more than nominal. The Corporation hold courts leet for Southwark, the steward of which is appointed by the Court of Aldermen; they likewise hold quarter sessions four times a year, at which, however, no business is transacted; they appoint the judge and prothonotary of the Borough Court, and also the coroner and high bailiff. Second Report, pp. 2 & 217. See Corner, 2180. Corner, 2174. Pritchard, 4133. Pocock, 4153. Sturmy, 4167. Stevens, 4173. Corner, 2186 221.

The Municipal Corporations Act has now been the law of the land for nearly twenty years; all the important municipal corporations in England are subject to its provisions, and it appears on the whole to have been attended

with beneficial effects, and to have given satisfaction to the country. Upon a consideration of these facts, we have come to the conclusion that, in revising the constitution of the Corporation of London, it will be advisable to apply to it the leading provisions of that statute, making, at the same time, due allowance for those peculiar circumstances already adverted to, which distinguish the London Corporation from other corporations, and which render a difference of institutions, in certain respects, expedient.

In laying down this principle, however, for our guidance, we are desirous of limiting its application to the constitution of the Corporation. That portion of the Municipal Corporations Act which consists in an extension of the boundaries of the borough so as to comprehend all portions of the town and its suburbs lying beyond the old limits, seems to us inapplicable to the case of the metropolis. If the procedure of the legislature in the Municipal Corporations Act were taken as a precedent, absolutely and without discrimination, in reforming the London Corporation, it would be necessary, not only to alter its constitution, but to advance the present boundaries of the City until they surrounded the entire metropolis; a process by which an area of 723 acres would be converted into an area of 78,029 acres,—by which a population of 129,128 would be converted into a population of 2,362,236.—and an assessment of 953,110*l.* would be converted into an assessment of 9,964,348*l.* A change of this magnitude would not only alter the whole character of the City Corporation, but it would, as it seems to us, defeat the main purpose of municipal institutions. London, taken in its full extent, is (as it has with literal truth been called) a province covered with houses; its diameter from north to south and from east to west is so great that the persons living at its furthest extremities have few interests in common; its area is so large that each inhabitant is in general acquainted only with his own quarter, and has no minute knowledge of other parts of the town. Hence the two first conditions for municipal government, minute local knowledge and community of interests, would be wanting, if the whole of London were, by an extension of the present boundaries of the City, placed under a single municipal corporation. The enormous numbers of the population and the vast magnitude of the interests which would be under the care of the municipal body would likewise render its administration a work of great difficulty. It may be added that the bisection of London by the Thames furnishes an additional reason for not placing the whole town under a single municipal corporation. All roads, streets, sewers, gas-pipes, and water-pipes, in short, all means of superficial or subterraneous communication which run in continuous lines from north to south, are necessarily stopped by the river. Many of these are directly or indirectly the subjects of municipal control; and therefore a municipal body which governed the metropolis both north and south of the Thames would find that the continuity of its operations was, in many respects, broken off by natural circumstances. These considerations appear to us decisive against the expediency of placing the whole of the metropolis under a single municipal corporation, without adverting to those more general questions of public policy which naturally suggest themselves in connection with the subject.

It will nevertheless appear in the course of this Report, that the present character of the London Corporation, its exclusive possession of powers of municipal government in the metropolis, and the functions applicable to the entire metropolis with which it has been partially invested, render it necessary for us to consider the best means of extending municipal institutions to the rest of the metropolitan district, as well as of securing that joint action between different portions of the metropolis for certain specified purposes, which ought, we think, to exist for the common advantage. We shall, therefore, return hereafter to this subject, confining ourselves, however, within the limits pointed out by the terms of our Commission.

Before we advert in detail to the constitution of the Corporation, we desire to draw attention to the character and state of those documentary authorities which, to a great extent, form the legal basis of that constitution. The present legal relations of the Corporation of London are indeed mainly founded upon custom and prescription; but custom and prescription must have some legal beginning, and long usage is the evidence by which they are proved. We find also the Corporation of London in possession of a body of charters, dating from a very remote period, and reaching in a continuous series down

to the 15th year of George the Second. Upon them the Corporation found many of their most important rights or privileges.

These charters were so fully abstracted and commented upon by the Municipal Commissioners in their report of 1837, that it is unnecessary for us to do more than refer to their observations (which will be found in pages 5—25 of the abstract of evidence given at the conclusion of their report), so far as regards the contents of those charters, which may still be considered as in force, and as having any practical bearing upon the constitution, rights, and working of the Corporation. They are in number one hundred and twenty; the earliest of which is one granted by William the Conqueror about the year 1070, the last is one of the 15th George the Second. It has been suggested to us that these are not all in force at the present day; that many of them have been surrendered; that some were granted for temporary purposes only, and have long since expired; and that many important rights claimed by the Corporation are destitute of legal foundation, as resting upon charters which have ceased to be in force. In the case of any particular right or particular charter, it is certainly possible that legal questions of this kind, subtle and difficult in their nature, might arise. The evidence before us does not enable us to say with certainty whether legal questions could often be successfully disputed with the Corporation; but it is clear from that evidence that the present condition of the Corporation charters is far from satisfactory, and leads in practice to considerable inconvenience, and occasionally even to great hardship on individuals.

The City of London has no governing charter; in which respect it differs from many of the English Corporations. It is true that the great Inspeximus Charter of Charles II. recites and includes almost all the former ones, but it gives no explanation of them; it collects them, but does nothing towards their interpretation. There is no authoritative exposition of the multifarious rights and privileges, many of which are said to be founded on the language of these charters. Hence arises considerable uncertainty as to the meaning of the charters themselves. A document of the simplest and shortest kind may be put forward as the legal basis of rights the most various and important; and the apparently simple and obvious meaning of a charter may be controlled by usages affecting its import. There are likewise difficulties inherent in the documents themselves, which render it desirable that the whole subject should be put upon a clearer and more satisfactory footing. The brevity of the ancient charters, the antiquity of the language in which they are couched, and the vagueness resulting from the use of concise and general expressions, make it often a hard matter accurately to define their meaning. They refer often to a state of things which has wholly passed away, and their language has therefore to be explained often through the doubtful medium of antiquarian research. It is also often uncertain what charters and what portions of charters are actually in force; how far a subsequent charter repeals or interferes with the provisions of a former charter; a question depending upon the intentions of those who gave and received the charter many centuries ago, and obviously full of doubt and obscurity. There is also the further question as to the alteration effected in the authority of the customs and charters of the City by general Acts of Parliament in which the City is not specially named. The customs of the City having been solemnly confirmed by Act of Parliament have themselves the force of an Act of Parliament, and we have been told in evidence by witnesses peculiarly conversant with the subject, that the highest legal authorities are divided as to the effect of general Acts of Parliament within the City, when they conflict with the City customs and do not repeal them by express enactment.

Merewether, 4760. Pulling, 879-80.

Pulling, 841-2, 1971-81.

Pulling, 859-1895, 1900. Merewether, 5338-43. Pulling's Laws of the City of London, p. 3.

The following extract from the evidence of Serjeant Merewether, the Town Clerk of the Corporation, will show the uncertainty with which this question is surrounded, and the consequent inducement to litigation which the present state of things creates:

"So far as the point may be considered as resting upon decisions now, the view of the Courts would be, that general words in an Act of Parliament do override the customs of the City?—I should think a proposition of that kind would involve many distinctions. In some cases it might be so, and in some it might not. I think it would be very difficult to extract from the cases a general proposition either one way or the other.

"The question would very much depend upon the wording of the particular Act, and the nature of the particular custom?—Precisely so.

Qu. 5341-3. See also Pulling, 1899, 1900.

"It would be open to argument in each case as it arose?—Yes."

From this complicated state of charters and of local laws arise, as we have said, occasionally, cases of considerable individual hardship. It appears to be the practice of the Corporation of London to refuse access to the documents upon which they found claims, even of wide extent; and further, to avoid disclosing to any one who may resist such claims the legal grounds on which they are made, except under the compulsion of a court of law. A standing order of the Common Council lays it down that "no officer of this Court "shall be at liberty to show, lay open, or expose any of the books, "papers, or records of the Corporation to any person not a member of "the Corporation, without leave or licence of this Court." The proceedings in the case of the Corporation of London *v.* Combe & Co., an account of which will be found in the evidence annexed to our Report, illustrates the operation of this rule. In this case the Corporation of London instituted a suit against Messrs. Combe, Delafield & Co. to enforce their right of metage over corn landed by the defendants in the Port of London. The defendants filed a bill of discovery, to obtain an inspection of certain documents in the possession of the Corporation; the first and the second answers to this bill of discovery were excepted to as insufficient, and a third answer was put in. An order for the production of the documents was afterwards made by Vice-Chancellor Knight Bruce; but the Corporation appealed against the order to the Lord Chancellor. Lord Lyndhurst, then Lord Chancellor, confirmed Vice-Chancellor Knight Bruce's order; but the Corporation further appealed from Lord Lyndhurst's decision to the House of Lords. The defendants in this case were wealthy brewers, able, if they thought fit, to carry on a long and expensive contest with the Corporation of London; but if any defendant of moderate means were brought by them into court, and if he believed that his defence depended upon obtaining access to documents in their posession, but which they withheld from the public, it is manifest that he could not prudently resist litigation conducted in this spirit. The right claimed in this case was of a very extensive nature, not confined within the boundaries of the City proper, but including the metage of all measurable articles landed on either bank of the Thames from Staines in Middlesex to Yantlet Creek in Kent, a distance by the river of about eighty miles.

Merewether, 4729-30. Wortley, 5505-8, 6468. Pulling, 845-53.

Merewether, 4753.

Fisher, 601-631. Pearson, 5544-70.

It was pointed out to us by the Recorder that Lord Eldon, on one occasion, rebuked a corporation for the voluntary production of their charters, referring to a case where the corporation of Newcastle-upon-Tyne had lost 7,000*l.* a year by taking this course. There is no doubt that the present state of the City charters, their antiquity, their large number, and the uncertainty as to their interpretation, and their repeal or modification by subsequent charters or Acts of Parliament, may render it the duty of a cautious counsel to advise the City, in all litigated questions, to adhere to the practice which they have hitherto followed, and to treat their charters as the title-deeds of a private proprietor. It appears to us, however, that if in the present state of the City charters their publicity would expose the Corporation to the risk of losing important rights by merely technical objections, and if at the same time litigant parties may be debarred from the knowledge of facts materially affecting their rights, some remedy for this double inconvenience ought to be devised. Upon the subject of the City charters we therefore recommend that if the measures, which it will be our duty to suggest, should become the subject of legislation, and the constitution of the Corporation of London should undergo certain alterations, the Crown, under powers previously conferred by Parliament, should subsequently issue one comprehensive charter to the Corporation of London incorporating and digesting all such provisions of former charters as it might be deemed desirable to retain, and were consistent with the new legislation affecting the City; upon which all preceding charters would be repealed. We further recommend that, if such an incorporating charter as we describe were issued, it should be made public in an authentic shape.

Wortley, 6468.

We have alluded to the customs of the City, a subject nearly connected with that of the charters. These customs are numerous and often important; modifying, and in some instances contravening, the ordinary law of the rest of the kingdom. Since the time of Edward IV. the citizens of London have enjoyed the right granted to them by that King of certifying these customs (whenever a dispute arises which involves any of them) *ore tenus*, by the mouth

Wortley, 5500-4. Pulling, 958-63.

of the Recorder. The Recorder's certificate is in practice reduced to writing and read by him to the court which has cognizance of the dispute. With a view to the more exact determination of these customs, many of which are certainly salutary and few of which present matter for objection, we would recommend that they should be collected and embodied in the general charter which we have already suggested.

Having made these recommendations upon subjects affecting generally the whole Corporation, we come to the consideration of the position and functions of its chief officers.

Under this department of the subject we may begin by stating that we see no reason for recommending any alteration in the title, station, or general functions of the Lord Mayor, who is the first magistrate of the Corporation. But the mode of his election is not satisfactory. He is elected by the livery of London in Common Hall, who, though their number is large, do not include the whole body of freemen. The exclusion of the freemen who are not liverymen from a participation in the rights now enjoyed by the livery with respect to the election of Corporation officers is open to much objection. The general tenor of the evidence which we have received is unfavourable to the elections in Common Hall, and we see no valid reason for continuing so wide a departure from the system sanctioned by the Municipal Corporations Act as is involved in conferring the election of the chief magistrate of the Corporation upon members of the trading companies, who are not necessarily connected with the City by property, residence, or occupation. Though the election of Mayor is vested in a large constituent body, the choice of the livery is practically restrained within very narrow limits, inasmuch as it is confined to the aldermen, who are twenty-six in number, and, moreover, to such of the aldermen as have served the office of sheriff. In general, moreover, the livery select candidates who had not previously filled the office of Mayor; and the common practice is for them to nominate the two senior aldermen who have not passed the chair. One of the candidates presented by the livery is subsequently selected by the aldermen, each of whom is entitled to vote in this second stage of the election.*

The present mode of electing the Mayor seems to us, therefore, objectionable on two grounds: first, on account of the formation of the constituent body; secondly, on account of the restriction of the choice. We have already stated our opinion that it is desirable to take the system of the General Municipal Act as the guide for reforms in the London Corporation, unless there should be special reasons which render it inapplicable. We therefore suggest that, in accordance with the provisions of the Municipal Act, the election of the Lord Mayor be vested in the Common Council. At the same time, we recommend so far a departure from that Act as, instead of restricting the choice of the Common Council to a member of their own body, to permit them to elect any person qualified to be a common councillor, whether actually a member of the Common Council or not. In this manner, the range of choice will be enlarged, at the same time that the election will be placed in proper hands; and an opportunity will be afforded of electing persons of commercial eminence connected with the City and its interests, who may not have obtained an alderman's gown. We should consider it an advantage if a greater degree of sympathy between the higher class of merchants of London and the Corporation should thus be established than that which now exists, and such as is also found in other great commercial cities; as we are desirous that all classes should combine as much as possible in taking their share in the duties and honours of municipal government. We recommend, likewise, that the person to fill the office of Mayor should be elected by the Common Council, and that no ulterior selection from two candidates be vested in the aldermen.

In conformity with the universal practice in English boroughs, we propose that the Lord Mayor should be a magistrate of the City during his year of office, and for the year succeeding his mayoralty.

We pass to the consideration of the aldermen. Their present numbers, position, and functions appear to us to require considerable modification; but we think there exist sound reasons against applying to London the provisions

* A minute description of the process of electing the Lord Mayor is given in the Second Report of the Municipal Commissioners. Abstract, p. 28.

of the Municipal Reform Act respecting aldermen, without addition or qualification. Nothing would be gained by destroying the direct connection of the aldermen with their wards, which has been stated to us to be productive, in many instances, of considerable advantages, and to which we are unable to see any practical objection. We recommend, therefore, that they should continue to be elected by the burgesses of their wards out of those qualified to be Common Councillors. With regard to the tenure of their office, we recommend that the precedent of the Municipal Corporations Act should be adopted, that they should hold office for six years, but that half their number should go out every third year, and that it should be determined by lot who shall go out of office at the expiration of the first three years after the commencement of the new system of election; any alderman going out of office to be forthwith re-eligible if still qualified to be elected. We further recommend that the aldermen, during their tenure of office, should continue, as at present, to be justices of the peace for the City of London. It is possible that the aldermen, considerably reduced in number (as we shall hereafter recommend), may find the increased duties of the police magistracy to be a burden inconsistent with the efficient discharge of their other municipal functions, and to demand the devotion of too large a portion of their time. In order, therefore, that the Common Council might be enabled to relieve the magisterial services of the aldermen, we would recommend that the provisions of the 99th section of the 5 & 6 Will. 4. c. 76, with reference to the appointment of stipendiary magistrates in boroughs, should be extended to the City of London.

According to the present constitution of the Corporation, the aldermen exercise certain powers, not merely as justices of the peace and as members of the Common Council, but also as constituting a separate body, entitled the Court of Aldermen.* The powers which are exercised by the Court of Aldermen are either exclusive of those of the Common Council or concurrent with them; but the Court of Aldermen has in no case any power of revising the acts of the Common Council, nor is its assent necessary to any act of the Common Council. Both the Common Council and the Court of Aldermen are, in the main, executive bodies; and in order to promote harmony and unity of action in the Corporation, we recommend that the Court of Aldermen be abolished, and that all the powers which it possesses as a body be transferred to the Common Council. Whatever functions the aldermen discharge as justices of the peace with respect to prisons, or any other similar matters, they would continue to discharge, notwithstanding the abolition of their separate court. This recommendation agrees substantially with one of a series of resolutions passed by the Court of Common Council on the 24th of February, 1854, and transmitted to us by the Corporation; a copy of which is inserted in the appendix.

Merewether, 4906-4936.
Pulling, 941-5.

It appears, from the evidence before us, that the duties of prison inspection and prison management have been performed by the aldermen in a very satisfactory and efficient manner. The new prison at Holloway erected by the Corporation is stated by Captain Williams, one of the inspectors of prisons, to be one of the best within his knowledge; and he speaks very highly of the manner in which the prisons of the City generally are conducted and inspected. Several of the prisons themselves require improvement; and there are certain endowments connected with them, left at various times for the benefit of prisoners confined therein, and amounting in the whole to about 1,600*l.* a year, the distribution of which, though not at all complained of, as far as the aldermen who distribute them are concerned, is yet open to abuse and leads to mischief, from causes beyond the control of those who manage the distribution. It appears also that these charities are now unfairly distributed among the prisoners, owing to the strictly local character of many of the bequests. Thus, for instance, the prisoners from Middlesex imprisoned in the City prisons, although forming far the largest proportion of the total number of prisoners, are comparatively disregarded in the distribution of the charities, from the circumstance that they were left in many cases by citizens of London, for the benefit of persons imprisoned from the City itself. This leads occasionally in practice to the distribution of an unreasonable and excessive sum among a small number of prisoners, while a much larger number

Capt. Williams, 2389.

Capt. Williams, 2377-8.

Capt. Williams, 2420.

* Second Report of Municipal Commissioners, Abstract, p. 67.

of prisoners who want it, and to whom it might be of real service, though in the same prison, are excluded from the benefit. We think that the visiting justices should have a discretionary power in the apportionment of these alms, subject to the control of the Secretary of State, who should be empowered to allow or to frame rules upon this subject, within which the discretion of the visiting justices should be exercised. The visiting justices should be, as at present, the aldermen, with whom we propose to associate the judicial officers of the city, and any one or more stipendiary magistrates who may be appointed in pursuance of the power which we have already recommended to be given to the Common Council.

The appointment of the recorder, which is now vested in the Court of Aldermen, would, under the general recommendation given above, be transferred to the Common Council. The City of London has for many centuries elected its own magistrates, and of late years, at least, this privilege appears to have been well used. The present judicial officers are spoken of by every one who has given evidence upon the subject in the highest and most respectful terms. It does not appear to us, therefore, that there is any ground for suggesting that an important privilege, justly and highly prized by the citizens of London, should be taken from them, and vested, according to the precedent of other boroughs, in the Crown. But there is no reason why the aldermen, who will form only a portion of the new Common Council, should retain the privilege of solely electing the recorder. The Common Council at present elect the common serjeant and the judge of the Sheriffs' Court. We propose that it should, for the future, also elect the recorder. The various magistrates' clerks are at present appointed by the Court of Aldermen. It seems fit that this mode of appointment should continue substantially unchanged, and that they should be appointed by the aldermen as magistrates. The officers of the various prisons in the City are, in like manner, at present appointed by the Court of Aldermen. We think the appointment of these officers should be still exercised by the alderman as visiting justices.

We intimated that we were about to recommend a reduction in the number of the aldermen, as well as the abolition of their separate court. We have already suggested that the election of aldermen by wards should be retained, but the present division of wards is inconvenient and unequal, and was remarked upon as defective by the Municipal Commissioners in their report of 1837 (p. 14). We can only suggest generally the principles on which the existing wards should be remodelled; inasmuch as, for the purpose of making a proper re-adjustment, local inquiries must be gone into, and questions of boundary must be considered, which do not fall within the scope of our Commission. We recommend that, as far as possible, the area and population of the wards be made equal, and we do not apprehend, from the evidence which we have heard upon this subject, that this would be attended with any insuperable difficulty. The charities left to the inhabitants of a particular ward have been suggested to us as creating a difficulty in the way of an alteration, but, unless Parliament thought fit to extend the sphere of their operations, they might still go to those who inhabited what would be known as the old ward, in the same manner as endowments left to the inhabitants of a diocese, which has been altered since the date of the endowment, are without difficulty administered in practice for the benefit of the old diocese. Upon the best consideration we can give to the subject, it appears to us that the City of London might properly be divided into a number of wards not less than twelve nor more than sixteen. We propose that each ward should send one alderman and five councilmen to the Common Council. The number of the Common Council would thus be reduced to something between seventy and one hundred, a number, as we think, abundantly sufficient, and not open to the objections which have been justly made to the present number of that body, now consisting of twenty-six aldermen and two hundred and six common councilmen, in all two hundred and thirty-two members. Under the Municipal Corporations Act, the number of members of the Town Council, including both Aldermen and Councillors, cannot exceed 64.

The number of members usually appointed to serve on each of the committees of the Common Council seems to us likewise inconveniently large. A diminution in the numbers of the entire body would probably be

followed by a diminution in the numbers of members on the committees, a change which we regard as desirable. The practice of making a pecuniary allowance to the members of the committees for their attendances ought likewise, in our opinion, to be discontinued.

It being assumed that the members of the Common Council would, inclusively of the aldermen, continue to be elected by wards, we have next to consider by what constituency they are to be elected. The voters in the ward elections must now fulfil two conditions: first, they must be freemen of the Corporation; secondly, they must be occupiers of premises within the ward, rated at not less than 10*l.* per annum, and residing within seven miles of the City.* The freedom of the City is acquired by patrimony (or inheritance from parents) by apprenticeship, or by redemption. Before the year 1835, no person could be admitted to the freedom of the City who did not belong to one of the trading companies; but by a resolution of the Court of Common Council of 17th March 1835, this condition was repealed, and it is no longer necessary that a freeman should be a liveryman or member of one of the City companies.† At present, therefore, the system which governs the elections of the Corporation is wholly anomalous; two elective bodies exist, which might by possibility be independent of each other. In the Common Hall elections, none vote but liverymen of companies, who, though they must be freemen, need not occupy premises within the City. At the wardmote elections, none vote but ten pound occupiers within the ward, who, though they must be freemen, need not be members of companies. It is therefore a conceivable case that the majority of the voters in Common Hall might not be entitled to vote in the wards, and that a majority of the voters in the wards might not be entitled to vote in Common Hall; so that one set of interests might predominate in the election of the Lord Mayor, and another in the election of aldermen and common councilmen. The anomaly of the present state of things would be removed by the entire abolition of the elections in Common Hall, which we have already recommended with respect to the Lord Mayor, and which we shall presently recommend with respect to the other officers; but although the constitution of the Corporation would thus be rendered consistent, we think that the qualifications for the wardmote voters are susceptible of improvement. The present restriction of the wardmote suffrage to persons who have acquired the freedom of the City by patrimony, apprenticeship, or redemption has, in our opinion, the effect of excluding many persons qualified by their respectability and their interests to be wardmote voters, and therefore of narrowing the constituency, without elevating its character. We therefore propose that this restriction, which is repugnant to the system of voting prescribed by the Municipal Corporations Act, be abolished, and that every one who has occupied for a twelvemonth any tenement within the ward rated to the police rate at 10*l.* per annum and upwards, should have a vote in all ward elections, without any additional condition. The condition of residence within seven miles of the city which is now required, and still more the condition of residence for three years within the borough, or within seven miles of it, which is required by the Municipal Corporations Act, seem to us unsuited to the special circumstances of the London Corporation. The number of persons who are connected with the City by the relations of business, and who occupy premises in it, although they do not reside within it, and often not within seven miles of it, is considerable. These persons are in general, by their intelligence and position in life, well qualified to be municipal electors, and their connexion with the City is sufficient to give them an interest in its welfare. We likewise propose to retain the existing pecuniary qualification of 10*l.* per annum, which, on account of the high value of house property in the City, will exclude no respectable tenements. We may remark that the franchise which we propose for the wards agrees with that contained in a Bill which originated with the Corporation itself, and was presented to Parliament in the year 1852, but was opposed by the trading companies and thrown out by the Select Committee of the House of Commons,

Merewether, 5062-5070. The Lord Mayor, 7186-7194. Merewether, 5056-5060.

* 11 Geo. 3. c. 18. s. 7. Second Report of Municipal Commissioners; Abstract, p. 31. 12 & 13 Vict. c. 94. s. 2. The recent Act requires that the voter's name should be in the parliamentary register of voters for the City of London; hence it adds the condition of residence within seven miles of the City, which did not previously exist.

† See Pulling's Laws of the City of London, p. 62.

to which it was referred. The same qualification is likewise adopted in the recent resolutions of the Court of Common Council. The existing qualification of freedom for a common councilman seems to us no longer applicable, and we propose to substitute for it a qualification similar to that prescribed for town councillors in boroughs having four or more wards, by the Municipal Corporations Act (S. 28); that is to say, the possession of real or personal estate of £1000, or being rated to the local rates upon an annual value of not less than £30.

Complaints have been made to us as to the defectiveness of the lists of voters, to be signed by the Alderman of the ward, which are required by the recent Act of 12 & 13 Vict., c. 94.; but we believe that the defects adverted to have arisen from the fact that the freedom of the City is a necessary element in the qualification of the voter; and in the qualification which we have proposed this element is omitted.

Acland 116, and see Merewether, 5051.

We propose that the Common Council, with reduced numbers, and an enlarged and improved constituent body, be entrusted with the election of all the superior paid officers of the Corporation. This is the scheme of the General Municipal Act, and we see no reason for thinking that it is unsuited to the circumstances of the City.

We have already suggested that the election of the Lord Mayor, of the recorder, and of other officers at present elected in Common Hall and the Court of Aldermen, should be transferred to the Common Council; all such elections as are at present in the Common Council should, we think, be retained in the hands of that body. The general recommendation we have given is intended to include the sheriffs, chamberlain, and any other officers whose places may still be retained under the amended system, and who are now elected by the livery in Common Hall. All those elections we propose to transfer to the Common Council. The general opinions expressed to us by competent witnesses respecting the Common Hall elections, and the special facts deposed on the same subject, have convinced us that they are liable to serious abuses, and afford no efficient security for a good choice of candidates. In fact, with respect to the most important officer whom they appoint, the Lord Mayor, their choice is so restricted as to indicate no confidence in their decision. In an election for the office of chamberlain which took place in May 1853, the poll was kept open for seven clear days, and the expenses of the two candidates amounted together to about 8,000*l*., as was admitted to us in evidence by Sir John Key and Mr. Scott, the two candidates in question. We may add that the Municipal Commissioners, in their Second Report, expressed an opinion against the propriety of entrusting any elective functions to the livery. (Abstract p. 65.)

Scott, 4634-59. Sir John Key, 5837-48. See also Macnamara, 2882-99. Rose, 2904-41. Acland, 306-341.

We have received complaints with respect to abuses in the exercise of the compulsory powers connected with the choice of persons for the office of sheriff. It has been stated to us that those abuses have now been rectified; but we think that the election of the sheriffs by the Common Council, instead of in Common Hall, will afford an additional security for the proper use of those powers. The qualification for the sheriffs might with propriety be the same as that already proposed for aldermen and common councillors

Mills, 984-1018. Wallis, 1350-64. Acland, 311-416. Wire, 7920-6.

At present the two sheriffs of London perform the duties of sheriff of Middlesex. We do not recommend any alteration in the present relations of these two shrievalties. No inconvenience was suggested to us as arising to the county from the existing arrangement, which is of very old standing. There are no assizes in Middlesex; the necessity therefore for an officer to attend upon the judges in the commission does not arise; there is a separate office in the metropolis for the business of the county, and we understand that there is no desire in the rest of the metropolis nor on the part of the county of Middlesex that a separate sheriff for the county should be appointed by the Crown.

It is hardly within the scope of our inquiry to recommend alterations in the practice and jurisdiction of the Central Criminal Court, except so far as the Corporation are directly concerned with it. It is certainly fit to be considered whether the creation of one central court for the disposal of the whole criminal business of the metropolitan district, sitting almost continuously and combining the services of the City judges and the Assistant Judge of the Middlesex Sessions, would not be a most convenient and beneficial change. But at any

The Recorder, 6479-80.

rate we think that the Lord Mayor and aldermen should no longer form portions of the Central Criminal Court, their attendance being at present merely formal. In case the Corporation should desire to be relieved from all the expense attending the trial of any prisoners except those who come from within the limits of the City of London itself, they should be borne respectively by the metropolitan counties to which the prisoners tried belong.

Whatever may be the view entertained of the propriety of forming one criminal court for the disposal of all the criminal business of the metropolitan district we feel bound to recommend the consolidation of the Lord Mayor's Court and the Sheriff's Court into one Court, combining the jurisdiction which they now generally possess, to be held before the recorder, with a right of appeal to one of the superior courts of law at Westminster. To this court we think should be continued the power of enforcing the peculiar process of foreign attachment, amending that customary process in some particulars which appear to us to require amendment. Besides this court, the Small Debts Court would continue to exist, as now established. This recommendation is in accordance with the recent resolutions of the Court of Common Council.

The Court of Hustings is practically obsolete, and can be made available for no good purpose. We think it should be formally abolished.

An appeal lies from this court, and from the Lord Mayor's Court, to the court at St. Martin's-le-Grand, which is very seldom called into existence, and is a very cumbrous and inconvenient tribunal. We have already suggested that the appeal from the court which we propose to take the place of the Lord Mayor's Court and the Sheriff's Court should be to the courts at Westminster. We recommend, therefore, the formal abolition of the Court of Appeal at St. Martin's-le-Grand.

In concluding what we have to observe upon the subject of the City courts, it is only due to the Corporation to state that, with respect to the offices in them which in former times were the subject matters of sale from the Corporation to individuals, the Corporation has of late years entirely discontinued this practice; and, further, that in a great many cases where such offices have been sold, with power of alienation, the Corporation have at considerable expense, purchased back the offices themselves, and the right of alienation, and have filled them up, as a general rule, with persons competent to discharge the duties attached to them. The Corporation have of late years consistently pursued this policy with respect to all classes of officers.

The Corporation of London possesses and exercises several privileges affecting trade. Some of these confer an exclusive right of following certain employments; others are used merely as a source of revenue to the Corporation. The Municipal Reform Act has established the practical principle that, notwithstanding any custom or byelaw of a Corporation, "every person in any "borough may keep any shop for the sale of all lawful wares or merchandizes, "by wholesale or retail, and use every lawful trade, occupation, mystery, and "handicraft, for hire, gain, sale, or otherwise, within every borough." (s. 14.) We propose to extend this enactment, both in its letter and its spirit, to the Corporation of London. It appears to us that, if the legislature has thought fit to abolish the trade privileges and monopolies which were possessed by the country corporations, the same measure is applicable, on still stronger grounds, to the same class of privileges and monopolies in the City of London; inasmuch as the latter is the great centre of English commerce, and it is therefore peculiarly important that all the operations of trade should be freed from needless and vexatious restrictions within its limits.

We therefore recommend that all laws, acts of Common Council, or other regulations, prohibiting persons not free of the City from carrying on any trade, retail or otherwise, within the City, or from using any art, occupation, or handicraft within the City,* be repealed and abolished. In this recommendation the Common Council, by their recent resolutions, concur.

The Corporation likewise possesses, by immemorial usage, confirmed by a

* See Second Report of Municipal Commissioners, Abstract, p. 120, 121. Pulling's Laws of the City of London, p. 385. Woodley, 2981-3006. Merewether, 5175-5187.

† Second Report, *ib.*, p. 55, 179. Merewether, 5114-5138. Pulling's Laws of the City of London, p. 393.

charter of 3 James I., the metage of all grain, fruit, wares, and merchandizes brought into the port of London. This right is not confined to articles landed within the limits of the City, but extends to all goods landed on both sides of the river, from Staines in Middlesex to Yantlet Creek in Kent. This right has been mainly regarded by the Corporation as a source of revenue: in the year 1852 its gross produce was 11,775*l.*, the expenses of its collection were 1,924*l.*, and its net produce was 9,851*l.* It was in this view that the suit against Messrs. Combe, Delafield & Co., already adverted to, was instituted, the object of this suit being to compel Messrs. Combe & Co. to allow certain grain to be measured by the City meters, and to pay the metage dues thereon, although Messrs. Combe & Co. alleged that the grain was their own, that they knew its quantity, and did not desire to have it measured for them by the City officers. We understand that this suit has recently been abandoned by the Corporation, and that they have forborne to enforce their claim for a compulsory metage on grain imported under these circumstances. We were likewise informed that a negotiation between the corn trade and the Corporation respecting the metage of corn has recently taken place, and that an arrangement for an amended system of metage, to be conducted by City officers, has been agreed to. We do not doubt that advantages have arisen from the existence of a body of meters, of ascertained skill and integrity, guaranteed by a responsible public authority, and that both private traders and the public revenue have derived security from it. Similar rights of metage have also existed in other boroughs, but on the whole we doubt the expediency of maintaining this system, even if amended, except in a voluntary form.

Fisher, 601-2-22. See also Keeling, 1614-8.

Kearns, 2316. Harris, 7977-99.

Hales, 1630-85. Merewether, 5137-45. The Lord Mayor, 7176-7.

Connected with the right of metage, is the Fellowship of Porters, which exists as a separate body, created by an Act of Common Council. No person can be admitted as a Fellow of this body who is not free of the City; and the Fellowship have a monopoly of porterage for corn and other measureable articles within the entire Port of London.* The abolition of the exclusive rights of this Fellowship (from which the privileged porters themselves appear to derive little advantage), is involved in the application to the City of the 14th section of the Municipal Reform Act, already recommended. This Fellowship possesses a separate fund; and pecuniary relations of some complexity have grown up between the company and its cashier or banker, (called Shifter.) In winding up its affairs, these accounts would require adjustment; and certain interests have been acquired by purchase from the Corporation, which ought to be the subjects of compensation.

Merewether, 5146-74. Pulling's Laws of the City of London, p. 502. Brown, 3054-4049. Bower, 6967-7020. Lawrence, 7029-89.

The Lord Mayor, 7173-5. Bower, 6996-8. Lawrence, 7051-56.

Rushton, 7870-7912.

Some other classes of City porters, who enjoy other exclusive privileges, would likewise fall within the effect of the same section of the Municipal Reform Act, if it were extended to the City, and would be deprived of the monopoly which they at present possess.

Second Report *ib.* p. 179-82. Pulling's Laws of the City of London, p. 502.

Statutory enactments likewise exist, which require that all persons acting as brokers within the City of London shall be admitted by the Court of Aldermen, under such regulations as they may think fit, and shall each pay an annual sum of 5*l.* to the Corporation. In the year 1852, the Corporation received from this source of revenue a sum of 5,206*l.*; but as the admission of brokers by the Court of Aldermen, and the inspection exercised by the court, appear to us not to be productive of any public benefit, we recommend that the statutory enactments in question be repealed.

8 & 9 Wm. 3. c. 32. 6 Ann, c. 16. 57 Geo. 3. c. 60. See 2d Report, p. 189-91. Pulling's Laws of the City, p. 417. See Otter, 2869-81. Lawrence, 4050-93. Merewether, 5196-5214.

The charters of Edward III. and Charles I., granted to the Corporation, contain a declaration that no market shall be granted by the Crown to be holden within seven miles all round about the City. Whatever may be the right which these grants may be held to convey for the prevention of new markets within seven miles of the City, it seems to us unsuited to the state of things which has grown up since the reign of Charles I.; and we think that any such restrictive privilege which the Corporation may now possess with respect to markets without the limits of the City should be repealed.

Second Report, p. 178.

Pearson, 8485-92.

The Corporation is likewise entitled to a street-toll, which is levied on all carts, not the property of freemen, upon entering or leaving the liberties of the City. This toll, in the year 1852, produced a gross revenue of 6,935*l.* If the City of London were now, as it once was, the entire metropolis; and if carts were liable to a toll upon entering it from the neighbouring country, this toll

Second Report, p. 203.

* For complaints respecting the fruit porters, see Kearns, 2329-35.

would stand on the same footing as other tolls which are now levied at the entrance of boroughs. But, inasmuch as the City of London now forms only a small part of the entire town, and as its limits are arbitrary sections of continuous lines of streets, the toll in question has become a street-toll levied at certain spots in the middle of the metropolis. Its incidence is also partial; inasmuch as it is levied exclusively on carts, while carriages are exempt; and moreover is levied only on the carts of non-freemen. For these reasons, we recommend that the toll in question be abolished. There was recently a charge upon this branch of income for a public improvement, but that charge has been paid off; and Sergeant Merewether informed us that it was the wish of the Corporation, antecedently to the issue of our Commission, that this toll should be abandoned. The Common Council, in their recent resolutions, likewise recommend its abolition.

Hopwood, 4288-95. See Pulling's Laws of the City of London, p. 67. See Merewether, 5215-21, 5060. Belton, 2017-2021.

Upon the creation of the metropolitan police in the year 1829, by the Act of 10 George 4. c. 44., the City of London was alone excepted;* but in the year 1839, a separate police for the City was established by the Act of 2 & 3 Vict, c. 94. We refer to the evidence of Mr. Harvey, the Commissioner of the City police, (who appears to have discharged the duties of his office in a very efficient manner), as illustrating the operation of the system, and as showing the principal grounds upon which a separate police for this small portion of the metropolis is maintained.† We have carefully considered the reasons which have been adduced in favour of preserving the distinction in question, and have come to the conclusion that the reasons in favour of a combined system preponderate. The district of the metropolitan police now contains an area of 571 square miles; the area of the City is little more than one square mile, and it is surrounded on all sides by the metropolitan police district. We believe that the incorporation of the City with the larger district by which it is environed, is a measure recommended alike by considerations of efficiency and economy; and we do not doubt that the difficulty of communicating with the head office, to which Mr. Harvey adverts in his evidence, might, by proper arrangements, be overcome.

6504-6634.

The annual expenses of the metropolitan police are divided between the parishes and the consolidated fund; the parishes paying three-fourths, and the consolidated fund paying one-fourth of the whole. In the City, a similar division is made between the ratepayers and the Corporation; the police rate bearing three-fourths, and the City chest contributing one-fourth of the annual expense. In the year 1852, the sum thus contributed by the Corporation towards the expenses of the City police was 10,524*l*. We recommend, in the event of the present distinction between the City police and the rest of the metropolitan police being abolished, that the Corporation be relieved from this contribution, and that the City receive the same assistance from the Consolidated Fund, towards the maintenance of its police, as the rest of the metropolis.

6552-56.

The existence of a separate Commission of Sewers for the City under a Local Act, and its exception from the commission whose powers extend over the rest of the metropolitan district, is an anomaly which has grown out of the peculiar relations of the City to the rest of the metropolis, described in a former part of our Report. The City commission of sewers likewise manages the lighting and paving of the City, and performs other sanitary functions.‡ Its various duties appear to be efficiently performed; and we are not prepared to recommend any alteration in them; though its superintendence of the main sewers will have to be considered in connexion with the scheme for a metropolitan board of works, to which we shall advert presently.

See 11 and 12 Vic., c. 112, s. 1.

We have already stated that the Corporation collect a metage duty upon all corn, fruit, or other measurable articles landed in the Port of London. They were formerly entitled to a similar duty on coal, which has been subsequently commuted into a duty on the ton, and has undergone other changes by successive Acts of Parliament. There are now three duties on coal imported either by land or water into a district extending twenty miles from the General Post Office. The first of these is a duty

See Second Report, p. 204. Pulling's Laws of the City of London, p. 474.

* For an account of the police system of the City prior to the year 1839, see Second Report, p. 154-173. Pulling, *ib.* p. 138.

† See also the evidence of Mr. G. Payne, receiver of the police, 6659-6673: and of Mr. Childs, surgeon of the police, 6947-6966.

‡ See the evidence of Mr. Daw, principal clerk to the City Commission of Sewers, 5902-5949; and of Mr. Haywood, engineer to the Commission, 5950-5990, and of Mr. Simon, officer of health 7391-7416.

of 4*d.*, which lasts at this rate until 1862, when it reverts to a duty of 4*d.* per chaldron. It is payable to the Corporation, and is considered as forming a part of the City's estate. After deducting the drawback, the expenses of collection, and other charges, the net produce of the City coal tax in 1852 was 54,141*l.* It is now charged, for the Cannon Street improvement, with a principal sum of 580,000*l.*, besides a compensation allowance to sea coal meters, which amounted in 1852 to 7,336*l.* The sum assigned out of the produce of the 4*d.* coal tax, for the payment of interest upon the permanent charge in 1852, was 20,000*l.*; so that in that year the sum appropriated by the Corporation out of this tax to its ordinary expenses amounted to 26,805*l.* The second of the coal duties is a duty of 8*d.* per ton, the net produce of which in 1852 was 113,559*l.* This sum, together with an annual payment of 11,500*l.* from the City's estate, a small duty on wine, and some other petty sources of income, constitutes a fund denominated "The London Bridge Approaches Duties Fund." This fund is subject to certain annual charges for interest on loans, and for expenses of collection and management, which in 1852 amounted to 12,200*l.*; and the surplus being 113,373*l.* was payable to the Commissioners of Works, in liquidation of loans raised and charges made upon the fund. When the charges made by the Board of Works upon this fund have been satisfied, a charge of 88,000*l.* made by the Corporation for improvements at Clerkenwell succeeds; and it is calculated that the fund will suffice to extinguish all these charges before July 1862. In that year the 8*d.* coal duty, either wholly or in part, ceases. The third duty is a duty of 1*d.* per ton, the net produce of which in 1852, was 14,397*l.* and the whole of this sum, subject to a small charge for the costs of collection, was payable to the Commissioners of Works for metropolitan improvements. This duty expires in 1862. The net produce of the three branches of the coal duty in 1852, deducting the drawback and expenses of collection, was as follows:

Mr. Tyrrell's Paper, 6392. Scott, 4597-4633.

Duty of 4*d.* per ton - - -	£54,141
Duty of 8*d.* per ton - - - -	111,479
Duty of 1*d.* per ton - - -	14,337
Total - - - - -	£179,857

This sum is levied not upon coal entering the City, but upon all coal brought either by land or by water into a district extending twenty miles in all directions from the General Post Office. The coal duty district exceeds in size the metropolis of the Registrar General, the district of the Commissioners of Metropolitan Police, the district of the Metropolitan Commissioners of Sewers, and the metropolitan district of the Postmaster General;* and its extent would be great even if the limits of the London Corporation were conterminous with those of the existing metropolis. The collection of all the three classes of coal duty is conducted by the Corporation; but, inasmuch as the Corporation directly represents only a small portion of the metropolis, Parliament has made it a mere trustee with respect to the produce of 9-13ths of the amount, and this portion is applied by it to specified purposes of general metropolitan utility. With respect to the remaining 4-13ths, there is an annual, though decreasing, charge for compensation to sea coal meters, fixed upon it by Act of Parliament; and the Corporation voluntarily apply 20,000*l.* of its produce

* The greatest length of the Metropolis, according to the Registrar General, from north to south is 11 miles, and from east to west is 15½ miles.

By the 11th and 12th Vict. c. 112. s. 1. the district of the Metropolitan Commissioners of Sewers, may extend to any place being not more than twelve miles distant, in a straight line, from St. Paul's Cathedral. The actual district is, however, less extensive.

The Act of 10 Geo. 4. c. 44. contains a list of the parishes and places constituting the metropolitan police district. By Act of 2 & 3 Vict. c. 47. s. 2. Her Majesty is empowered to extend the metropolitan police district to any place which is part of the Central Criminal Court district, except the City of London and liberties thereof; and also to any part of a parish which is not more than fifteen miles distant from Charing Cross in a straight line.

The metropolitan district for Post Office purposes is comprised within a circle of which the radius is twelve and one-third miles from the General Post Office. The old twopenny post delivery was within a circle of three miles from the General Post Office.

A statement of the different metropolitan districts successively included in the bills of mortality is given in the census returns of 1852, part 1, p. 42.

to the Cannon Street improvement, which may be justly considered as a work of general metropolitan importance. After these deductions had been made, there remained to the Corporation in 1852, out of the coal duties, a sum of 26,805*l.*, which it treated as ordinary revenue. Against this amount, however, is to be set the sum of 11,500*l.* per annum, which the Corporation contributes to the London Bridge Approaches Fund, under Act of Parliament, for general metropolitan improvements, until the year 1862. So that the City may be considered to have only applied to its own use a sum of 15,305*l.* out of the proceeds of the coal tax in 1852. For reasons similar to those which induced us to recommend the abolition of the metage dues, we think that the present arrangement, by which the Corporation levies a duty upon coal over a district extending twenty miles from the General Post Office, and applies a portion of its proceeds to the exclusive purposes of the small area included within the City proper, ought not to be continued permanently. We propose to state in a subsequent part of our Report the course with respect to these duties which seems to us expedient.

The Corporation of London likewise exercise another important right, which far exceeds the limits of the City, but which does not produce to them any net revenue; namely, that of conservancy of the Thames. The Mayor of London is, by ancient grants of the Crown and long-continued usage, conservator of the river Thames, from the bridge of Staines to the waters of Yantlet and Medway. The powers and duties of conservancy are divided into two branches; those above and those below London bridge. Both classes of powers are regulated by various Acts of Parliament; they are exercised by a committee of the Common Council, called the Thames Navigation committee, and by several officers appointed by the Corporation.*

The conservancy of the river has been already the subject of Parliamentary investigation, and many opinions respecting it were expressed by the witnesses whose evidence we received. It appears to us that the management of the navigation of the Thames from Staines to Yantlet Creek, including the regulation of the Port of London, is not in harmony with the ordinary municipal duties of a committee of the Common Council; and that it requires an access to more extensive interests and a greater command of technical knowledge than they possess. We therefore recommend that the principal control of the navigation of the Thames should be vested in a board composed of the Lord Mayor, the First Lord of the Admiralty, the President of the Board of Trade, the First Commissioner of Woods, and the Deputy Master of the Trinity House; and that they be empowered to employ persons having the requisite professional knowledge for performing the detailed administration. In order that these duties should be efficiently discharged, it would be necessary that the Thames Navigation Board should have an adequate fund at its disposal. The sum applicable to the Harbour and Port of London in 1852, from tonnage rates and interest on stock, was 19,476*l.* The tonnage rates now leviable on vessels in the Port of London are moderate; but the sum which they produce seems hardly sufficient for the due maintenance of the Port. A suit is now pending between the Crown and the Corporation respecting the ownership of the bed of the river between high and low water mark; but it appears that the Crown have agreed to grant its rights to the Corporation, on condition that the monies obtained by grants of land on the shores of the river be applied, wholly or in part, to the improvement of the navigation. In case the fund applicable to the maintenance of the port of London, notwithstanding the assistance derived from the rent of erections on the shores of the river, should be found insufficient, it might be desirable to increase the rates of the tonnage dues for this purpose.

Baylis, 7090-7118.

The Recorder, 5514-5.

Connected with the navigation of the river is an incorporated company, entitled the "Master, Wardens and Commonalty of Watermen and Lightermen of the River Thames." This company is regulated by Acts of Parliament, the earliest of which was passed in the time of Henry VIII.; and it is placed under the authority of the Corporation of London; but it is not one of the City companies; and freedom of the company does not confer a right to the freedom of the City, nor is it necessary to be free of the City in order to become free of the company. The exclusive privileges possessed by the freemen of this

See Second Report, p. 177.
Pulling's Laws of the City of London, p. 348.
Pillow, 3007-53.
Beck, 4104-9.
Ashley 4110-26.
Lucey, 7273-79.

* See Second Report, p. 74-176. Pulling's Laws of the City of London, p. 320-40. Merewether, 5011-22, 5237-82. Leach, 6356-6467. Saunders, 6834-63. James, 6864-94. Woodthorpe, 6153-97.

company, with respect to the navigation of the river, ought, we think, to be abolished. Some protection to the public against unskilful or unfit persons plying for hire on the river ought however to be provided, and the issue of licences for this purpose ought to be vested in some competent authority.

A statement of the revenue and expenditure of the Corporation is annually laid in a printed form before the Common Council; but it is divided into a variety of separate accounts, not brought under one head, which renders it difficult to state the receipts and disbursements of the City in aggregate amounts. We have abstracted from the accounts for the year 1852 the following statement, which gives a correct view of the revenue and expenditure for that period:—

An Account of the Revenue of the Corporation of London for the year 1852.

	£	s.	d.
City's Estate.			
Rents	93,019	2	11½
Fines for Leases*	12,800	12	3
Brokers' Rents	5,206	0	0
Markets	20,504	19	1½
Street Tolls, &c.	6,935	3	10
Coal Duty (City's)†	62,640	10	4
Metage Duty on Corn	10,839	5	8¼
Fruit Metage, &c.	936	4	0
Bequests	135	13	4
Fees on Freedoms	896	6	2
Sheriffs' Fines	1,200	0	0
Interest on Government Securities	1,165	6	9
Sundry and Casual Receipts	6,561	1	11⅓
Produce of Tolls of Billingsgate Market	957	18	3
Rents and other Receipts of Bridge House Estates	33,657	11	7¼
Rents of Blackfriars Bridge	129	6	2
London Bridge Approaches (Duties Fund).			
Duty of 8*d.* per ton on Coals — £123,657 3 11			
Less Drawback — 10,098 0 8			
	113,559	3	3
Duty on Wine	5,040	8	8
Fees and Minor Revenue	410	0	6
Metropolis Improvement Fund.			
Duty of 1*d.* per ton on Coals — £15,660 2 7			
Less Drawback — 1,262 5 1			
	14,397	17	6
Drawback on Coals, Expenses Fund.			
Produce of 1*d.* per ton on coals retained on allowance of drawback	1,145	2	5
Coal Market Fund.			
Rent of Offices at Coal Exchange	1,491	1	6
Rent of Property, St. Mary-at-Hill	536	3	8
Interest on Stock	152	19	7
River Thames.			
Rents and Fines for Projections and Accommodations, say	800	0	0
Licenses	110	0	0
Lock Tolls	7,158	16	1
Compensation for Water abstracted, &c.	1,219	1	1
Harbour and Port of London Fund.			
Tonnage Rates	16,582	2	6
Interest on Stock	2,894	12	10
Consolidated Rate Account for Paving, Lighting, Cleansing, and Sanitary Works.			
Rates (less deficiencies)	66,051	18	8
Fees, Hoards, and Scaffolds	313	3	1
Fines for Neglect of Contract and Sundry Receipts	378	14	2
Carried forward	£489,786	7	10

* The greater portion of the amount of fines for leases occurs only at an interval of fourteen years.

† The sum of 5,049*l.* 0*s.* 4*d.* was allowed for drawback in the year 1852, (see expenditure), making net produce of Coal Duties (City's) 57,591*l.* 10*s.*

	£	s.	d.
Brought forward -	489,786	7	10
Sewers' Rate Account.			
Rates (less deficiencies) - - - - - -	18,826	14	0
Compositions, Private Drains, &c. - - - - -	699	8	6
Police Rate Fund.			
Rates - - - - - - £28,164 11 10¼			
Less Deficiencies and Poundage - - 2,063 18 8¾			
	26,100	13	1½
Compositions, Fines, Penalties, &c. - - - - -	1,537	11	2
Police Superannuation Fund.			
Fines for Assaults on Constables - - - - -	91	16	6
Dividends on Stock - - - - - - -	594	15	8
Ward Rate Fund.			
Rates - - - - - - 4,392 6 3½			
Less Deficiencies and Poundage - 352 18 11½			
	4,039	7	4
Fees and Fines of Sheriff's Court - - - - - -	4,539	16	8
Freemen's Orphan School.			
Rents - - - - - - - - £325 17 1			
Less allowance - - - - - - 5 2 9			
	320	14	4
Dividends on Stock - - - - - - - -	269	18	4
City's Moiety of Gresham Estate.			
Rents - - - - - - - - -	5,028	15	10
Casual Receipts - - - - - -	95	5	11
	£551,971	5	4

An ACCOUNT of the EXPENDITURE of the CORPORATION of LONDON for the year 1852.

Charges on City's Estates.	£	s.	d.
Contribution in aid of Metropolis Improvements - - - -	11,500	0	0
Salaries and other expenses of Management of Estates - - -	2,850	4	8
Annuities, Rent-charges, &c., chargeable on Estates - - -	6,417	0	8
Charges on Markets - - - - - - -	8,780	4	9
Charges on Tolls, &c. - - - - - -	6,407	19	5
Charges on Coal Duty, viz:			
Drawback allowed - - - £ 5,049 0 4			
Compensation allowance to Coal Meters - 7,336 15 0			
Contributed towards City Improvements - 20,000 0 0			
Expenses of Collection and other charges - - 1,163 13 6			
	33,549	8	10
Charges on Corn and Fruit metage - - - - -	1,924	13	0
Charges on Brokers' Rents - - - - - -	192	10	6
Civil Government of the City, including Lord Mayor, Sheriffs, expenses of Mansion House, Guildhall, &c. - - - - -	27,861	0	0½
Recorder, Common Serjeant, and expenses of Criminal Justice - -	8,618	15	3
Magistracy of the City - - - - - - -	8,191	9	8
Magistracy of the Borough of Southwark, and Borough Compter - -	893	9	1
Police, proportion paid out of City Estate - - - -	10,524	18	6
Prisons, viz. Newgate, House of Correction, and Debtor's Prison -	17,447	11	3
Coroner, London and Southwark - - - - -	1,031	13	10
Conservancy of Thames and Medway - - - -	4,712	6	2
Charitable Donations, Pensions, &c. - - - - -	5,887	6	8
Towards Lodging Houses for the Labouring Poor - - -	19,625	0	0
Contribution towards Orphan School, being Sheriffs' Fines, &c. -	2,040	13	4
Carried forward	£188,356	5	7½

	£	s.	d.
Brought forward	188,356	5	7½
Interest on Monies borrowed	4,531	12	10
Bequests (not charged on Rents)	323	3	8
Payment for extinguishing right of alienating an office	2,100	0	0
Miscellaneous expenditure, including allowances to Committees, allowance for Library, &c.	6,609	17	11
Charges on Billingsgate Market Tolls Account.			
Salary to Collector, Rates, Taxes, Coals, Gas, and sundries	898	10	2
Interest on Monies advanced	353	12	9
Charges on Bridge House Estates.			
Charges on Property	1,675	14	1
Expenses of Management	2,621	1	10
Lighting, Watching, and Watering London Bridge	914	10	0
Casual and Miscellaneous Payments	1,005	12	8
Annual Payment to the Exchequer	21,550	0	0
Charges on Blackfriars Bridge Fund.			
Lighting, Watching, Cleansing, and Repairing	1,128	9	4
Interest on Loans, Rebuilding Fund	2,967	10	0
Charges on London Bridge Approaches (Duties' Fund.)			
Interest on Loans and Charges	10,120	0	0
Expenses of Collection and Management	2,080	8	2
The surplus, being excess of revenue over expenditure amounting to 113,373*l.* 17*s.* 10*d.*, is payable to H. M. Board of Works, and others, in liquidation of Loans raised and charges made upon the Fund.			
Charges on Metropolis Improvement Fund.			
Costs of collection of Duty	60	2	0
The surplus, being excess of revenue over expenditure amounting to 14,337*l.* 15*s.*, 6*d.* payable to H. M. Board of Works, &c., for Metropolitan Improvements.			
Drawback on Coals, Expenses Fund.			
Salaries and Expenses	977	7	2
Charges on Coal Market Fund.			
Compensation Allowances to Land Coal Meters	1,178	15	7
Salaries to Officers	1,312	0	0
Repairs, Rates, Taxes, &c.	2,222	8	9
Charges on River Thames Fund.			
Surveys and Improvements (Navigation Rental)	1,174	10	0
Ditto (Thames Improvement Fund)	11	11	0
Works on River, Repairs, and Lock-keepers' Wages	4,786	6	9½
Salaries	611	1	7
Rent, Taxes, Law Charges, Printing, and Stationery	1,228	14	0½
Interest on Bonds	4,581	10	0
Charges on Harbour and Port of London Fund.			
Salaries to Harbour Masters, &c,	3,252	0	0
Mooring Chains, Anchors, and Buoys	3,888	12	8
Mooring Chain Service	2,468	19	7
Harbour Service	7,661	6	9
Law Charges, Stationery, Printing, &c.	503	3	10
Charges on Consolidated Rate Account for Paving, Lighting, Cleansing and Sanitary Works.			
Paving, Lighting, Cleansing, Sanitary Works, &c.	44,630	4	6
Salaries to Officers, Wages at Stone Yard and Collector's Commission (including Salaries and Sewers' Rate)	9,554	17	3
Improvements	3,739	11	0
Printing, Stationery, Law Expenses, Rent of Offices and sundry disbursements	1,746	8	3
Life annuities	2,444	10	0
Charges on Sewers' Rate Account.			
Building, repairing, and cleansing Sewers	13,364	11	6
Private Drains, &c.	569	14	0
Carried forward	£359,605	4	3½

	£	s.	d.
Brought forward	359,605	4	3½
Charges on Police Rate Fund.			
Salaries	2,853	16	0
Wages to Inspectors and Constables	29,484	9	0
Extra Services and Gratuities to disabled Constables	1,030	17	0
Superanuation Fund	1,121	19	11
Superannuated Watchmen	395	4	0
Clothing and Lanterns	1,797	14	10
Expenses of Chief Office and Several Stations, including Printing, Stationery, &c.	3,597	15	9
Charge on Police Superanuation Fund.			
Pensions to superannuated Constables	178	17	0
Charges on Ward Rate Fund.			
Expenses of several Wards for local purposes	4,535	0	7
Charges on General Fund of Sheriffs' Court.			
Salaries and Pensions	2,729	12	11
Repairs, Stationery, Printing, &c.	1,546	10	0
Parliamentary Expenses	351	1	5
Charge on Freemen's Orphan School Fund.			
Charge upon Dividends on Stock	10	0	0
Charge on City's Moiety of Gresham Estate.			
Gresham College	663	12	5
Almshouses and poor Prisoners	339	12	5
Royal Exchange	906	18	7
Interest on Loans	3180	4	1
	£403,983	1	2½

In the preceding statement of the revenue and expenditure of the Corporation of London for 1852, the revenue amounts to 551,971*l.* and the expenditure only to 403,983*l.*, showing an excess of revenue over expenditure of 147,988*l.* This result, however, is mainly owing to the fact, that the sums of 113,373*l.* and 14,337*l.*, making together 127,710*l.*, though stated to be payable to the Board of Works, are not entered in the column of payments. We have already shown that, with respect to these portions of the coal duties, the City is a mere trustee, and that they properly form no part either of the income or expenditure of the Corporation.

In the year 1852, the following were the sums levied for rates under the management of the Corporation, deducting the costs of collection :—

Consolidated rate	£66,051
Sewers' rate	18,826
Police rate	26,100
Ward rate	4,039
Total	£115,016

The valuation of the property assessed to the Police rate is 1,118,226*l.*; so that the rates levied in that year were about 2*s.* in the pound. No rate in the nature of a county rate is made in the City. The poor-rates are made by the parishes upon a separate assessment, which differs from the assessment for the police rate, and is stated for the same year at only 953,110*l.*

Daw, 5085.

It appears to us that an unnecessary complexity in the keeping of the City accounts and in the administration of its affairs, is produced by the multiplication of departments and separate funds. We therefore recommend that the management of similar branches be, as much as possible, consolidated; and the entire revenue and expenditure brought into a single series. We see no reason why the Bridge House Estates should be placed under a distinct management, though the amount of their proceeds ought to be stated separately from that of the other City estates. The accounts relating to the river Thames, to the rates, and other subjects, may in like manner be simplified by proper consolidations.

We have received from the Corporation full returns of the salaries and other emoluments of their officers. We have not found it necessary to include these in our appendix; but we think that, if the alterations in the constitution and functions of the Corporation which we have recommended should be carried into effect, a revision of the establishments of the Corporation, with a view to a more economical arrangement, will be imperatively required. We are satisfied that, by a judicious readjustment of the duties, a reduction in the number of persons employed may be effected. We also recommend that each officer be, as far as possible, remunerated by a fixed salary, and that the present system of partial payment by fees, allowances, or gratuities for extra work, table money, and state and other uniforms, be abolished. In case such a revision should be accomplished, we do not doubt that due regard would be had to the interests of existing officers.*

The system of keeping the money in the Chamberlain's office, and of making a profit of the balances, is described in detail in Mr. Scott's evidence. We see no reason why the Corporation of London should continue to follow a system with respect to the custody of public money now generally abandoned; and we think that the money of the Corporation, and its securities, ought to be lodged in the Bank of England. 4536-95.

The present arrangements for the audit of the accounts of the Corporation seem to us defective. Instead of four auditors annually elected by the livery, we recommend that three auditors, with full powers of examination and disallowance, be appointed in the manner prescribed by the Municipal Corporations Act, s. 37. 93.

The Corporation of London at present enjoy an unlimited power of charging their income, so far as they can obtain advances of money upon credit. We recommend that the provision in the Municipal Corporations Act, with respect to mortgaging the borough property (s. 94) be extended to it,† as well as the subsequent provision requiring a return of the annual revenue and expenditure of boroughs to be made to the Secretary of State, (6 & 7 Wm. 4. c. 104. s. 10.)

Having now examined the constitution of the Corporation of London, and the different branches of its administration, we proceed to the consideration of the Irish Society; which cannot be omitted in a general view of the functions of this Corporation. The Irish Society, though a separate corporation created by charter, was intimately connected, in its origin, with the Corporation of London; its governor is an alderman, and its other members are Common Councillors; and it is in substance, though not in form, a committee of the Common Council appointed under peculiar regulations. In order to explain its origin, and to account for the singular powers which it exercises, it is necessary that we should ascend to a period more than two centuries before our own time, and to a state of things altogether different from the present.‡

During the latter part of the reign of Queen Elizabeth, and early part of the reign of King James I., the north of Ireland had been permanently in an unsettled and disaffected state; the acts of the English Government had been met with constant resistance; and at last the rebellion of the Earls of Tyrone and Tyrconnel had led to extensive forfeitures in Ulster. The condition of the northern province at this time is thus described by Leland, in his History of Ireland: "The repeated efforts of the native Irish to harass and distress that "government which they could have no rational expectations of subduing, "only served to confirm their subjection. By their conspiracies and rebellions "a vast tract of land escheated to the Crown, in six northern counties: "Tirconnel, now called Donegal, Tirone, Derry, Fermanagh, Cavan, and "Armagh, amounting to about five hundred thousand acres; a tract of country "covered with woods, where robbers and rebels found a secure shelter; "desolated by war and famine, and destined to lie waste, without the deliberate "and vigorous interposition of English Government. James, who affected to "derive his glory from the arts of peace, resolved to dispose of these lands in "such manner as might introduce all the happy consequences of peace and "cultivation. The experience of age bears the most honourable testimony to

* See the evidence of Mr. Williams, with respect to a former inquiry of the Common Council into the fees of the Corporation officers, 2787, 2795, 2802-2809.

† See also 6 & 7 Wm. 4. c. 104. s. 2.

‡ See Second Report, p. 191. Judgment of Lord Langdale, in the Skinners' Company *v.* the Irish Society, 19th Nov. 1838. Judgment of the House of Lords, in the same case, 8th August 1845.

" the design; and Ireland must gratefully acknowledge that here were the first " foundations laid of its affluence and security." (B. iv., c. 6.)

In order to carry into effect the King's design of reclaiming the north of Ireland from barbarism, of rebuilding and repeopling its ruined and depopulated towns, and of planting the country with English and Scottish Protestants, a negotiation was entered into between the Crown and the Corporation of London; and the Corporation undertook, in return for large grants of land and extensive power and privileges, to settle the plantation at their own expense. The sum of money required for the purpose was considerable; and the Corporation raised it by an assessment upon the citizens of London, belonging to the different London companies. It would be foreign to our purpose to state at length the complicated transactions which arose out of this undertaking, on the part of the Corporation. The plantation was made, and the Irish Society incorporated by James the First.* The Society afterwards set out in severalty large estates in the plantation to the several London companies, the members of which had contributed funds for the settlement; the size of the estates bearing in general some proportion to the amount of money contributed by the members of the respective companies. Before very long, the Society was involved in disputes with the Crown; its charter was forfeited, and its proceedings annulled in the time of Charles the First. Charles the First however had promised to restore the charter, and confirm the proceedings, when the civil wars broke out, and the promise was never fulfilled. Charles the Second re-granted the charter, and under this charter the Society still exists, and holds a considerable property in and near the towns of Londonderry and Coleraine. It consists of lands, fisheries, and other property which it was not easy or possible to set out in severalty to the different companies, as had been done with the great body of the estates in the plantation. This property has been administered since the time of Charles II. by a committee of the Corporation of London, no member of which, except the governor, can, by the charter, continue to be a member for more than two years consecutively; and practically no member is ever re-elected.

It appears from this brief statement that the Society was instituted for the purpose of planting and civilising a large tract of country in the north of Ireland, at the time of its institution in a barbarous state, partly from the want of civilisation among the native Irish, and partly from the ruin and devastation consequent upon the repeated rebellions against the English authority. It is obvious, and was fully admitted by the governor of the Irish Society, that the original objects for which it was created have long ago been satisfied. Its revenues are at present appropriated partly to the expenses of management, partly in grants for the municipal institutions of Londonderry, and partly in grants to various charitable and educational institutions connected with the districts around Londonderry and Coleraine. It has become, in substance, a large charitable endowment for the north of Ireland, managed by an absentee committee in London. Without discussing in detail the questions between the Irish Society and its Irish tenants and dependents, which have been raised before us, we think that enough has appeared from the evidence on both sides to show that their relations cannot be regarded as satisfactory.

Humphery, 8404-5. 8409.

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* The original objects of this scheme are expressed in the following extract from the Translation of the charter of King James the First to the Irish Society. Dated the 29th March 1613.

" JAMES by the grace of God of England, Scotland, France, and Ireland King, Defender, &c., to all whom these present letters shall come, Greeting. Whereas there can be nothing more kingly than to establish the true religion of Christ among men hitherto depraved and almost lost in superstition, to strengthen, improve, and cultivate by art and industry, countries and lands uncultivated, and almost desert; and the same not only to plant with honest citizens and inhabitants, but also to renovate and strengthen them with good statutes and ordinances, whereby they might be more safely defended, not only from the corruption of their morals, but from their intestine and domestic plots and conspiracies, and also from foreign violence. And whereas the province of Ulster, in our realm of Ireland, for many years now past hath grossly erred from the true religion of Christ and Divine grace, and hath abounded with superstition, insomuch that for a long time it hath not only been harassed, torn, and wasted by private and domestic broils, but also by foreign arms: We, deeply and heartily commiserating the wretched state of the said province, have esteemed it to be a work worthy of a Christian Prince and of Our Royal functions to stir up and recal the same province from superstition, rebellion, calamity, and poverty, which heretofore have horribly raged therein, to religion, obedience, strength, and prosperity.

And whereas Our beloved and faithful subjects, the Mayor and Commonalty and Citizens of our City of London, burning with a flagrant zeal to promote such Our pious intention in this behalf, have laudably undertaken a considerable part of the said plantation in Ulster, below in these presents mentioned, and in other respects are making progress therein."

We feel bound to express our opinion that great abuses existed no long time since in the administration of this trust property, and that the expenses of management went far beyond the necessary costs attendant upon a distant executive. In an abstract of the expenditure of the Irish Society which has been laid before us, we find it stated that the total expenditure (deducting the permanent payments), and the costs of management, stood to one another in the following proportions, in the three periods of ten years from 1818 to 1847 :

Years, ending February.	Expenses of Management.	Total Expenditure, less permanent payments.
1818-27	£33,729	£59,512
1828-37	44,198	73,416
1838-47	55,985	86,970
Total	£133,912	£219,898

From this statement it results that, in the thirty years from 1818 to 1847, the costs of management amounted to more than half the expenditure which was not of a permanent nature. The expenditure of a permanent nature is nearly 1,100*l.* a year ; so that, in order to obtain the total expenditure for the thirty years, it is necessary to add a sum of about 33,000*l.* The expenses of management, and the total expenditure, less the permanent payments, for the seven years from February 1847 to February 1853, stand as follows :

Years, ending February.	Expenses of Management.	Total Expenditure, less permanent payments.
1847-53	£21,161	£50,292.

This comparison shows that, during the last seven years, the expenses of management have amounted to less than half the expenditure which was not of a permanent nature. During these seven years, the permanent expenditure has likewise been nearly 1,100*l.* a year. It should be observed that the law expenses, and the interest on loans which were contracted for the payment of law expenses, have, in this statement, been included under the head of expenses of management. During the thirty years from 1818 to 1847 these two sums together amounted to 25,094*l.* ; during the seven years from 1847 to 1853 the same two sums amounted to 3,769*l.* It is, however, right to remark that the expenses of litigation do not stand on the same footing as the ordinary expenses of management ; and the expenses of litigation, which of late years have been peculiarly heavy, were such as it was incumbent upon trustees to incur. The existing income of the Society is stated by Alderman Humphery, the governor, at about 10,000*l.* a year ; and he estimates the present costs of management, including an allowance of 600*l.* for legal expenses, at about 3,000*l.* a year. Ald. Humphery, 8373-8382.

Till of late years the Society was in the habit of considering all revenue beyond a certain sum expended in public and charitable objects as surplus revenue ; and it divided all such surplus amongst the companies which had contributed to the original plantation, and whose estates had afterwards been respectively set out to them in severalty. In the case of the Skinners' Company *v.* the Irish Society, decided a few years ago, it was contended against the Society by one of these companies that a larger share of the whole revenue ought to be divided. The claim of the company was successfully resisted by the Society, both Lord Langdale and the House of Lords on appeal having given judgment against the claim. It appears, from the arguments and judgments in this case, that the Corporation of London have not and have never claimed any beneficial interest whatever in the revenue of the Society. The Society itself also, from the charter and from its own present practice and avowed principle, are mere trustees for the purposes declared in the charter of incorporation ; and although neither Lord Langdale nor the House of Lords decided what the claim of the companies might be upon a supposed surplus, it results from both those decisions that the objects of the charter are so vast and various that they never could be entirely satisfied by any funds at the disposal of the Society, and that, in fact, if the Society did its duty, no surplus could ever arise in any reasonable probability. Practically, therefore, the companies have now no interest in the revenues of the Society, because they can only be entitled (if they are entitled at all) to a surplus which has not and cannot have any actual existence. It follows that there are no persons or bodies in this country beneficially interested Humphery, 8398.

in the receipt of its revenues. Its affairs are at present in a flourishing condition financially; the many expensive lawsuits in which it has been of late years engaged are now nearly at an end, and the heavy debt occasioned by them has been paid off.

Humphery, 8402. As the revenues of the Irish Society are now unincumbered by debt, and as neither the Corporation of London, the Society itself, nor the London companies are beneficially interested in its funds, the present is a favourable moment for considering the question of its management with a view to an amendment of the system.

When the Irish Society was created by King James I., the City of London and the north of Ireland stood to each other in a relation wholly different from that which subsists between them at present. The north of Ireland was in a state of barbarism, and of devastation from civil war. The island had recently been disturbed by foreign invasion; and it was an important object of public policy to rebuild the ruined towns, to reclaim the people from their wild and unsettled habits, and to hold the country with a strong hand. In this state of things, the assistance of the powerful and wealthy Corporation of London was of paramount importance; and it was calculated to aid in the promotion of a great national object.* But the original purposes with which this "plantation" or "colony" (as it was called) was established, have long since been satisfied; Ulster is now in a prosperous and peaceable state; the influence of the City of London in civilizing, in governing, and in protecting the north of Ireland is no longer felt, and the Irish Society has, through the change of circumstances, assumed the form of a charitable trust, charged with the annual distribution of a large endowment. The duties of the managing body would be simplified, and their proceedings facilitated, if the objects of the trust were clearly defined by Act of Parliament, with reference to the existing state of things. But the leading advantages which formerly accrued from the connection of the managing body with the Corporation of London have ceased; and their distance from the place where the estates are situated necessarily creates embarrassment in their administration, as well as much additional expense. For these reasons we recommend that the Irish Society be dissolved, and its charter repealed, by Act of Parliament; and that its property be vested in a new set of trustees, whose number and character should be defined in the Act. We recommend further that the trustees be appointed by the Lord Chancellor of Ireland, and that he have power to fill up vacancies as they occur from time to time. A general scheme for the guidance of the trustees in the management of the property ought, as we have already stated, to be laid down in the Act. But as it may be difficult to define once for all every portion of a scheme of this kind, and as it may be desirable as circumstances alter to alter the provisions of the scheme to meet them, power should be given to the Lord Chancellor of Ireland to modify or vary the provisions of the scheme within certain limits.

Sir R. Ferguson, 8156.

We stated in a former part of our Report that, if the entire system of the Municipal Corporations Act were applied to the Corporation of London, it would be necessary to advance its boundaries until they comprehended the entire metropolis. We attempted, at the same time, to show that such an extension of the City boundaries would entirely alter the character of the Corporation of London, and would create a municipal body of unmanageable dimensions; we therefore advised that this course should not be adopted, and we reserved the mode of dealing with this part of the subject for separate consideration.

With the single exception of London, the local government of every considerable town in the United Kingdom is vested in a municipal corporation. This government is not confined to a portion of the town, but, since the recent statutory reforms, comprehends its entire circuit. In London, however, as we have already seen, the municipal government extends over only a small portion of the entire town, whether measured by area or by population. If it were held that municipal institutions were not suited to a metropolitan city, no reason could be found, except its antiquity and existence, for maintaining the Corporation of London, even with its present limited area. It appears to us, however, that a metropolitan city requires, for its own local purposes, municipal institutions not less than other towns. We believe, indeed, that the utility of

* The King, alluding to the Ulster settlement, expressed his opinion that "when his enemies "should hear that the famous City of London had a footing therein, they would be terrified from "looking into Ireland, the back-door to England and Scotland."—LELAND, *ib.*

municipal institutions is greater, and their want more felt, in a large, populous, opulent, and crowded metropolis, than in a country town of less size, population, and wealth. Those functions of local government, moreover, which in other towns are performed by the municipal authorities, are, in the metropolis, actually discharged by parochial functionaries, or by boards created by local acts, though they may be discharged in a less uniform and efficient manner. In some cases, indeed, in the parishes on the outskirts of the metropolis, they may, from a want of powers in the general law, be left for a time altogether unprovided for, to the serious inconvenience of the inhabitants, and to the permanent injury of the owners of property within the district. We may refer to the evidence of a deputation of the vestry of St. Pancras, appended to our Report, as illustrating the evils which now arise in large parishes where new building is in progress on a large scale, from the absence of an efficient municipal organization, applicable to new portions of the town as they successively spring into existence. Cooper, 2849-67.

Although the City of London is the only part of the metropolis which possesses a municipal organization, there are at present within the metropolitan district seven Parliamentary boroughs, each of which, with the exception of Greenwich, contains a larger number of inhabited houses, and a larger population, than the City, as appears from the subjoined statement.

Houses and Population in 1851 in the Metropolitan Boroughs.

Boroughs.	Inhabited Houses.	Population.
Finsbury	37,427	323,772
Marylebone	40,513	370,957
Tower Hamlets	75,710	539,111
Westminster	24,755	241,611
Lambeth	39,154	251,345
Southwark	23,751	172,863
Greenwich	15,401	105,784

	Inhabited Houses.	Population.
City of London	14,693	129,128

Of those seven boroughs five received the right of returning members to Parliament under the Reform Act of 1832, and we concur in the opinion expressed by the Lord Mayor, in his evidence given before our Commission, that "as the legislature has already decided to enfranchise other portions of "the metropolis as Parliamentary boroughs, the legislature ought to complete "the work by enfranchising them for municipal purposes also" (Question 7,196). We think, indeed, that if an attempt were made to give a municipal organization to the entire metropolis, by a wider extension of the present boundaries of the City, the utility of the present Corporation, as an institution suited to its present limited area, would be destroyed; while, at the same time, a municipal administration of an excessive magnitude, and therefore ill adapted to the wants of the other parts of the metropolis, would be created. But we see no reason why the benefit of municipal institutions should not be extended to the rest of the metropolis, by its division into municipal districts, each possessing a municipal government of its own. What the form of this government should be, and what should be the number or extent of the districts, are questions not lying within the scope of our Commission, and upon which we are not competent to express any opinion. We recommend, at the same time, that the slight municipal connexion which now subsists between Southwark and the City of London be dissevered; and that some small spaces included within the external boundaries of the City, but not forming a part of it, be annexed to it.

We may be permitted here to remark that the power of petition to the Crown for the grant of a municipal corporation, given to Parliamentary boroughs by the Municipal Corporations Act, and by the Act of 1 Vict. c. 78, does not appear to us to be practically applicable to the metropolis. In order that a proper distribution of the metropolis into municipal districts should be effected, it would be necessary to take a connected view of its different parts,

and to arrange the boundaries and size of each district with reference to the other districts. Without such mutual adjustments, a proper combination of districts would be impossible; and such adjustments could not be made, if charters were granted singly to Parliamentary boroughs. If a distribution of the metropolis into municipal districts is to be made, it ought, as it seems to us, to be made simultaneously, and with a due consideration of the manner in which the interests of each part are affected by the general plan.

Acland, 51-72.
Dillon, 713-735.
Elliott, 1124-1130.
Hankey, 1718-1742.
Cotton, 1824-1839.
Belton, 1966-2017.
Bennoch, 2054a-2066, 2120-2123.
Morley, 2156-2160, 2166-7.
George, 2275-2308.
Bateman, 2346.
Hickson, 2958.
Williams, 2830.

In the event of a division of the entire metropolis, such as we have ventured to indicate, being hereafter made by the authority of Parliament, we suggest the creation of a Metropolitan Board of Works, to be composed of a very limited number of members deputed to it from the council of each metropolitan municipal body, including the Corporation of the City. We propose that the management of public works, in which the metropolis has a common interest, should be conducted by this body. At present works of this sort can only be undertaken either by the Corporation of London from its own peculiar funds, or under powers created for the purpose by special legislation, or by the executive government out of Parliamentary grants. The only fund arising from metropolitan taxation is the coal tax, a large part of which is, as we have already seen, devoted to metropolitan improvements, under the control either of the Commissioners of Works,* or the Corporation of London. We have already explained the origin and nature of that tax, and we pointed out the objections to which its present application is liable; but we reserved our recommendation respecting it for a subsequent part of our Report. We now recommend in the event of a metropolitan board of works being created, that the entire proceeds of the coal tax, including the 4*d.* tax now payable to the City, be transferred to its administration, at the earliest period which may be found practicable; and that they remain under that control after the year 1862, in case the coal tax should be prolonged. When that year has arrived, the London Bridge Approaches fund would be broken up; and we think that the fees on freedoms and apprentices payable to this fund ought to be abolished; and that the small duty on wine which now forms a portion of it, should if continued, be added to the fund for maintaining the port of London. We would add, that in the event of a transfer of the 4*d.* coal duty being made in the manner indicated, the compensation for the sea coal meters, and the loan for the Cannon Street improvement, ought to be a continuing charge upon that tax. It is however, we think, incumbent on the Corporation to provide a sinking fund for the annual discharge of a portion of the loan borrowed for that improvement.

We propose further that the metropolitan board of works should be empowered to levy a rate upon the entire metropolis, for any improvement of general utility, within a certain poundage, to be fixed by Act of Parliament. The present poor-rate assessment of the metropolis (according to the limits of the Registrar General), is nearly 10,000,000*l.*; and a penny rate upon this amount would produce 41,666*l.* Looking to the unequal incidence of the coal tax, and to the dissatisfaction which it creates in the district over which it is levied, we strongly incline to the opinion that, even if it should not be thought expedient to disturb the existing arrangement before 1862, yet that it will be held advisable to abolish it from that period, and to substitute for it a rate levied upon the whole metropolis, and payable either by the owner or the occupier, or by both in some fixed proportion. If it should not then be thought expedient to renew the coal tax, as we think probable, we assume that the 4*d.* duty now levied on behalf of the City would cease at the same time.

It is manifest that a power of executing public works of general metropolitan importance, such as the construction of bridges over the Thames, or the opening or widening of main lines of street, accompanied by a power of metropolitan taxation, would, though founded on a basis of popular election, require efficient safeguards for its prudent and useful exercise. We therefore think that the plans for the works to be executed should be submitted to a committee of the Privy Council, and its consent obtained before they are carried into effect. We may add that cases may arise where public works may be executed in the metropolis partly out of the metropolitan fund, and partly from Parliamentary

* See the following Acts and their recitals, viz., 2 & 3 Vict. c. 80; 3 & 4 Vict. c. 87; 4 & 5 Vict. c. 12; 8 & 9 Vict. c, 101; 9 & 10 Vict. c. 34; 13 & 14 Vict. c. 101. These Acts create out of the proceeds of the coal tax a fund entitled "The Metropolis Improvement Fund."

grants, and that in these cases a control of the executive Government such as we have proposed would be indispensable.

Having now, to the best of our ability, executed the trust which has been confided to us, we will recapitulate the heads of our principal recommendations.

1. That a new charter be issued, containing all such provisions in existing charters of the Corporation of London, and all such customs of the City, as it may be deemed expedient to preserve.

2. That the Lord Mayor be elected by the Common Council, from the Common Councillors, or from persons qualified to be Common Councillors.

3. That the Aldermen be elected by the burgesses of the wards for six years, and be re-eligible; that they be justices of the peace during their term of office.

4. That the powers of the Municipal Corporations Act with respect to the appointment of stipendiary magistrates be extended to the Corporation of London.

5. That the Court of Aldermen be abolished, and that its functions be transferred to the Common Council.

6. That the number of wards be reduced to some number not less than twelve, nor greater than sixteen; and that their area and population be, as far as possible, made equal.

7. That each ward return one alderman and five common councilmen to the Common Council; and that their qualification be that prescribed by the Municipal Corporations Act for the larger class of boroughs; namely the possession of real or personal estate of £1000, or being rated on an annual value of at least £30.

8. That the voters in the wardmote elections be the occupiers of premises in the ward rated to the amount of 10*l.* per annum, without any additional qualification.

9. That the elections in Common Hall be abolished.

10. That the sheriffs be elected by the Common Council.

11. That the Lord Mayor's Court and the Sheriff's Court be consolidated, and that an appeal be given from such court to one of the superior courts at Westminster.

12. That the Court of Hustings be abolished.

13. That the Court at St. Martin's-le-Grand be abolished.

14. That all regulations prohibiting persons not free of the City from carrying on any trade, or using any handicraft within the City, be abolished.

15. That the metage of grain, fruit, and other measurable goods be no longer compulsory.

16. That the Fellowship of Porters be dissolved; and that other privileges of porters be abolished.

17. That the admission of brokers by the Court of Aldermen be abolished.

18. That the street toll on carts not the property of freemen be abolished.

19. That the City police be incorporated with the metropolitan police.

20. That the conservancy of the river Thames be transferred to a board consisting of the Lord Mayor, the First Lord of the Admiralty, the President of the Board of Trade, the Deputy Master of the Trinity House, and the First Commissioner of Woods.

21. That the exclusive privileges of the Company of Watermen and Lightermen on the river Thames be abolished

22. That the accounts of the revenue and expenditure of the Corporation be consolidated.

23. That the money and securities of the Corporation be lodged in the Bank of England.

24. That the election of auditors be amended.

25. That the provisions of the Municipal Corporations Acts, with respect to the mortgaging of lands, and the making of an annual return of revenue and expenditure to the Secretary of State, be extended to the Corporation of London.

26. That the Irish Society be dissolved; that its trusts be declared by Act of Parliament; and that new trustees be appointed by the Lord Chancellor of Ireland.

27. That the external boundaries of the City remain unchanged; but that the

municipal connexion between the Corporation of London and a part of the borough of Southwark be abolished.

28. That the rest of the metropolis be divided into districts for municipal purposes.

29. That in the event of such division being made, a Metropolitan Board of Works be created, composed of members deputed to it from the council of each metropolitan municipal body, including the Common Council of the City.

30. That the coal duties now collected by the Corporation of London, so long as they remain in force, be under the administration of this Board; and that in case the coal duties which expire in 1862 should not be renewed, the 4*d.* duty now levied on behalf of the City should cease at the same time.

31. That this Board be empowered to levy a rate, limited to a fixed poundage, for public works of general metropolitan utility, over the metropolitan district.

32. That no works be executed by this Board unless the plans have been approved by a Committee of the Privy Council.

We have thus endeavoured, in obedience to Your Majesty's commands, to express our opinion of the present state of the Corporation of London, and of the changes in the existing system which appear to be required by considerations of public advantage. We desire to state that, although we have found much which in our judgment calls for amendment, yet we have discovered nothing which can affect injuriously the honour and integrity of the officers to whom the affairs of this great Corporation have been confided.

Some of the alterations which we have recommended will reduce the income of the Corporation, but others will, at the same time, relieve its burdens and diminish its expenditure. Again, some of the reforms which we have suggested will curtail its powers and privileges; but they will at the same time remove mischievous restraints upon trade and industry, and will abolish other institutions unsuited to our modern legislation. We trust that the changes in the constitution of the Corporation which we have indicated, and which are founded upon the recognized policy of the country with respect to municipal boroughs, will place it on a more solid and enlarged basis; and that the Corporation will continue, under an amended system, to possess abundant means, not only for purposes of public usefulness, but also for the exercise of a decent hospitality and splendour. We may be permitted to add that, while we have abstained from recommending an extension of the boundaries of the City, by which it would include the entire metropolis, we have proposed such an arrangement as will enable the Corporation to form a part of a general metropolitan system.

(L. S.) HENRY LABOUCHERE.

(L. S.) J. PATTESON.

(L. S.) G. CORNEWALL LEWIS.

J. D. COLERIDGE,
Secretary.

MINUTES OF EVIDENCE.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO THE

STATE OF THE CORPORATION OF LONDON.

Tuesday, 1st November 1853.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

JAMES ACLAND Esq., having been sworn, was examined as follows:—

1. I believe you have directed your attention a good deal to the affairs of the corporation of the City of London?—I have.

2. Do you reside in the City of London?—I do.

3. Do you exercise any trade or profession there?—I am an electoral agent.

4. What are the functions of an electoral agent?—An electoral agent undertakes to promote the electoral views of the party retaining him, whether it be for a seat in Parliament or for any other appointment.

5. Have you been actively engaged in elections?—Yes, very frequently.

6. Do you allude to parliamentary elections, or to contests for civic offices?—To both.

7. You have been engaged in both?—I have.

8. You are connected with a society that has for its purpose the reform of the corporation of the city of London?—I am. I am an inchoate freeman of the City of London, and have been for half a century, my father having been free when I was born. I have never taken up my freedom, not having thought it worth my while. At the commencement of the present year I received a summons from the Chamberlain of the City of London, requiring me, in common with thousands of others who had not taken up their freedom, to take it up,—the commencement of a process in the city courts to compel you to take up your freedom. This induced me to endeavour to form an association of the thousands who had received similar notices, and the result was the establishment of the city of London Municipal Reform Association, of which I have the honour to be secretary.

9. When was that society established?—In the month of July this year.

10. Is it composed of persons who feel themselves aggrieved in the manner you have described, or does it include others who, upon general principles, desire an alteration in the present system of the corporation of the City of London?—It includes members of both descriptions. The far larger portion of its members, however, are small shopkeepers, who were really unable to pay the corporate demand of 6*l.* 5*s.* 4*d.* for permission to continue their trade in the city. It also includes some hundreds of gentlemen connected with the warehouses in the Wood Street, Gutter Lane, and Bread Street districts,—the Manchester warehousemen,—and others again, who from feeling the necessity of corporate reform have joined our association.

11. What is the number of the members of the association?—The number is 1,200.

12. Is there any subscription required?—The subscription is merely a registration fee of one shilling; all other contributions are voluntary.

13. Do you mean that there are 1,200 householders in the city of London who are members of your association?—Certainly, or perhaps I should say rated 10*l.* occupiers, of whom I have a list. This is the book in which they are entered (*producing the same*), as they came individually to enrol themselves members.

14. Are the objects and principles of this society published in any authentic form?—Yes; they have been published. The objects were simply stated, and they were twofold. First, to secure to all rated occupiers of the City of London an equal right to a free and full participation in the privileges which are now monopolized by those who are called freemen; and, secondly, to defend the members of this association against any prosecution on the part of the corporate officials for what we called freedom's sake, that is, against prosecutions connected with the demand that we should take up our freedom. It is a defensive association in that respect and it is also an antagonistic association upon the corporation as now constituted as we contend that all occupiers contributing towards the municipal rates should possess the municipal franchise.

J. Aeland, Esq.

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15. Do the objects of the members of this society extend beyond the simple points to which you have referred, on which they considered themselves personally aggrieved?—Yes; because at a meeting of the members of the association it was resolved that they should give all possible aid to this Commission in its endeavour to ascertain the grievances under which the citizens believe they are suffering, in order to remedy any abuses that may be discovered to exist.

16. But the society have never expressed in a formal manner an opinion as to what they think the proper constitution of the corporation of the City of London ought to be?—No; they have rather desired to expose the abuses that exist, and have not as yet considered what will be the best specific for the cure of the disease under which the city, the body politic, is suffering.

17. Have the society held any meetings?—Several; and they have appointed a committee, which of course has had several meetings in order to conduct its affairs.

18. Have the complaints of the society been against the system principally, or against the conduct of individual officers under the system?—Purely against the system. The society has from the first declared that it should not be made a personal matter; that it is a question to be fought on public grounds; that it is the existing system of which they complain. They are disposed to think that the functionaries and officers of the corporation are rather victims to the system, in common with all those who are claiming their rights.

19. Having explained what are the general views of this society with which you are connected, will you now state whether you have yourself considered and formed some opinion upon the defects which you believe to exist in the present system of the corporation of London, and, likewise, with reference to the remedies which it would be expedient to apply to those defects?—As a born freeman of London, of course I have always felt a considerable interest in the affairs of the City of London. As well known to have been a prominent advocate of Free Trade principles, it may readily be imagined that I am opposed to anything in the shape of monopoly, where the effects of that monopoly are evidently, as in this case, prejudicial to the general interests of the community, and I have therefore generally given the subject my consideration.

20. You are probably conversant with the Report which in the year 1837 the Commissioners appointed to inquire into the Municipal Corporations in England and Wales presented upon the City of London?—I have read it, and studied it.

21. In that Report they divided the subject under certain heads, and perhaps it will be convenient if you will have the goodness to go through those heads, and to state to the Commission your views with regard to them, in the order in which they stand in the Report. We will begin, if you please, with,—"Relation of the City to the Metropolis." Under that head are there any observations which you are desirous of addressing to the Commissioners?—There are. Will you allow me to observe, that "the Corporate Limits," which is made a separate head, appears to come under the same head of "Relation of the City to the Metropolis." The Commissioners of 1834 seem to have been impressed with the idea that the area of the City of London could advantageously be extended over a considerable portion if not the whole of the metropolis. We think that with regard to municipal privileges and municipal duties very much depends upon whether they be conceded to the constituency, or imposed upon the constituency. The parliamentary boroughs of the metropolis have always of late years had an opportunity of applying for a charter of incorporation, if they had been so minded; but I believe that in no one instance have they done so. The Commissioners state that, generally, where the suburbs of provincial towns have greatly increased, it has been held desirable, under the Municipal Reform Act, to take in those suburbs as part of the municipal town; so extending the original municipal area. But that was not the invariable rule; for instance, in the case of Salford and Manchester. Manchester was not so large, relatively to London at all events, but that Salford might have been added to it and yet separate incorporations were given to the two adjacent localities, Manchester and Salford. So that I think there is not much in the argument, that in some instances provincial towns, not a fifth or a sixth or a tithe of the size of the metropolis, had granted to them an increased area, including their respective suburbs, because that was not always the rule. And as regards London, the Parliamentary Reform Act gave to the parliamentary boroughs the power of applying to the Privy Council for municipal incorporation. I think, therefore, that there is not much in the argument, that because the City of London is surrounded by more than two millions of inhabitants, therefore the two millions and a quarter, or a half, should be thrown into the municipality.

22. The incorporations of Manchester and Salford were entirely new creations?—They were so. But if it was very desirable that all adjoining populations should be formed into one corporation (as seems to be contended in this Report), it would seem that it ought to have been done in that case. If it was not imperative in that case, where the population was, probably, not a fifth of that of the metropolis, there cannot well be founded upon that instance any argument that two millions and a half should be thrown into one municipality, when it was not thought desirable that a quarter of a million or half a million should be so treated.

23. Are you then of opinion that it would not be desirable to extend the limits of the City of London?—To extend the limits of the City of London does not precisely meet the

idea with which I would follow up my argument. I am opposed on conviction to the addition of the metropolis to the City of London, because I think that the municipality of the City of London has a specialty which would be overlaid and destroyed by so vast and incongruous an addition, and that specialty is commerce. It is true that the municipal city is nothing in size to London; but it is not London. Whatever it is in greatness, it is as a City. It is the great commercial intrepôt of the world, the first port of the empire. And, although the commissioners state in their report that the City of London has less than a ninth of the population of the metropolis, and that it has not in it the Government Offices, I would ask what proportion does it bear to the commerce of the metropolis—the commerce properly so called—not the retail trade, but the commerce? What proportion does it bear with reference to the different monetary establishments which are there, if the Government offices be not there? You have the Custom House, which is a Government office. You have the Post Office, which is a Government office. You have the Bank of England, not a Government office perhaps. You have the Royal Exchange. You have the offices of all the Dock Companies, and you have the immense monetary establishments which rule the monetary world. The City of London may be decried, if the citizens of London say, "This is London," but it is not to be decried with reference to its specialty. I consider that the effect of the extension of the area of the municipalty of the City of London to the area of the metropolis would be to overlay the specialty of the city itself, and to destroy its commercial character and commercial utility. If the City of London is not what it might be, this commission is appointed to make it what it should be; and if I am right in my idea of its specialty, then my argument will apply less to the commercial municipality as it is,—the commercial municipality, which I believe it to be in your power to make it. Liverpool is now threatening a rivalry with the port of London. It would have little chance of rivalling the port of London, if London had fair play with Liverpool; but the one has a free trade municipality, and the other is under the thrall of a monopolist municipality. The commerce of London is burdened with all manner of onerous charges, and is surrounded with vast difficulties impeding, its full development, as I think we shall hereafter prove.

24. Are you speaking of the great export and import trade of London?—I am. I am speaking of it commercially, not as a mere trading emporium. But waving the further pursuit of the question of the metropolitan area as extended to the whole of the metropolis, thinking that it would not be desirable that you should impose a participation in the London municipality upon the parliamentary boroughs which have not yet shown any anxiety to have municipal institutions, then I come to the point that there is a very large population on the south side of the water—which is legally part and parcel of the City of London which is deprived of the franchise, which is to some extent burdened with the obligations connected with the municipality of the City of London, and which has long struggled, and will struggle before you, to assert its right to be considered part and parcel of the City of London. I allude to the borough of Southwark. They have petitioned over and over again the Common Council of the City of London, and those petitions have been invariably rejected. Therefore, if you will allow me, I will endeavour to put before you in this, I think its proper place, some reasons, legal and otherwise, why the borough of Southwark, the municipal ward of Bridge Without, should be restored to its rights, and why the addition of its population and houses to the present population and houses of the City of London would be a desirable addition by way of concession instead of by imposition.

24a. Are the limits of the ward of Bridge Without co-terminus with those of the parliamentary borough of Southwark?—No; the parliamentary borough of Southwark comprises eight parishes—the ward of Bridge Without comprising but five of those parishes which constitute the modern parliamentary borough.

25. Does that ward comprise all of what may be called the commercial part of the borough of Southwark, the part which adjoins the river?—It does; and I am prepared to give you, as I think, a complete view of what the borough of Southwark municipality is. It comprises three manors and five parishes. The manors are—first, the Guildable Manor. The northern boundary of the Guildable Manor is the river Thames. It extends on the west to St. Mary Overy's, in the parish of St. Saviour. On the east it stretches to Hay's Wharf, in the parish of St. Olave; and it runs southward to the immediate vicinity of St. Margaret's Hill. That Guildable Manor was the original village of Southwark, of the thirteenth century. The jurisdiction of the City of London over the ward of Bridge Without extends through the parishes of St. George, St. Saviour, St. John, St. Thomas, and St. Olave. In the year 1327, the first of Edward the Third, the City of London applied to the Crown, complaining that felons and malefactors were in the habit of escaping over London Bridge and resorting to the town of Southwark, in which town their officers had no jurisdiction. They therefore prayed for such jurisdiction, and a grant of the said town. Letters patent were granted in that year, 1327, with the assent of Parliament, conveying Southwark to the citizens of London for ever, upon payment of the accustomed yearly rent of 10*l*. In 1462, the second of Edward the Fourth, letters patent were granted, reciting, confirming, and extending the jurisdiction of the City in Southwark, specifying the grant of the town, with the appurtenances and all chattels called waif and estray, treasure found, goods of felons and outlaws, disclaimed goods, and all escheats and forfeitures, and assize of bread, wine, beer, ale, and other victuals; the

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office of clerk of the market, with the correction of all persons selling bread, &c., and all others inhabiting or exercising any arts whatsoever in the town, with all forfeitures, fines, and amerciaments thence arising; also a fair of three days yearly, a court of piepoudre, the arrest of felons, and the transferring such felons to the gaol of Newgate for safety. I hope the Commissioners will observe, that here we are arriving towards what may be called evidence that the borough of Southwark—or some portion, at all events, of the parliamentary borough of Southwark, namely, the ward of Bridge Without—appertains to the City of London. In the reign of Henry the Eighth the King's Manor, which is the second of the three manors, was purchased of Cranmer, Archbishop of Canterbury. The Great Liberty Manor, which is the third of the three manors, on the dissolution of the monasteries, was surrendered by Abbot Parfew, with the other estates of Bermondsey Abbey. Then the corporation of London petitioned King Henry the Eighth for a grant of those manors. They did not succeed; but in the subsequent reign, in the fourth of Edward the Sixth (April the 23d, 1550), in consideration of 647*l.* 2*s.* 1*d.* paid by the corporation, letters patent were granted to the mayor, commonalty, and citizens, conveying to them certain messuages and closes theretofore held by Charles Brandon, Duke of Suffolk; also the lordship or manor of Southwark, being the Great Liberty Manor; also the Manor and borough of Southwark, being the King's Manor; also quitrents to the amount of 4*l.* 18*s.* 8*d.* It is observable that there is a distinction made between the Great Liberty Manor and the King's Manor; they were both Southwark, but one is called in the letters patent the lordship or manor; the other is called the manor and borough, while the guildable manor is described as the village of Southwark. Those three manors constitute, as we contend, the ward of Bridge Without; nor, indeed, is that a contested point. The limits of the ward are not disputed. Those three manors comprised five parishes, as I have stated; the Parliamentary borough includes those five parishes, adding to them three others. By the same charter of Edward the Sixth, for the further consideration of 500 marks, the King gave and granted to the corporation in and through all the borough and town of Southwark, and in and through the parishes of St. Saviour, St. Olive, and St. George, and in the parish late called St. Thomas's Hospital, and then called the King's Hospital, in Southwark, and in Kentish Street and Blackman Street (Kent Street and Blackman Street still exist), in the parish of Newington and elsewhere, in the said town and borough of Southwark; and all waifs, estrays, and treasure-trove; and the King further granted to the said mayor, commonalty, and citizens that they should thenceforth for ever hold all manner of contracts and demands whatever, arising within the town, borough, parishes and precincts aforesaid, before the mayor and aldermen and sheriffs of the said city, at the same days and times, and in like manner and form as such happening in the said city had, time out of mind, been held in the courts before the mayor and aldermen and sheriffs of the said city, or in any of them; and that the serjeants at mace of the City of London might thereafter execute any manner of process in the said borough, town, parishes and precincts, concerning such contract and demands arising and happening within the precincts aforesaid, as had been used in the City of London; and that the inhabitants of the town and borough, parishes and precincts aforesaid, as concerning the causes and matters thence arising, might be impleaded and plead in the same city in form aforesaid, and in the courts aforesaid; and that jurors impannelled and summoned on juries for trial of such issues, should be amerced by the said mayor or sheriffs for non-appearance. "And the King further granted that all persons from time to time inhabiting within the town, borough, parishes and places aforesaid, should from thenceforth be in the order, government, and correction of the mayor and officers of the City of London and their deputies, for the time being, as citizens and inhabitants of the said City of London, were and ought to be, by virtue of the charters before that time granted by any of the King's progenitors to the said Corporation of London," putting them on equal ground *pari passu* with the citizens on the northern side of the Thames. "And that the said mayor and commonalty and citizens of the said City of London and their successors, should and might from thenceforth have, hold, and enjoy so many, so great, the same such and the like rights, jurisdictions, liberties, franchises and privilegie whatsoever, in the town parishes and places aforesaid, and in every parcel thereof; and as fully freely and entirely as the said mayor and commonalty and citizens of the said City of London had enjoyed or used, or could and might have enjoyed and used, in the said City of London."

25a. Did the inhabitants of Southwark, at any time, actually enjoy all the privileges of the other citizens of London?—All the privileges that then existed; I am coming to that point.

26. In page 20, of the report of the former commission, you will see this paragraph:—"There can be little doubt that these charters were granted with the view of completely incorporating Southwark with the rest of the city of London, but this intention has been very imperfectly carried into effect. The grants concerning the trial of actions, and the subjecting of the inhabitants to the government of the City, have only been partially operative, and, in fact, the corporation take no charge of the borough, in many very important particulars." Does that agree with your view of the effect of those charters?—They do take charge of the borough in many important particulars, they take charge of the manors, and have always taken charge of them, and taken special care of them. They take charge also of other matters. There was an election of aldermen in the borough, or at all events there

was a direction to the inhabitants that, for the appointment of an alderman in the City of London, the inhabitants should name four citizens, and should return them to the Court of Aldermen, and that the Court of Aldermen, out of these four citizens, should select one to fill the vacancy, whatever it might be. In the same year, that is in the year 1550, in which these letters patent were granted by Edward the Sixth, on the 20th of May, the Court of Aldermen chose and appointed Sir John Ayliff, knight, and barber-surgeon, "to use and occupy the room and office of alderman within the borough of Southwark." On the 28th of May they nominated, elected, and chose Sir John Ayliff alderman of Bridge Ward Without, and he was sworn and admitted. On the 31st of July, in the Common Council, an act was made, enacting that there should be a twenty-sixth aldermanry, and that four freemen, resident within the city and borough or liberties of the city, be nominated, elected, and appointed, by the inhabitants of the said borough, before the lord mayor of the said city, as the aldermen of the said city are elected and chosen; and that of those names so presented the lord mayor and alderman, at the next Court of Aldermen, shall elect and choose one; and they then confirmed two preceding election by the Court of Aldermen of Sir John Ayliff, barber-surgeon. On the 2d of September, the Court of Aldermen declared that, whereas the aldermen then served for two consecutive years, the aldermen of Farringdon Without and of Bridge Without should hold their aldermanries for two consecutive years. In 1553, which is three years afterwards, the First of Mary, November the 14th, there was a Court of Aldermen held, on the election and removal of Sir John Ayliff to the ward of Dowgate. Four citizens were nominated by Sir John Ayliff, as the out-going alderman, and William Harper was duly elected, from among those four citizens, by the Court of Aldermen, as the alderman of Bridge Without, vacant by the translation of the previous alderman to the ward of Dowgate. In 1556, November 12th, Harper removed to Dowgate, on the death of Sir John Ayliff, and Ralph Greenaway was selected from the four returned to the Court of Aldermen, and elected as alderman of Bridge Without. In 1557, June 16th, the Court of Common Council passed an ordinance declaring that, as the ancient custom of the inhabitants naming four citizens, from whom the aldermen should select one, had fallen into disuse, such four citizens were for the future to be named by the lord mayor and aldermen, and then, by scrutiny, one from the four to be selected. On the 21st of June, five days afterwards, the Court of Aldermen nominated four, on the death of Greenaway, and elected John Cooper. In Delawner's Angliæ Metropolis, there is a list given of the aldermen and the common council of Bridge Ward Without; we have no other evidence of common councilmen of Bridge Ward Without. In 1692, on October the 26th, an act for the nomination of aldermen and election of common councilmen in the respective wards of the City of London was passed; there is no exception of Bridge Ward in that ordinance of the Common Council of the City of London.

26a. Does it appear positively that common councilmen were elected for that ward? —No; it does not appear positively that any common councilmen were ever elected for the ward. It does appear positively that four of the resident citizens of that ward were named as the body from which the lord mayor and aldermen were to select the alderman for the ward; but it does not anywhere appear that there were common councilmen elected for the ward of Bridge Without. In those several ordinances the Court of Common Council deal generally with the wards of the City of London, not excepting the ward of Bridge Without. That it was a ward is beyond all question; that it was an aldermanry is beyond all question; and the general acts and ordinances dealing with the wards, without excepting any, must be taken as including the inhabitants of Bridge Without, and as conveying to them equal rights with the citizen inhabitants of any other aldermanry.

27. But still, there is no evidence that the inhabitants of this ward were upon the same footing as the other wards of London, in point of actual exercise of those privileges? —They had an alderman. It is only long subsequently to that time that the alderman of Bridge Without has been made the dernier resort of the members of the Court of Aldermen.

28. You have stated that four citizens were named by the ward, from which the lord mayor and Court of Aldermen selected one as alderman. Is there anything in those records to show by what authority or by what persons those four citizens were named? —It does not appear that the inhabitants of the borough ever did return those four citizens; but it does appear that such was the ancient practice, for the Court of Common Council in their ordinance proclaim the disuse of that ancient practice, and therefore order that those four shall thenceforward be selected by the Court of Aldermen themselves; and then, that one of the four should be, by scrutiny of the lord mayor and aldermen, chosen as the alderman of Bridge Without.

29. Will you refer to page 32 of the Report of the Commission which sat in 1834, where there is the following passage: "With respect to the ward of Bridge Without, it has already been mentioned that the charter of Edward VI. granted the borough of Southwark to the City, and shortly after an act of Common Council was passed by which this was made a new ward by the title of Bridge Without. The mayor and aldermen named the first alderman for the new ward, but the Act directed that the inhabitants of the ward should for the future elect the aldermen as was then done in the other wards. This act seems never to have been carried into effect." Now do

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you believe that to be a correct statement?—I believe it to be a correct statement, and I believe that because it had thus fallen into disuse the Court of Common Council directed that another course should be taken. Parenthetically, I may observe that everything here in the Report of the Commissioners is the evidence of the Corporation. But I find no fault with that statement I think it is quite true that that was the case; it is according to the evidence of the Corporation themselves.

30. The passage just read to you is part of the Report signed by the Commissioners. It is an abstract of the evidence drawn up by the Commissioners with great care?—It is so; it is a summary by the Commissioners of the evidence given by the corporate officers.

31. You have stated that a strong desire has been expressed by the inhabitants of the Southwark Ward to be assimilated in all respects with the City of London?—By some of them.

32. Can you state what proportion of the inhabitants have expressed that opinion?—I cannot; but I can state distinctly that they have repeatedly applied. In 1788 they petitioned the Common Council for equal rights with their fellow citizens.

33. Was that petition the result of a public meeting, or was it only the petition of a certain number of the inhabitants?—I should think that it was not from a public meeting, I am not aware that it was. In 1814 they petitioned the Common Council again, and that petition was in some respects attended to. For instance, the Court of Common Council consented that aldermen should preside as magistrates in the Town Hall of the Borough of Southwark; and in the year 1814, and for some years subsequently, an alderman did preside there; 800*l.* a year was allocated from the city funds for the duties of that office. It however fell into disrepute. There was a public office in the immediate neighbourhood, where justice was administered, and the inhabitants of the borough of Southwark seemed to have thought that justice was better administered there; the business of the alderman in the Town Hall fell off, and dwindled down to comparatively little, and when the alderman died no new alderman was appointed, and the business of the justice room in the Town Hall ceased. That was an instance of magisterial free trade in the administration of justice, and I am bound to suppose that justice triumphed. They have a Court of Record in the borough of Southwark; they have a steward. I think the recorder of the City of London was the steward, although Mr. Payne, the coroner, now acts as steward, whether as deputy of the recorder or not I do not know. He appears in the finance accounts of the corporation to be the steward. There is a prothonotary of the borough, and there was what last year was called the Borough Compter in, I think, Mill Lane, Tooley Street. Some day in this year, in February, the gaol was sold by Messrs. Pullen and son, auctioneers; but in the corporation accounts for 1852 there are various entries for the borough of Southwark and the gaol there.

34. Was the gaol the property of the Corporation of London?—I believe it was.

35. Do you know whether the proceeds of the sale were carried to their account?—The latest financial accounts of the corporation are for the year 1852. This gaol was sold only at the commencement of the present year, but in the financial accounts for 1852, Mr. Pritchard, as the high bailiff for Southwark, has 100 guineas a year; Mr. Payne, as the steward of the borough of Southwark, has 50*l.* a year; the prothonotary has 50*l.*; and there are the messenger and housekeeper at the Town Hall, and various other expenses. Then comes the Borough Compter. Mr. Newman, the keeper, has funds to enable him to pay the wages in the said compter,—217*l.*; and Dr. Russell, as chaplain, for twenty-nine weeks, 60*l.* 18*s.* I suppose those twenty-nine weeks were up to the termination of the occupancy of the then gaol, because it was sold at the commencement of this year; and I can see no other reason why twenty-nine weeks' salary should be given to the chaplain but that then his duties terminated. There are also entries for meat and potatoes, which show that in the year 1852 prisoners were in the Borough Compter, and those prisoners have now been removed to the new City Gaol at Holloway, where Mr. Newman, who was the keeper of the Borough Compter, is also on the establishment of the new gaol; so that there was a compter. There is a court of record; courts leet are regularly held. At those courts leet the inhabitants are summoned to take upon them the office of constable; and this peculiarity attaches to the courts leet, that when a man is chosen as constable, he is told, "Now you have nothing to do but to pay half-a-crown." "What is the half-crown for?" "That is for your being sworn in." "But I do not want to be sworn in; you tell me there is nothing to do." However, the half-crown is paid by the constable appointed, and then he has nothing to do. There are also quarter sessions.

36. How is the high bailiff of Southwark appointed?—By the Court of Common Council.

37. Does his authority extend over the whole of the parliamentary borough of Southwark?—Certainly not. Probably he may be appointed by some competent authority, returning officer of the parliamentary borough; but as the high bailiff of Southwark, an officer of the city of London, he can have no jurisdiction over the three parishes which have been added as a portion of the parliamentary borough. The quarter sessions are regularly held, that is, the form of holding them, is regularly gone through in the Town Hall of the borough of Southwark. The lord mayor, the recorder, and the aldermen, who have passed the chair, being the court. A grand jury are impannelled, and they are addressed to this effect: "Gentlemen,—By virtue of certain ancient charters, we have

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been obliged to call you together. I am happy to tell you that there is nothing for you to do." Then they say, "Why did you call us together?" The answer by the late recorder, Mr. Law, was, "Surely it is better to call you together and tell you, now you may go home, than to call you together and keep you two or three days.

38. Are we to understand your opinion to be, that it would be desirable to assimilate in all respects the ward which is on the other side of the bridge with the rest of the City of London?—No; that is not precisely my opinion. The inhabitants of the borough of Southwark are in this extraordinary predicament, that the City of London claims them as far as it answers its views, and yet it refuses them their rights as citizens. They are told, if they apply to the Privy Council for a charter of incorporation, that they cannot get it because they are part of the City of London; and they think it very hard that they can neither be free citizens of London nor free citizens of Southwark, having an independent municipal corporation. They are in that extraordinary position.

39. What is the course which you propose to pursue with reference to them?—The course which I propose to pursue with reference to them is, that you should hear them, and judge of what is best in the common interest. But I confess that I see some difficulties in making them citizens of London, which would make it impossible to put all the large districts of the metropolis on the south of London under such a municipal government as should conduce to the proper sewerage of that low-lying district. If the borough of Southwark were independent of the City of London, it could apply for a separate charter of incorporation; Lambeth could do the same; and you would thus have for the whole of the south of London, from Battersea to Greenwich, but two municipal bodies for consultation and co-operation upon all questions of sanitary progress and local and social advancement. This would certainly be for the general advantage and health of this vast community, especially in respect of the supply of water and the general sewerage of that important district; for I believe that that is the district which is generally supposed to be the source and origin of the malaria which so frequently and fatally afflicts the metropolis. I am no partisan here, but I think it is a case of peculiar hardship. I should contend that either the ratepayers of the borough—if the borough be a ward, and part of the City of London—should have equal privileges with those on the north side of the river, or that the borough of Southwark should be dissevered from the civic corporation, in order that it should be separately incorporated. And assuming Lambeth also to be municipally incorporated, then there should be arrangements between the two which would suffice, without the intervention of any other party, under a proper constitution, for the proper draining and supply of water in that vast district.

40. Are you able to state to the Commissioners which of those two alternatives you think would be preferable?—Decidedly; I think it preferable that Southwark should be separated from the City of London. I can have no question about it, when I recollect that part of the borough of Southwark is not a municipal ward, and that three of the parishes of the parliamentary borough cannot well ask for municipal incorporation as a mere sectional interest. What pecuniary interest the Corporation of London may have in the manors of Southwark, or in the municipal receipts within the borough of Southwark, whether from the metage of corn on the southern bank of the Thames, or from any other of those onerous charges upon the commerce of London, I know not; but I believe that the inhabitants of the borough hold for their part that if they were severed from the City of London it would be just that the corporation of London should be made to concede to them a fair proportion of the pecuniary advantages which that corporation has heretofore enjoyed or now derives, or may hereafter derive, from property connected with the locality of the Bridge Ward Without.

41. You stated that certain petitions were presented by the inhabitants of Southwark to the Court of Common Council, or to the Court of the Mayor and Aldermen. Do you know what the prayer of those petitions was?—Those petitions, whatever they were, referred to a committee of the Court of Common Council, and the answer of that committee to one of such petitions will I think give us its prayer, or the effect of its prayer. There was a petition of 1814, and another, I think, in 1836.

41a. Is that the latest?—No; there has been one within the last two years. I was present in the Court of Common Council when it was received and rejected. This report of the committee of Common Council gives answers to the arguments set forth in the petition, and gives reasons for rejecting those arguments. If I read those reasons probably it will show the view which the City of London took of this subject. The first objection they urge is this:—"The long usage of the privilege of the inhabitants, without reference to any corporate qualification, to return from their own choice, distinct from the City of London, two members to represent them in the Commons House of Parliament;" because this municipal ward of Bridge Without did certainly as the parliamentary borough of Southwark return two members independently of the City of London, and anterior to the grant of the manors to the city. One of the objections then to the petition on the part of the corporation is, that here would be an antagonistic interest in Parliament to that of the city, or at least a separate interest.

42. The petition was for a complete assimilation; not for severance?—Yes; for they could not ask the corporation for a severance. The second objection to the petition is: "The concurrent jurisdiction of the sheriff and magistrates of the county of Surrey, and the police establishment at Union Hall." But that was not regarded by them as a reason

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why the alderman should not sit at the Town Hall, when they established the Town Hall as a court of justice. This argument was not made available upon that occasion, when it answered their purpose to vote 800*l.* a year to one of the aldermen, in order that he should sit there as a magistrate. That was worse than a concurrent jurisdiction; it was rather the establishment of a conflicting jurisdiction in the instance of an opposition court of justice. The third reason is: "The powers exercised by the high steward and marshal of the King's House; the said town and borough being within the verge;" in other words, the powers exercised by the Palace Court. But the Palace Court no longer exists, therefore that can no longer be an objection. The next objection is: "The contribution to the county rates, of which Southwark forms a very considerable proportion." Of course if they paid municipal rates they would no longer pay county rates. It is a peculiarity of the borough of Southwark, that as a ward of the city it pays no municipal rates as other wards do, but it does pay county rates, as though it were within the county, and not within the city.

43. But it has never been made a part of the City of London, which is a county of itself, so as to take it out of the county of Surrey?—It appears so; yet the City of London can walk into this part of the county of Surrey, and administer justice there; and if it is not part of the city, how can they do that. The next reason is: "The erection of a new Gaol, or such an enlargement of the Borough Compter as may render it fit for the purpose of a separate and exclusive jurisdiction." That is a pecuniary jurisdiction simply. Since that they have the Holloway Gaol, which is quite large enough; therefore that would be no longer an objection. The next reasons are these: "The being subject to the militia laws, and to the billeting of soldiers; the commission of sewers of the county, and district commissions for the paving and lighting and watching of the borough, and other local authorities, created by Acts of Parliament; the establishment of the Metropolitan Police in the districts of the borough; the power of the several courts of the city and its officers, in respect to the attachments of property; foreign attachments, &c., although granted by the Charter of Edward the Sixth, and the compelling of persons to take up the freedom of the city, never having been exercised in the borough; and the trial of Nisi Prius causes at the assizes of the county, for which it would be necessary to make some provision or arrangement for their trial within the city, as is now done in London, at the London sittings of the several courts at the Guildhall, &c." These were the answers that were given to the petition, forming the grounds on which the petition was refused. Then the question is, how the corporation can claim to hold the inhabitants of the borough of Southwark in their civic thrall, without giving them those privileges and advantages that should in reason result from the connexion.

44. Would it be in their power to give them those privileges without applying to Parliament?—Yes; by an ordinance of the Court of Common Council.

45. What do you believe to be the general feeling and opinion of the inhabitants of Southwark? Would they wish to be dissevered in the manner you have sketched out, or would they prefer to be brought into more intimate connexion with the city?—Upon that subject I should be very anxious to test the opinion of the inhabitants of Southwark, and I endeavoured to do so last night, but circumstances prevented. I suggested that it would be desirable that we should elicit the feelings of the inhabitants by a public meeting. It is a matter delayed, not rejected. There are citizens of London, freemen of London, resident in Bridge Without. Their feelings would probably be for perfect union in privileges as in duties with the City of London. But there is a far larger and much more influential portion of the inhabitants of Southwark, who are non-freemen, and I believe it will be found that their opinion is that it is not desirable to become a part of the corporation of London as it is; but that it would be very desirable to become part of a corporation of the City of London such as it might be made, and such as it ought to be. I believe the feelings of the inhabitants non-freemen of Southwark is precisely that of the inhabitants of the City of London north of the Thames, non-freemen, and in every manner they could they have shown it.

46. Do you believe that there is on the part of the inhabitants any general desire that the borough of Southwark should be taken out of the county of Surrey and annexed to the City of London?—Not in express terms.

47. In point of fact, have the county of Surrey and the City of London concurrent jurisdiction in Southwark?—The City of London exercise it when they please; they exercise it when the alderman sits to administer justice, the county having at the same time a police court within 150 yards in Union Street.

48. What do you apprehend is the feeling of that portion of the public of the City of London whose opinions you now more particularly represent with regard to this question of assimilation on the one hand, or of the severance of Southwark from the City of London on the other hand?—I am not prepared to say; I think it is a question which has received so little attention from those not immediately connected with it. The party with whom I am connected is a party who are not corporators. The corporators north of the river, and the persons south of the river, may entertain these questions very naturally; but the non-corporators north of the Thames, who are very generally desirous not to be members of the corporation as it now is, of course take but little interest in these matters.

49. You have stated that the specialty which gives importance to the City of London

is, that it represents very much the great commerce of the metropolis. If Southwark were completely separated from it, would it not, pro tanto, diminish the importance of the City of London in that respect?—But it is separated from it now. And I think it is rather a discredit to the corporation of the City of London, so far as the conservancy of the Thames goes, that though they have the control of the south bank of the river, extending for miles, and they take all the waifs and strays, and all the water bailage, and so on, along that mileage of the river side, yet they neglect what appears to be their municipal duties with reference to the rights of the citizens and inhabitants of that locality.

50. If, in order to annex Southwark effectually to the City of London, it should be necessary to separate it from the county of Surrey, could that be done by a mere ordinance of the Common Council without an Act of Parliament?—By an ordinance of the Court of Common Council representatives could be given to the ward of Bridge Without. That I have no doubt about. By an ordinance of the Court of Common Council, the privileges of a wardmote might be given to the resident freemen of that ward, so that they should elect their aldermen, and elect their common councilmen, as they are elected in the other wards of the City. Whether the question put may not involve some legal technicality or point with which I am unable to deal, and with which I would not presume to deal, I know not; but, so far as practical citizenship goes, so far as the enjoyment of the civic rights in the election of representatives is concerned, the corporation have always had the power to give to the citizens of Bridge Ward that which they have demanded; but they have always refused to do so.

51. We will assume that the boundaries of the City of London are confined to that portion of the city which lies north of the river; we will suppose that the parliamentary borough of Southwark is constituted a municipal borough under the general powers of the Municipal Act; and we will make the same assumption with regard to Lambeth. Then there would be but one municipal borough to the north of the Thames, and there would be two municipal boroughs to the south of the Thames. In that state of things would you leave the rest of the metropolis without any municipal constitution?—I would give a municipal constitution wherever it was desired. I would force it nowhere. I would concede it, but I would not impose it.

52. For example, do you think it would be desirable that there should be a municipal borough in the City of Westminster?—I think it very desirable that there should be; but I, as a citizen of London living in the City of London, will concede to the inhabitants of Westminster their right to form their own opinion upon that subject according to their better knowledge of their own local interests; but as it regards the general public interests, I have no question but that Westminster should be a municipality. I think the same with respect to every parliamentary borough. I think that a legislative union of the whole metropolis, by delegation from the several municipalities, would be very useful for general and common purposes, such as police, if you please, probably for water, and certainly for sewerage.

53. Then would you have municipal boroughs for Westminster, Marylebone, the Tower Hamlets, and Finsbury?—Yes; Southwark, Westminster, Finsbury, Marylebone, Lambeth, and the Tower Hamlets.

54. Would you think it desirable that there should be a municipal organization for each of those parliamentary boroughs?—I should.

55. You are aware of the means by which that power can now be obtained?—I am.

56. Is not it dependent upon the consent of the majority of the ratepayers in each borough?—The majority in number, and I think the majority in rated amount, and I believe also that there is a general feeling in favour of it. I know that it is so in one or two boroughs; but what is everybody's business is nobody's business, and therefore no one stirs in the matter, and they have not petitioned the Privy Council; but I believe that the general feeling is very strong in favour of such an application.

57. Do you contemplate that each one of those municipal boroughs should have a separate police, and a separate jurisdiction in the way of magistrates?—I think not a separate police; separate jurisdiction I think they should have.

58. If each of such boroughs were to have a separate police, it would be necessary to break up the system of the Metropolitan Police, would it not?—Certainly.

59. How would you proceed with respect to sewerage, there being now a Commission of Sewers for that portion of the metropolis which is north of the Thames, minus the City?—I cannot imagine that the sewerage of the metropolis can be sufficient and effectual under different administrations, or under different and separate jurisdictions.

50. Supposing there were a municipal borough of Marylebone, what powers would you contemplate that the town council would exercise? The police and sewerage being withdrawn, what would be their functions?—Their functions would be purely local and independent.

61. Do you know when the borough of Southwark first returned members to Parliament?—I do not.

62. It is of very ancient date, is it not?—It is.

63. Would not that very circumstance seem to show that they were not considered at the time as being an integral part of the City of London, because if they had been a ward of the the City of London they would have joined in electing members for the City?—Yes, it would seem so.

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64. Would you place the management of the paving and lighting of the streets under those municipalities?—I think that should rather go with the sewerage.

65. The supply of water is at present in the hands of the companies?—Yes; but I think that should not be.

66. Would you give them the supply of water?—I would not give to each separate municipality the supply of water. I would form, by delegation from each municipality, a Common Council, which should have the power of supplying water under but one jurisdiction, extending over the entire area of the metropolis, in order to its being an effectual and good supply.

67. What do you suppose that their functions would be in case there were a town council?—I think wardmote functions rather convey the idea which I entertain upon the subject.

68. We have stripped them of the police, the lighting and paving of the streets, of the water supply, and of the sewerage; what remains of a municipal nature?—The administration of justice.

69. That is to say the office of justice of the peace?—The office of justice of the peace, or paid magistracy.

70. Would you get rid of the police magistrates appointed and paid by the Crown, who now act for that portion of the metropolis which is not in the City?—If you had a properly elected municipality, you might entrust the appointment of the paid magistracy to that municipal body.

71. Do you think that the administration of justice by the aldermen is more satisfactory than that by the magistrates appointed by the Crown in the metropolis?—It is not satisfactory, because it is always open to suspicion, from the circumstance that the aldermen are appointed by a minority of the ratepayers in the respective wards, and only by a majority of that minority; whence it follows, looking at human nature as it is, that if one of those whose vote appointed the alderman and magistrate for life came before that alderman and magistrate the other party, having no such advantage or connexion, and being unknown to the alderman, a suspicion will arise, be it just or unjust, that partiality exists.

72. Would not that objection apply, in a certain degree, to any magistrates appointed by popular election, either directly or indirectly, as compared with magistrates appointed by the Crown to administer justice?—It would always, to a certain extent, but certainly to a much less extent if the electors were the whole of the ratepayers, than where the electors, as in the City of London, are but a small portion of them.

73. In short, you would assimilate the practice in the City of London very much to the practice which prevails in the large cities throughout the country?—Certainly, in that respect.

74. Do you know anything of the state of the towns in which there is a double municipality; for instance, Plymouth and Devonport, Manchester and Salford, where the town is divided into two boroughs? Do you know whether the system works harmoniously, or whether there is any want of concord between the two bodies?—I can only speak from personal knowledge of the latter instance, of Manchester and Salford; I believe there the system works harmoniously; I am not aware of there existing, or there ever having existed, anything like an antagonism or a conflict of interests or duties.

75. Have you anything more to say upon this part of the subject?—I would wish to be understood as not advocating, one way or the other, with reference to Southwark, but to put my views before the Commissioners, and to show you the very peculiar and awkward position of that ward of Bridge Without at the present moment, inasmuch as they cannot have the rights of citizens of London, and yet they cannot apply to the Queen for a charter of incorporation for Southwark.

76. Supposing the ward of Bridge Without was united to the City of London, would it be incovenient to do so without comprising in the union the whole parliamentary borough of Southwark at the same time?—I should think there would be a conflict of authority in the latter case if the whole were not united.

77. You think it would be necessary, if the one were done to do the other also?—I should think so.

78. Has it ever occurred to you to consider what would be the effect of enlarging the boundaries of the city, so as to include the whole of the metropolis? Is that a plan which seems to you either practicable or desirable?—That is the plan which I anticipated would overlay the commercial character of the City of London, and therefore, believing that it is desirable that the port and City of London should have a corporation of its own, and that it should be able, by the agency of its municipality, to pursue commercial objects in order to the advancement of the locality, as well as with reference to the commerce of the nation at large, I cannot but think, that if you had a common council, giving equal representation to all parts of the metropolis, to Clerkenwell on the one hand, and to Marylebone on the other, the effect would be to overlay the commercial relations of the City of London, and that it would lose its commercial character.

79. Does not it appear to you that London is too large for a single municipal government?—Indeed it does; if it were not so, according to the opinion of the Municipal Commissioners for England and Wales, we should have had Salford and Manchester united, I think.

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80. We will pass now to the second head of inquiry; the corporate body. Will you submit to the Commissioners any observations you have to make with reference to the present constitution of the corporate body of the City of London?—The corporate body conveys, I think, to our minds, the aggregate governing body, taking the corporate body as a whole. The corporation, I take leave to state, is in bad odour among the inhabitants of the City of London. The freemen of the City of London, until the year 1835, were necessarily all members of a company of one of the many guilds, which by some are said to be part of the corporation, but which are said by others to be only connected with the corporation. It was in the year 1835, subsequently to the inquiry in 1834, that the Court of Lord Mayor, Aldermen, and Common Council decided by an ordinance that a person might acquire his freedom from their officers under the authority of that court without being primarily a member of any one of the guilds or liveries. The being a freeman of a muncipal corporation should be a privilege, and if it were a privilege it would be desired; but it appears that in the City of London this is not the case. Previously to 1835, the fines on the admission of freemen to the City of London were considerable; I think 30*l.* 12*s.* 6*d.* was the fine down to the year 1834, and for the thirty-five years from 1800 to 1834 there were admitted annually, at the redemption fine of 30*l.* 12*s.* 6*d.*, 1,000. For the thirty-five years it gave an aggregate of 35,001*l.*, giving an annual average of 1,000 admissions. Then between the years 1835 and 1837 the redemption fine was reduced, first to 10*l.* 12*s.* 6*d.* from 30*l.*, and then, by an arrangement which the corporation made, that certain fees should cease as certain receivers of those fees died, the 10*l.* 12*s.* 6*d.* gradually became reduced to 10*l.* 10*s.*, 9*l.* 0*s.* 6*d.*, 8*l.* 11*s.* 10*d.*, and finally 8*l.* 6*s.* 4*d.* But with the redemption fine ranging from 10*l.* 12*s.* 6*d.* to 8*l.* 6*s.* 4*d.* for that period of thirteen years from 1835 to 1847, both inclusive, the number of freemen admitted was but 877 annually, as against 1,000 annually who had been admitted for thirty-five years, when the redemption fine was thrice and nearly four times the amount.

81. Was there no other way open of obtaining the freedom of the City at the same time?—No.

82. Do the numbers that you have stated include the whole of the admissions?—Yes. A person becoming free of the livery of any company takes the certificate of freedom to the chamberlain of the City of London, and on payment of the redemption fine is enrolled a freeman of the City.

83. Before the year 1835, no person could become a freeman of the City unless he was a member of a company?—It was so.

84. How did he become a member of a company?—By applying to the company, or by the application of the company to him to compel him to take up his freedom.

85. Could a person become a freeman by birth?—By birth or by apprenticeship.

86. How did birth constitute a person a member of the company?—I, for instance, was an inchoate member of a company, as being the son of a member of that company.

87. Then any son of a member of a company could become a complete member on the payment of a certain fee?—A complete member of a company; his father being free previously to the birth of the applicant.

88. Then in order to become a freeman of the City it was necessary that he should pay a second fee?—Yes.

89. Is residence necessary, in addition to the payment of the fee?—No; it is necessary for other purposes, as you will see presently. Then, to complete the view which I was taking, we had 1,000 people admitted per annum from 1800 to 1834, when the redemption fine was 30*l.* 12*s.* 6*d.*. We had 877 admitted per annum for the next thirteen years, when the redemption fine may be taken at an average of 10*l.* Then we have a third series in the last five years, terminating with the close of 1852, during which term the redemption fee to the corporation was only 3*l.* 6*s.* 4*d.* (there being a stamp of 3*l.* in addition), and with that enormous reduction from 30*l.* in the first series to 10*l.* in the second, and to 3*l.* 6*s.* 4*d.* in the third, we nevertheless have a decrease from 1,000 annually in the first period to 877 in the second, and to 650 in the third.

90. To what cause do you attribute that decrease?—I attribute it to the bad odour in which the corporation stands in the City of London, to the non-desirableness of being a freeman of the City of London, and to the natural English feeling of resistance to anything that looks like compulsion against one's interests or one's wishes. For, in connexion with this view of the subject, I should state that the corporation seem to have been extremely anxious to increase the number of their freemen, and that since the freemen will not come to them voluntarily to enrol themselves and pay for the privilege, the corporation will go to the freemen and compel them to take of their freedom. Hence the bad feeling which has so long existed in the City of London between the corporation and the mere occupiers, not being freemen. Various resolutions have been passed at various times by the Court of Common Council with respect to the compelling of non-freemen to take up their freedom. They have now and again resolved to compel them, and then not to compel them. At one time the Court of Aldermen and Court of Common Council have pulled adverse ways, the Court of Alderman refusing to sanction the prosecutions, and in fact interfering to prevent the Court of Common Council from prosecuting. At another time the Court of Common Council has declared that they would not prosecute, and that their officers should be instructed not to prosecute. Then again they have

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resolved that their officers be instructed to proceed with those prosecutions against the mere occupiers. In the course of the last year the corporation went to Parliament for a bill, taking the most liberal view of this question, being desirous of terminating and putting an end to the question, once and for ever, as to whether the occupiers should be prosecuted, in order to compel them to become freemen. I have the bill before me, in which the preamble states that "A custom has prevailed, and byelaws have been made, that no person, not being free of the said City, shall keep any shop or place for putting to show or sale any or certain wares or merchandise by way of retail or otherwise, or use any or certain trades, occupations, mysteries or handicrafts for hire, gain, or sale, within the same: And whereas the Mayor, Alderman, and Commons of the city of London in Common Council assembled, considering that the said ancient custom and byelaws are injurious to occupiers within the said City, not being free of the said City, and are in restraint of trade, are desirous that the said custom and byelaws shall cease and be repealed."

91. When was that bill brought in?—Last year; in the session of 1852.

92. It was introduced at the instance of the City of London?—At the instance of the corporation.

93. By whom was it brought into the House of Commons?—By Sir James Duke, I think.

94. The bill did not pass?—It did not. The preamble proceeds: "And whereas the mayor and commonalty and citizens of the City of London are seised of or entitled to tolls on carts and other carriages belonging to non-freemen, conveying goods into or out of the said City of London, and on carts and other carriages belonging to freemen conveying goods of non-freemen into or out of the said city, which are payable or are collected at the several bars of the said City of London, or at the places where such bars formerly stood: And whereas the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, are willing to give up the said tolls, and the profits and advantages thereof, and that the same shall be abolished: May it therefore please your Majesty." And the second section enacts: "That from and after the passing of this Act every freeman, and every male person of full age, and not subject to any legal incapacity, who shall have occupied within the said city or the liberties thereof for the period of a year and a day next previous to the 1st day of September in any year, either solely or jointly with any other person or persons, any house, warehouse, counting-house, office, chambers for business, or shop, and shall in the case of a sole occupation be rated in respect of such premises in his own name on or to an amount of not less than 10*l.* per annum, or in the case of a joint occupation be rated in the several names of the occupiers on or to an amount which, when divided by the number of occupiers, shall give a sum of not less than 10*l.* per annum for each and every such occupier to the police rate for the City of London, in respect of such premises, shall, while continuing to occupy the same, if on the list herein-after directed to be made, be entitled to vote in any election for alderman or common councilman, or ward officer, in the ward in which such premises shall be situate, and also at any election for mayor, sheriffs, chamberlain, bridgemaster, auditors of chamberlain's and bridgemaster's accounts, and for any and every other officer now chosen in and for the said city by the liverymen thereof; and it shall not be necessary for any freeman, or for any person entitled to vote as aforesaid, to take up his livery, or to be admitted a liveryman, in order to qualify himself to vote at any such election." Now that is a very large concession. That is a declaration by the Lord Mayor, Aldermen, and Common Council, that an occupier, who is not a freeman, ought to be admitted to a free participation in the equal rights enjoyed by those who are freemen. This bill was resisted, and it did not pass; it was lost at the end of last year.

95. Why did it not pass? Was it because it was dropped by the City of London?—No; the preamble was not proved. It was opposed by the livery companies. By this bill, a man was declared to be a freeman without taking up his livery,—without becoming a member of a company,—and without purchasing his freedom of the City of London. The livery companies thought it interfered with their privileges. A meeting of the livery in Common Hall was convened, and the liverymen thought fit to reject the bill. The preamble was not proved, and the bill was lost.

96. On the part of the livery this bill was opposed before the Committee of the House of Commons, and successfully opposed?—Yes; and then followed this:—notwithstanding that section which I have read, which is to the effect of a resolution of the Court of Common Council that occupiers ought to be equally citizens with freemen and without purchase, nevertheless, in that very year, the Court of Common Council resolved that their officers shall forthwith prosecute occupiers, and compel them to purchase their freedom.

97. Do you know whether this bill was introduced with the unanimous consent of the Court of Aldermen?—I believe that the Court of Aldermen assented to that bill, the rather that it did not propose to reform their body. I believe that the Court of Common Council accepted that bill, because it went towards a reform such as they desired, and was good as far as it went, but still feeling that it ought to have embodied a reform of the Court of Aldermen.

98. Was the bill submitted to the Court of Common Council as well as to the Court of Aldermen?—Certainly. Then comes a resolution to prosecute the occupiers, although that very year the corporation went to Parliament to ask that occupiers should be

recognised as equal with the freemen. In that very year, when by that bill they proposed no longer to ask the redemption fine from shopkeepers who were non-freemen, they actually proceeded to prosecute occupiers, by a vote of the Common Council, because they were carrying on trade, not being freemen; and at the end of 1852 the City officers prosecuted thirty-four tradesmen of the City of London, and succeeded in obtaining five judgments, against Henry Binfield, of Old Fish Street, Thomas Etheredge, of 167, Aldersgate Street, Henry Gentry, of 28, Bow Lane, Edward Hancock, of 124, Cheapside, and R. L. Parry, of 33, Leadenhall Street.

99. May not the authorities of the City of London have thought it right to enforce the law, as long as it was the law, though they may have considered it proper to seek for an alteration of the law itself?—The Court of Aldermen has hitherto constituted the resisting power to the will of the Court of Common Council that those men should be prosecuted. The Court of Common Council seem to have been generally for prosecution, and the Court of Aldermen to have resisted their will. I hold in my hand a corporate report, bearing date 21st of October 1852, which, I think, will throw some light upon that point.

100. Do you mean that no such prosecutions had taken place for some time previously to those which you have specified?—For some time previously, certainly; certainly for several months. During the whole period that this bill was before the corporation there were no prosecutions. It does not occur to me to state with certainty how recently anterior to the proposal of this bill prosecutions had been instituted, but probably at no very distant date; but they were few and far between.

101. As the law now stands, no person can exercise any retail trade in the City who is not free of a company?—Who is not free of the City; he may be of trade of which there is no company.

102. If he belongs to a trade of which there is a company, must he also belong to that company?—The question is, whether the company prosecute to compel him; it depends upon that.

103. Where a person exercises a retail trade of which there is a company, is it the general practice for the company to prosecute him if he does not belong to it?—It is the general practice of poorer companies; I think I may state that it is the general practice; but it is more especially the practice of the poor companies, who seek to add to their funds by such means. For instance, the merchant tailors, the goldsmiths, and the other wealthy companies are not so likely to look after a man for the plunder they can get from him by compelling him to take up his freedom as the cooks, the butchers, and the other smaller companies, who would be very glad of an addition to their funds.

104. How is it with respect to the corporation; do they generally allow a person to exercise a retail trade in the City without being a freeman of the City?—The general practice is for ward inquests to return lists of occupiers, not being freemen, carrying on business in the wards, and then the ordinary routine course (though not invariably adopted) would be, that the City officers should be directed by the chamberlain to summon those parties, in order to compel them to take up their freedom. Sometimes months will transpire without such case occurring; at other times they come in batches.

105. Then the general practice is to compel every retail trader to become free of the City?—It is certain that the corporation claims the right, but it is certain, also, that it does not always compel; and when it seeks to compel, it does not always succeed.

106. Were those prosecutions successful?—They were. I believe, in most instances, the parties took up their freedom; in some, where they did not, they went to judgment; in several cases, they sold up the goods of the party. In the case of one member of our association, they sold his goods, and his complaint is this, that when they took his goods out to auction, and sold them, they sent him back a sofa, as a part of what remained after they were satisfied, and never to this day have they returned him any account of the proceeds of the sale, or of their demand upon him.

105. Is there any doubt as to the law upon this point?—I think not.

106. Then if the facts are clearly proved before the court, would not there be a conviction as a matter of course?—They go before their own court, in which their own judges preside, and they are sure of a conviction,

107. What is the court to which they go?—The Lord Mayor's Court.

108. Assuming that the law itself is impolitic and ought to be repealed, yet as long as it exists it is enforced against any persons in trade; would it not seem to be just that it should be enforced equally against all engaged in trade?—It may be equality that injustice should be done to all rather than to a few, but that does not make it justice. If what is legal be universally felt to be an injustice, the attempt to enforce such equality has often been the commencement of a revolution, and such attempt has given birth to very angry feeling, which does exist among the masses in the City of London. I was about stating, that in October 1852, after that bill had been rejected, the freedom committee of the Court of Common Council made a report to the court, which report I think I need not trouble you with, because there is a short letter from the City solicitor attached to it, which, I think, explains the point. "To the Worshipful the Freedom Committee: "Gentlemen,—I have the honour to certify that, in obedience to your directions, I caused "letters, as approved by your committee, to be sent to the several persons named in your "lists; but, before the time specified therein had elapsed, the attention of the Court of

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"Aldermen was drawn by one of its members to several resolutions, passed by that court "at different times, in relation to this subject, from which it appeared that the order of "the 24th of June 1848, rescinding the resolution of the 21st of January 1845, which had "restrained the chamberlain from instituting actions against non-freemen, had been itself "suspended in its operation by a resolution of the 10th of October 1848; and it appearing "to me that the latter resolution had that effect, in concurrence with Mr. Chamberlain, I "have thought it my duty to report the facts to your committee before I proceeded to "act upon your former order, as it had been passed without your attention having been "called to the latter order." This letter arriving in the Court of Aldermen after the Court of Common Council had instructed their officers to proceed against non-freemen, the Court of Aldermen directed the chamberlain to take no further proceedings; and this was the state of things in which the two courts were at issue. Then that bill, which was brought into Parliament, seems to me to be a compromise. If the Court of Common Council will concede that occupiers shall not be compelled to take up their freedom, and if you will not interfere with the constitution of our body, we will consent to the passing of the bill. The bill was therefore proposed with the concurrence of the two branches of the corporate legislature, but it was rejected by the House of Commons.

109. The livery interfered and procured its rejection by the House of Commons?—Yes.

110. The bill does not seem to affect the constitution of the Court of Aldermen one way or the other?—It does not touch them. Then, at the end of 1852, those thirty-four actions were taken and settled, and at the commencement of 1853, the present year, in the months of March and April, 4,032 proceedings were instituted against as many occupiers to compel them to take up their freedom.

111. Can any one bring one of those actions against a non-freeman?—I think not.

112. Can any freeman?—I think not; I do not see what right a freeman has to compel a non-freeman to pay a redemption fine. A freeman may not, according to the City law, employ a non-freeman so long as another freeman is willing to be employed. If a butcher who is a freeman employs a butcher who is not free, another butcher who is not free can inform against him, and procure the infliction of a penalty of 5*l.* upon him.

113. Do you mean if he employs a man as a journeyman?—Yes; of which I have a case to submit to you. But first, as to those 4,032 occupiers. I am one of that unfortunate number. 4,032 summonses were issued at one fell swoop in the months of March and April of the present year. On the 27th of July, at the Court of Aldermen, one of their worships, not liking what had appeared in the newspapers, brought the subject before the court, and had the clerk of the chamber called before them, and although the clerk of the chamber did, in answer to questions, deny that what the aldermen said had been published was the fact, yet the aldermen said that had been published which had not been published, and Mr. Sewell, the clerk of the chamber, went on to give the particulars of those 4,030 actions.

114. Where do you read this from?—From the "Times." He said, in effect, in a few words, We did, in March and April, issue 4,032 summonses; 414 of those parties have taken up their freedom, which, at 3*l.* 5*s.* 6*d.* each, will give 1,352*l.* 6*s.* addition to the funds of the corporation. 764," continued the clerk, "required time, pleading poverty, and time was given them." But the clerk does not state that for that accommodation he charged the poor creatures half a crown a piece, which is insurance money for those two weeks. Here is one of the declarations allowing two months in one case, and here is another in another case where the half crown was paid (*producing the same*). 764 half crowns brought 76*l.* 8*s.* in fees to the clerk of the chamber, because they were poor.

115. Is that the present fee?—I believe it is the present fee taken behind the back. Mr. Sewell states that 164 were privileged, which I believe means that they were occupiers in certain privileged parts of the City. There are certain parts of the City which are privileged; they are within the City, but the inhabitants of those places are free to keep a shop without being compelled to take up their freedom. The legal officers of the corporation ought certainly to have known that.

116. What are those places?—Blackfriars was one, which belonged to the Monastery of Blackfriars. St. Bartholomew the Great and St. Bartholomew the Less have, to this moment, gates at each avenue, which are closed every night. There is also the liberty of Glasshouse Yard, a part of the parish of which is within the city and yet is not part of the city. As I have said, there were 164 of those privileged persons who were, nevertheless, by the learned advisers of the corporation, summoned to take up their freedom; there were 1,998 either dead, removed, or contemptuous, of which latter class I was one; and 698 who claimed exemptions. I do not know on what ground those 698 claimed exemptions, but I am here to state that the corporation have summoned a number of actual freemen to take up their freedom. It is a charge which I prefer against the corporation, that it does not know who are its freemen; that it is ignorant of its commonalty; and, therefore, in summoning 4,032 persons, it appears to have summoned 698 who claimed exemption. I have a list of persons here who are freemen, on the burgess list of the wards, and recognized as freemen by the aldermen of their respective wards, but who are, nevertheless, by the corporation sued and called upon to take up their freedom. That is not the only evidence upon which I assert that the corporation has no sufficient register or roll of its commonalty. What could be more absurd in a joint stock company

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than that it did not know its partners? here you have a corporation, mayor, aldermen, common councilmen, and commonalty, and the authorities of that corporation appear not to know of whom the commonalty consists. It is requisite on this particular day, the 1st of November, that the aldermen of each ward should sign a list of the municipal electors; a municipal elector is a freeman, the occupier of a house or premises rated at 10*l.* who is on the parliamentary register. It is easy to know who is an occupier, but the first question is who is a freeman. The ward beadles have to supply the ward clerks with this information; the ward clerks have to put such list before the alderman for his signature, and when it is so signed it is issued as the municipal list of that ward for the year ensuing. In those wards, not knowing who are freemen, the beadles have for some weeks past been issuing circular letters calling on the occupiers to say if they are freemen. Their method of making out a list of freemen is, to issue, as in Broad Street Ward, that document (*producing the same*), signed by the beadle; and in Aldersgate Ward this, (*producing it*), signed by the ward clerk, calling upon the occupier to say whether he is a freeman, and if he is a freeman to inform the corporation of what company he is a freeman, in order that he may be put on the municipal list of his ward. One would suppose that the municipal corporation of the great commercial City of London would at least be men of business; but this assuredly does not look like the usual course of business that they are unable to indicate to the world who are the commonalty of the City of London and the constituents of the corporation itself. Then there is this other evidence of the same fact. In the ward of Tower, of which Alderman Finnis is alderman, who is a highly respectable gentleman, and who, being the alderman, happens to be a very conscientious gentleman,—I may say more, a gentleman of a very sensitive conscience,—he, on being required to sign the list, asked, "Are these the only freemen in the ward?" and on being told "We really do not know who are freemen," he said "Then I will not exclude any others by signing this limited list;" and Alderman Finnis has, upon principle, always signed as the list of the freemen of the ward of Tower the parliamentary list of electors of members of parliament. Instead of signing the limited list of, perhaps, 150, he signs the list of 600. He says, "If I am bound to act, if I must do wrong one way or the other, I will do wrong in this way, so that no one shall say I have robbed him of his freedom. I will put you all down and then let them strike you off if you have no right to be there." Is this the situation in which the corporation of the first city in the empire should be, that when they summon their commonalty to take up their freedom, one of their number should have to put 400 who are not freemen along with the 150 who are freemen, calling them all free rather than fall into the other extreme.

117. This is the act of a particular individual, is not it; it is not the act of a corporation?—It is the act of a corporate officer.

118. Of a single corporate officer?—Not of a single one only, but of several single ones.

119. Is his example followed by any other parties?—Partially so. I am not exactly prepared to say to what extent it is followed, but it is partially followed by the lord mayor elect, Mr. Alderman Sidney. It is the common practice for the beadles so to make up their lists. It was not so till attention had been drawn to the question. So long as the corporation thought, nobody cares whether we know or not who are our freemen, they said we will take for granted this list is right; but since there has been a stir in the matter, they find they must make out some sort of list, and now that the Act of 1849 requires that they shall every year make out a list of their freemen, and publish it, their inquiry is, since we must make out a list somehow, how are we to do so? Send the beadle round the ward, and tell him to ask everybody if he is free or not. Alderman Finnis says, "This does not satisfy me, and therefore I will take an extreme view of the case, and put everybody down though they may not possibly all be free."

120. In what way does it become the duty of the alderman of the ward to take care that the list is made out correctly?—I am not impugning the conduct of the alderman of the ward. He is put into that false position by the negligence of the officials of Guildhall. They not having a legal and sufficient muster-roll of their commonalty Alderman Finnis could not help himself.

121. What steps should those officials have taken to obtain a more correct list, which you very properly say is exceedingly desirable?—They ought always to have registered a man who had become free; they ought to have registered him under a ward arrangement, and they ought to have transferred him to the list of the beadle of the ward in which he resided.

122. In short you complain that the method adopted was an unbusiness like way of proceeding. How, in your opinion, should the list have been prepared?—I do. There would be no more difficulty in securing a correct list than in posting articles from a day book into a ledger. The only difficulty I have in answering the question at the moment is, that I have not thought of it. Certainly there should have been a regular register of names. When a freeman died the beadle should have returned the death of that freeman to the chamber at Guildhall, and the clerk of the chamber should have erased the name from the list.

123. Are the beadles generally intelligent persons;—Yes; intelligent in their class.

124. Are they generally taken from an intelligent class of life?—They possess sufficient intelligence for their duties generally.

125. In the Report of the Municipal Commissioners they advert to the omission of which you complain, and say they have not been able to ascertain the precise number of

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freemen. Their words are, "No list exists by which the number of those who are free can be ascertained." Do any of the numerous statutes or charters affecting the City make any provision on the subject?—I think not. Here is a body having officials to whom they pay 100,000*l.* a year in salaries, and it seems extremely difficult to imagine that they could not if they would devise a sufficient arrangement for obtaining a correct muster-roll of their commonalty. Nothing can be more simple. Any sergeant of a regiment would know how to keep the muster-roll of a company.

126. Do you know whether any steps are in course of being taken to remedy those defects of which you complain?—The step I have alluded to has been taken, of the beadle sending round those notices; nothing beyond that has been done, so far as I am aware.

127. The Commissioners understand that before March 1835 no person could be admitted to the freedom of the City without the intervention of one of the companies, but that in that month the Court of Common Council passed a resolution to the effect that persons might become freemen of the City without being members of a company. Is not that so?—Yes; on paying 5*l.* instead of 25*l.* as a redemption fine.

128. Do you know the ground on which that resolution was passed?—I assume it to have been consequent upon the municipal inquiry by your predecessors, who expressed a very strong feeling upon the subject.

129. The resolution must have been adopted previously to the report of the Commissioners?—Possibly; but the corporation of the City of London has great influence, even at the west end of the town, and when the Commissioners had made their inquiry their feelings must have found some expression. Corporate witnesses being the only witnesses, or nearly so, examined, the Commissioners could hardly have failed to have expressed their views at the time, or if not the general tenor of the evidence might easily have been ascertained.

130. Do you believe it was competent to the city by an ordinance of the Court of Common Council to make that alteration in their constitution?—I think it was. I should be very sorry to affect a knowledge of law which I have not, or express an opinion on legal points upon which any person might say my opinion was worth nothing; but I have always thought that if the livery companies profess that they are not part and parcel of the corporation, which they do, it should follow that the corporation has the power of making an ordinance to allow the admission of individuals to the freedom of the City of London without the intervention of the livery companies. If they are not part and parcel of the corporation, why should they intervene between the authorities of the corporation and those who wish to become members of the corporation?

131. The Municipal Commissioners make this remark upon the subject: they say, "The method by which persons become free appears to us highly objectionable. The corporation possesses a very slight, indeed hardly more than a nominal control over the companies; and these latter, whatever may be or may have been their importance or value as independent corporate bodies, possess no one feature from which we can discover any advantage in compelling freemen to belong to them. This part of the system is in fact no more than a troublesome and capricious method of taxing the inhabitants of London for the emolument of the companies." Does that appear to you to be a correct description?—It is, with one exception. As to the use of the companies, it will not be denied that in their origin they were very useful; that as taking the control of all the members of their trade in the City of London they might well exercise a beneficial authority over them. To prevent, for instance, dishonesty on the part of members of any such trade as towards the public with reference to the quality or quantity of the goods vended there may have been required some special authority with special knowledge of the subject; and as those livery companies were then really what they now only profess to be, trade companies, so the united members of those companies were specially qualified to exercise a judgment, and therefore to exercise a controlling power over every member of the trade having a shop in the City of London. But now that it is not so, except in a very few instances,—now that gentlemen at the west end of the town desire to be merchant tailors, because the merchant tailors dine well, and do everything very handsomely on all occasions,—the companies have lost their trade character. You have gentlemen who do not know, for instance, what the trade of a lorimer is. I dare say there are members of some of the other companies in the City of London who know very little of trade at all. The trade companies have thus ceased to be what they were originally intended to be, and have become merely joint stock companies, interested in certain private property, part of it held in trust for charitable purposes, and part of it absolutely, a large portion of which is spent in the gorgeous hospitality for which they are so renowned. Whether the companies might ever again become useful in the objects of their original conformation or not may be a question. I do not think they could be under the altered circumstances of the times. I think we need no trade companies. But they are guilds, as they say, independent corporations, and they do possess private property to an enormous amount, and they do hold in trust charities to the extent of 60,000*l.* or 70,000*l.* a year, and they are therefore independent bodies; whether members of the corporation or not is another question.

132. Do you see any advantage in maintaining any connexion between the municipal franchise and the companies, as regards the municipal government of the City?—The livery companies include, perhaps, about 10,000 members, of whom some 7,000 are on the parliamentary register as liverymen. Of those 7,000, about 2,000 are also on the

parliamentary register as occupiers. Hence the inference that about 5,000 of those 7,000 live in the suburbs of London, and are not occupiers in the City. They are gentlemen who perhaps have realized an independence in the City, and who, not liking to live very far from London, the scene of their labours, retire to the suburban villas.

133. You do not apprehend that many of them, being liverymen, occupy houses of less than 10*l.* value in the city?—No; the occupancy of an office is enough. There is scarcely even a room in the City of less than 10*l.* value. An empty room at the top of a house is worth 4*s.* a week. Those 5,000 liverymen are not occupiers in the City of London, and yet under the Parliamentary Reform Act they are electors as liverymen. They may be reasonably supposed to be well conversant with the interests of the City of London. They are liverymen of the City of London, and they have most likely realized whatever property they possess in the City, and they live in the immediate neighbourhood of London, and it would seem to me rather a harsh proceeding that those liverymen should be excised from the parliamentary register.

134. Confining the question now simply to the municipal franchise, without going into the inquiry as connected with the parliamentary franchise, do you see any advantage in the existence of a connexion between the companies and the possession of that franchise?—I think there should be no occasion for a man to pass through the sieve of a company in order to become a freeman of the City of London.

135. In your opinion, is it desirable that the municipal franchise should be in any way dependent upon a connexion with a trading company?—Certainly not; inasmuch as the trading companies have lost their use, and there can be no longer any necessity for them as a voucher of the propriety of admitting any one into the citizenship of London. I take it that was the origin of the connexion. They guaranteed that such a man was a baker, and that he was a proper man to become a citizen of London, by their having admitted him a member of their incorporation. But since the companies have ceased to be really trade companies, there is no appropriateness in their intervention.

136. Would it not be objectionable that the franchise for the election of members of Parliament should be much more extensive than the franchise for elections for municipal purposes?—Yes; but the liverymen cannot live for ever; they must die off; and would it not be better to put up with that apparent inconsistency for a few years, than do an injustice to some thousands of individuals?

137. The fact appears to have been that before the year 1835 no person could be a freeman of the city who was not a member of a company. Since the year 1835, a freeman may be a member of a company, or he may not be so. You propose that the freedom of the City should be made altogether independent of the companies?—It is so. I can go to-morrow, and take up my freedom, without being a member of a company.

138. Still, being a member of a company, you may become a freeman?—I am not aware that there are any members of companies who are not freemen. I believe they are all freemen; at the same time I am aware that the clerks of the companies do not so readily answer the question.

139. At present the freemen are a mixed body?—They are. There are seven kinds of freemen.

140. Some of them are members of companies, and some are not members of companies. Is not that the case?—It is.

141. Do you propose that, in future, the franchise should exist altogether, without reference to whether a person is a member of a company or not?—I do, certainly. At the same time, I am not now putting before the Commissioners a scheme for the proper government of the City of London. I would rather that my views upon that question should come as a corollary, and as the result of a consideration of the various subjects into which the question has been divided. I will now recall your attention to the position of the Tower Ward. There are 604 municipal voters in the municipal list issued by the alderman, and the number of persons rated at 10*l.* in the ward is only 587; so that not only has Mr. Alderman Finnis put parliamentary electors who are not freemen on his municipal list, but he has also put on his municipal list those who are not 10*l.* occupiers, or people in another and adjacent ward, for you must be a 10*l.* occupier to be a parliamentary elector, and you must be a parliamentary elector in order to qualify you to be on the municipal list, and yet on the municipal list there are 604 qualified 10*l.* occupiers freemen, and who are entitled to be, and are, on the parliamentary register, while by the return of the corporation itself there are but 587 10*l.* occupiers in the ward; so that the whole system is an anomaly. I was stating just now, that there are seven classes of freemen. I think you will see that in their Report the Royal Commissioners of 1834 say there are two classes of freemen; but in fact there are seven classes. There are freemen of the corporation who are not rated at 10*l.*, and therefore not municipal electors. There are freemen of the corporation who are rated at 10*l.*, but not being on the parliamentary register are not municipal electors. There are freemen of the corporationwho are rated at 10*l.*, and on the municipal register, and are therefore municipal electors. By the term "corporation" I mean the corporation independently of the companies. Then you have freemen of the companies who are not rated at 10*l.*, and therefore are not on the parliamentary register, and not on the municipal register. You have freemen of the companies rated at 10*l.*, but not in the parliamentary register, and therefore not entitled to be on the municipal register. You have freemen of com-

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panies who are liverymen and parliamentary electors because liverymen, and you have freemen of companies who are liverymen, but who reside beyond seven miles, and are therefote not parliamentary electors.

142. But they are municipal electors?—They are municipal electors in Common Hall alone; they are not on the municipal list, because to be on the municipal list a man must be on the parliamentary register. Beyond the ward municipal list, there is the companies' livery list, which is the sole qualification of a liveryman in Common Hall. That, I believe, would make an eighth description, if it were necessary to give it. I have said enough however to show that there is great confusion and difficulty in the matter, and that it is most desirable that a ready solution of the difficulty should be found. The tendency of prosperous commerce, or rather the tendency of the City of London under a prosperous state of commerce, is to a decrease of the municipal constituency in the more commercial portions of the City of London. Land becomes more valuable. Warehouses become more necessary. The larger wards, that is the wards without, increase their population, because their inhabitants are drawn from the central wards, where the property is more valuable, in order to the construction of warehouses in the place of houses and shops, and thus as the wards without increase in their population the wards within decrease in their population. The inequality of the wards is a matter of notoriety, and this process tends yearly to increase that inequality, because the wards without, which are always so much larger than the central wards within, become larger every year, and the wards within become, numerically speaking as to population, smaller every year. The consequence is that the constituency of a central ward becomes smaller and smaller,—so small indeed as to appear ridiculous. If you look to the municipal voters in each ward in the third column of the analysis I beg to hand in, and if you look in the second column to the number of common councilmen representing those municipal voters, and then look to the fourth column, you will find that in the ward of Queenhithe, for instance, every twelve occupiers send a member to the Court of Common Council; in the ward of Vintry every thirteenth occupier is a member of the Court of Common Council; in the ward of Bread Street every thirteenth occupier is a member of the Common Council. Go to Farringdon Without, and you find every member of the Court of Common Council for that ward represents fifty-one individuals. In the case of Bishopgate, he represents thirty-four individuals, but it is a miserable constituency! What an anomaly it appears, that the ward of Queenhithe, for instance, with 350 persons, occupiers, and rated at 10*l.*, should be misrepresented by twelve of the 350, and that those twelve should send a member to the Court of Common Council, to sanction proceedings against the 337 if they do not take up their freedom. In the ward of Bread Street, which is one of those to which I have adverted, where each common councilman represents but thirteen constitutents, there was once a contest for the office of alderman. In that contest 6,000*l.* pounds was spent upon a scrutiny.

143. What was the date of that contest?—I think it was about twelve years back. It was a contest between Mr. Hughes Hughes and Alderman Lawrence. They reduced the number of voters till I think one had eleven votes and the other ten. The learned gentlemen on either side agreed that if they went on in that manner, certainly they could, at an enormous expense, reduce those votes five each, or perhaps six each; and the question was, who was to give in. It was settled, I believe, rather by chance than on the merits. But to talk of a representative system under such a state of things, to contend for one moment that a municipality of this description can be taken as a fair sample of the constitutional rights and principles of freemen, is an absurdity. It is clear that the system cannot last, and that it is decaying daily and naturally by the increase of our commerce, and the decrease of our constituencies. No corporation upon such a system could long last, however good of its kind it may be; but seeing its unpopularity,—seeing the bad feeling naturally existing between a majority of the occupiers who are not freemen, and the miserable minority of occupiers who are freemen,—it cannot but result in this,—that you will have to recommend a very extensive alteration indeed in order to the proper government of such a municipality as the City of London.

144. Do you think it would be desirable to diminish the number of the Court of Common Council?—It would be very desirable very greatly to diminish the number of our representative body, call it what you may.

145. Supposing the limits of the City to remain as they are, what do you think would be the proper number for the Court of Common Council to consist of?—I am not quite sure that there should be a Common Council in our present acceptation of that term. I would rather, however, reserve my view as to remedial measures till you have the whole case fully before you. We look upon the corporation as a body opposed to every liberal extension of commerce. If that be so, and if commerce is a specialty of the City of London, no wonder that commercial gentlemen of the City of London should be in a position of antagonism to the authorities of the corporation. The London Docks were opposed by the corporation at an enormous expense, because they held that the establishment of docks would interfere with their receipt of money from ships in the Pool.

146. Do you mean that the corporation is too much separated in point of feeling and interest from the leading merchants of the City of London?—My impression is this:—The corporators of London, common council men and aldermen, are of the shopkeeping class; and, entertaining the conviction, as I do, that counter transactions in small coins have no

tendency to give a man an enlarged view, or habits of viewing in a large sense any interests which he may be delegated to promote, such men, I believe, have not the power of promoting them, and therefore they are not qualified for the offices they fill.

147. Can you suggest any mode of connecting more closely the corporation of the City of London with the great merchants of London?—I think I can, but I am not prepared to do so. I desire to put before the Commissioners a case on which you shall be warranted in the conclusion that the corporation as it is is so bad as to be utterly irremediable under the present system without a thorough change of system, and then, when you shall have arrived at that conclusion on the evidence before you, you will no doubt seek in the wisdom of gentlemen experienced in the matter their views of the best means of supplying a remedy for the abuse which exists in the corporation itself. The corporation is an anti-commercial body. They refuse to assist in the formation of docks when they are necessary for extending the commerce of the City of London. They opposed, at an expense of, I think it was, 7,000*l.*, the extension of the Blackwall Railway to the City. It was something dreadful in their eyes that people should be brought to their place of business. After they were beaten upon that point in 1835, in the year 1845 or 1846 when the Direct Manchester Company was formed for bringing a railway from Manchester direct to London, and when an application was made to the Court of Common Council for permission to bring that railway into the City, the corporation resisted it. I believe Mr. Ashurst was one of the solicitors of that company, and Mr. Ashurst was a member of the Court of Common Council. He specially retained in the same interest another solicitor, the present Mr. Alderman Wire, then also a member of the Court of Common Council. Both Mr. Ashurst and Mr. Wire were very prominent and very influential members of the Court of Common Council at that time on the Liberal side. The North-western Company became extremely fearful lest the Direct Manchester should obtain access to the City, and they should be excluded, and the North-western then exerted itself to establish an influence in the councils of the citizens of London, opposed as they had heretofore been to anything so useful as railways approaching the City walls. The North-western Company retained Mr. Lambert Jones, then a member of the Court of Common Council, I believe of the adverse political party. Those gentlemen, Messrs Ashurst and Wire on the part of the Direct Manchester, and Mr. Jones on the part of the North-western, united their influence, extended their forces, and eventually established a majority in the Court of Common Council. It was a money influence which was brought to bear upon the Court of Common Council, and the Court of Common Council was converted.

148. Is not the corporation in the habit of expending its corporate funds in conducting the opposition to private bills before Parliament?—I should prefer that you asked Mr. Recorder that question.

149. Do you know whether, in the cases you have mentioned, the opposition proceeded from the Court of Aldermen or from the Court of Common Council?—Certainly; the opposition could not have been exclusively from the Court of Aldermen. It must be recollected that the Court of Common Council has the aldermen among its components. It is composed of the lord mayor, aldermen, and Court of Common Council; a very anomalou sstate of things, by-the-bye; some of them being responsible, being annually elected; others being irresponsible, being elected for life.

150. Do you not think there may be a disadvantage in giving the command of large funds to a body which represents only a small portion of the metropolis, for the purpose of opposing bills before Parliament which affect the whole of the metropolis?—Indeed I do think so. Every man in the City of London sees it, who looks and thinks.

151. Is not it conceivable that in some instances the corporation may have represented the feelings of its own local constituency, and at the same time may have opposed measures which might have been beneficial to the entire metropolis?—That is what has often been the case; and then it has sometimes happened that public opinion has been brought to bear upon the selfish narrow-minded views of the corporation. I should be very sorry to be misunderstood in what I have said in reference to those railways to which I have alluded. I do not say that Mr. Wire and Mr. Ashurst and Mr. Jones could have turned the corporation round from exclusiveness to liberality, if the public feeling had not been at their back; but it does necessarily follow that public men should take the matter up, and in the City of London that they should have reasons for taking it up. Those gentlemen had good reasons for taking it up: two of them as the legal advisers of the company, and the other as the paid surveyor of the London and North-western Company, to the tune of several hundred pounds. They had their reasons for inconveniencing themselves to ventilate public opinion in the Court of Common Council, and they succeeded. When at the time of the panic the Direct Manchester wound up, and when the North-western had nothing to fear from the rivalry of the Direct Manchester, or from its possessing exclusive access to the City of London, the North-western cooled upon the question of the expediency of bringing a railway from Euston Square into Farringdon Street, and the matter dropped. The corporation, in the absence of similar inducement, and similar activity to keep them right, went back; and became once more antagonistic to anything like the admission of a railway within the city walls. As the Commissioners may recollect, in a recent instance, in reference to the Great Central Railway Company, they have over and over again declared that it ought not to come into the City of London. Public

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opinion, however, at last triumphed, and then the Common Council declared it to be very desirable it should, and there was a sum of between 200,000*l.* and 300,000*l.* voted to assist the railway company to realise its purpose, and bring the northern lines to a terminus within the City of London. In point of fact if you have a parliament of shopkeepers, and among them a fair sprinkling of men of mind, as various and opposite circumstances actuate those men of mind to motion you will find your parliament of shopkeepers blow east to day, west to-morrow, north the day afterwards, and south the day after that.

152. Is not it a peculiarity of the parliament of shopkeepers which you have been speaking of, that it represents only a small portion, either in population or area, of the metropolis?—It represents but a small portion of the area and a small portion of the population of the metropolis; and more, it represents but a minority of area of the population and of the rateability of the City of London itself.

153. Nevertheless that corporation is the only municipal body in the metropolis, and it wields considerable power, and possesses a very large income, which it can use for public purposes?—*Non constat* that it is a good one, because it is the only one or that it is powerful and wealthy. It is one of the complaints of the City of London, that the Government did us great injustice at the time of the Municipal Reform Bill. We have not yet been able to understand why, of all the municipalities of the empire, London alone should have been exempted from the wholesome influence of reform. I do not say that the Municipal Reform Bill is as applicable to London as to Birmingham, or Manchester, or Leeds, or Hull; but I say the citizens of London had reason to expect, after the lengthened investigation, and the very elaborate report, that the Legislature would have given them some and sufficient municipal reform. I will now draw your attention to the anti-commercial dues which are imposed upon British commerce by the corporation of London, and which are by them exacted from British commerce. The corn metage alone last year amounted to 9,596*l.* The City of London claims the right to measure everybody's corn by its own bushel, whether they want it measured or not; for that is the grievance. If the Corporation of London claimed the right to measure your corn when you wished it measured, provided they would measure it as accurately and as economically as anybody else it would be perfectly consistent with the free-trade notions of the present day; for if their measure were not as good as another person's, or their charges were more extravagant than another person's, you would not give them your patronage. But they claim the right to measure your corn whether you require it measured or not. If you send corn from your granary in Yorkshire to your store in London, they claim the right to measure that corn, though you do not want it measured. You may not want to know how much corn there is in the hold of your ship, or you may know it from your clerk in Yorkshire who transmits the invoice or account of the quantity of corn shipped.

154. Is corn measured without there being a sale of that corn?—Yes.

155. Merely upon its entering the City of London?—Yes; that is the very case of Combe, Delafield and Company, between whom and the corporation of London there has been now actions and legal processes pending for, I think, fourteen years, and I should think they are likely to continue for another fourteen years, unless you, by your report, shall induce the Government to put an end to such abuses. I believe the question raised in the case of Combe, Delafield and Company to be a simple one. They malt their barley out of London; they transmit it from their malthouse to their brewery in their own barges. The corporation interposes, and says, We insist upon measuring that barley, or that malt. They say, We do not want it measured; we can check our clerks at the malthouse; we do not want the assistance of the Corporation of London to help us to keep our own accounts straight between the malthouse and the brewery. The corporation, however, claim, I suppose under charter, the right to compel Messrs. Combe, Delafield and Company to submit to the metage of their barley, or their malt, whenever they bring it into the Port of London; and more than that, that it shall be portered by a company established by the corporation of London as privileged porters. The metage upon corn in London makes such a difference to the importer that instances have occurred, I believe, frequently of cargoes, in order to avoid metage, being sent from the Thames, without breaking bulk, round to Liverpool, to be there discharged. Only permit a sufficient amount of that grievance, and you cannot be surprised if Liverpool rises in the extent of its commerce, and the commerce of London declines in proportion. But assuredly the commerce of London cannot have fair play under such a system of oppression. Upon the river Lee I perceive there is a charge in the Finance Report for last year, in addition to the salaries of the officers there, for so much per barge upon 870 barges going up that river subject to metage by the corporation of the City of London. What then must be the magnitude of the metage, and what the amount of inconvenience to which the trade is subjected in the entire of the Port of London in the course of the year?

156. Is such metage actually performed, or is it merely a name under which a fee is demanded?—In the case of Combe, Delafield and Company it is a name for this description of service. In that case the men sat at a public house close by, and when the malt was measured by other persons they charged for porterage. I think the rulers of the Free Fellowship Porters Company are now suing Combe, Delafield and Company for 10,000*l.* for porterage never performed, except in this way: The porters were in the public house; they looked on, and kept a memorandum from day to day of how many barges were

unloaded, and then taking an average of the barges they said, We are entitled to porterage upon so many thousand quarters of your barley, or your malt.

157. Has the house you speak of petitioned or complained to the Common Council or the Court of Aldermen of these proceedings?—I should think not; I should think it would be of little use. It is one corporation, composed of the lord mayor, aldermen, and common council; that corporation directs its officers to institute these proceedings, and that corporation pays year by year hundreds and hundreds of pounds to the city solicitor for the expenses of carrying on those legal proceedings against the house of Combe, Delafield and other houses similarly circumstanced.

158. You stated that the house of Combe, Delafield and Company dispute the legality of those charges?—Certainly. There are two proceedings against them, one by the corporation for metage, and the other by the Company of Fellowship Porters for porterage not performed.

159. Has neither of those questions been decided yet?—Not yet. I was about to illustrate the extent of this corn metage nuisance, by referring to the city tolls, the tolls on the carts of non-freemen, entering the City of London, or the carts of freemen having in them goods, the property of non-freemen; I believe the charge is 2*d.* It is a very small charge in itself, but it amounts in the year to several thousand pounds. I think the amount was 5,810*l.*, for 1852. That, however, is not the amount exacted from the public by those tolls; but that is the amount received by the corporation, as rent for the tolls, paid by people who contract at so much a year for the toll, at this part of the city, and so much a year for toll at another part of the city. It is not the amount, therefore, by which you are to measure the oppressiveness of the toll, as regards the public.

160. It is the same system, is it not, which exists with regard to turnpikes?—It is.

161. Are those tolls put up to auction, year by year?—Not to public auction that I know of. I dare say they are let by tender; most of the property in the City of London is so let.

162. Where are the tolls taken?—We all know they are taken at Temple Bar; they are also taken at Bishopsgate Street, and in fact wherever there is an entry into the city, so that no person shall evade the toll, by running half way round the city to get in at another gate. The corporation do much the same as turnpike trusts do, to prevent a by-road giving parties an opportunity of evading the toll. I think if 5,810*l.* is received by the corporation for those tolls, it is not extravagant to say that the public must pay twice the money in actual tolls.

163. The expense of collecting, you think, comes to as much as the amount given for the tolls?—I should think so, including the profit of the collectors. The sum of 5,810*l.*, to say nothing of the difference between the rent paid and the amount exacted, will give upwards of 2,000 collections every day of the year. Therefore you have 2,000 stoppages of carts in the streets of London, of which we hear so often the complaint that they are blocked up, in restraint of trade, and in prevention of that free course of traffic, which is so essential in a commercial city like London. The corporation of London stop 2,000 carts a day, to take 2*d.* each from them; and those 2,000 stoppages of carts are without reference to the question of how long they may be stopped, when the parties stopping them have to ascertain what goods are in the cart, or whether the cart, being the cart of a freeman, has not within it the goods of some person not a freeman. You have, I say, those thousands of stoppages; every stoppage in itself a nuisance; the cause of continual quarrels and frequent fights between the man in the cart, and the man who stops the cart by catching hold of the horse to exact his 2*d.* And if this is the case with respect to the tolls on carts, imagine what it is in reference to the amount and magnitude of the inconvenience in the port of London in the exaction of this large amount of nearly 10,000*l.* in the meteage of corn; seeing that the meteage on the corn itself is a very trifling amount, and must involve therefore a very large extent indeed of bulk in corn, and of inconvenience to parties connected with the corn trade of the city.

164. Has the practice of taking 2*d.* upon carts entering the City of London been altered in any respect within the last few years?—There was an attempt on the part of Mr. Alderman Sidney to modify it, but I am not aware that it has been at all improved. All he could do was to leave the man to his remedy, and tell the officer he had no right to do it. What I am referring to occurred in a police case, where the party was left without his remedy, through the intervention of the sitting magistrate, Mr. Alderman Sidney. It was thought at the time that that would stop the practice, but I believe it has not done so.

165. Do carts belonging to persons well known, which are in the habit of entering the city, pay at the time of passing, or do the owners compound for the toll?—I believe they pay at the time of passing. In point of good policy, would not it be rather befitting the municipal government of a city like London to encourage those people who brought things into the City of London, rather than punish them by the exaction of a toll? Is not it in restraint of trade when we in the City of London require to be supplied with the necessaries of life, and have the means of carrying on the trade and commerce of the city, that there should be impediments thrown in the way? It is, as it appears to me, a monstrous evil, and certainly, in the words of the Common Council themselves, in that bill which was rejected last session, it is clearly in restraint of trade. In the year 1835,

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I perceive the Government purchased of the corporation all the duties on package, carriage, bailiage, and porterage. I think the corporation received 162,000*l.*

166. Were those port dues?—I suppose they were port dues; and yet I can hardly imagine that, because we have still, in the statement of last year's receipts, an item of so much for water bailiage. Now if the bailiage here spoken of be port dues, you would think that purchase would have put an end to the exaction of water bailiage, which, however, appears in the corporate return. The item is, "By groundage and water bailiage on corn, 1,731*l.*"

167. Have you any further observation to make with respect to the complaints of the tolls taken by the corporation?—No. Before I leave the question of the freemen, I should have stated to you, as the result of this tabular arrangement, that the average constituency of each common councilman is twenty-nine; in some of the wards it being as low as twelve; and the average rateable property that each common councilman represents is 1,943*l.*, in some of the wards it being as low as 700*l.* Now 700*l.* rateability is seven inferior houses in the City of London. That being the rateable property which each common councilman represents, or any common councilman represents, it is not a very liberal specimen of what the representation ought to be. Then we come to the third head of the Commissioners' inquiry, namely, the governing bodies. Those governing bodies are three; the Court of Aldermen, the Court of Common Councilmen, and the Court of Common Hall.

168. Will you begin with the Court of Aldermen, and state any observations which you have to make upon that subject to the Commission?—The Court of Aldermen are tradesmen. I hope that it will be believed I say nothing invidiously of any individual of the corporation. This is not a personal question. It would be to degrade the character of this inquiry if we were to lose sight of the fact that it is the system which is to be inquired into, and not the men. There are twenty-six aldermen. The trades and professions of the twenty-six aldermen are mentioned in the paper I have before me. There are two auctioneers, two wharfingers, two stock-brokers, two builders, one ironmaster, one retired saddler, a china manufacturer, a bookseller, a silk manufacturer, a dry salter, a stationer, a retired lottery office keeper, a corn factor, a wine merchant, a coal factor, an upholsterer, a tea dealer, a print seller, a grocer, a solicitor, a clockmaker, and a salesman and banker. You have twenty-six aldermen of those trades. They are magistrates by virtue of their office, and are elected for life. They decide the validity of corporate elections, and even of the elections of their own body. The aldermen are elected from the municipal lists which are issued by the aldermen of the wards. There is a money influence frequently brought to bear in the election of aldermen.

169. What do you mean by a money influence?—I mean that money is paid by or for a candidate who desires to be elected an alderman of the city of London.

170. Do you mean that bribery takes place at the elections of aldermen?—I mean that there is corruption at such elections, be it in bribery or in treating. A certain expense is incurred, in order to induce men to vote for an alderman, who otherwise would nor vote for him; and seven of the present body, whom I am not now prepared to name, but which fact I shall be prepared to establish before you by satisfactory evidence if necessary, have been elected by a direct money influence, exerted by themselves through other parties; I mean by a money payment by themselves to other parties who did exercise an amount of influence to obtain votes which would not otherwise have been given.

171. Do you mean to state that in your opinion there is what may be fairly called a corrupt expenditure of money in order to influence the elections of aldermen?—There is no question about it.

172. Do you understand that the payments have been made by the candidates or by the aldermen themselves from their private funds, or that the money has come from other quarters?—I believe it to have come invariably from their own private funds. I have no reason for any contrary belief.

173. You say seven out of the present Court of Aldermen owe their election to pecuniary inducements?—I say I believe more than seven have done so, but I have good reason to believe that seven at least did so.

174. Do you believe that to be a recent practice, or has it been the practice for many years?—I believe it to have been the practice for many years, but not very recently.

175. Do you believe that the recent elections for aldermen have been purer or less pure than they were formerly?—I think there have been fewer cases of corruption recently than there were formerly, but that may arise from a variety of circumstances. A party may be a candidate for the aldermanic gown to whom there is no opposition, and where, therefore, there is little occasion for the introduction of a money influence.

176. Do you believe the wards differ materially with regard to their comparative purity?—There is no question about it.

177. Do you believe such money influence is more exerted in the wards of which the constituency is small than those in which the constituency is large?—I believe it is more easily exerted where they are small.

178. Is it in point of fact more exerted in those cases?—I believe it is.

179. Are you satisfied of it?—I am.

180. You say you are not prepared to name the aldermen who are supposed to have exercised this influence?—I am not to-day.

181. Are you prepared to lay before the Commission any evidence which would support your statement, or to indicate any means by which your statement may be supported?—Yes; I shall be prepared to produce before you witnesses who can establish that statement.

182. Probably those witnesses would name the individuals?—I have no doubt about it. An alderman possesses very considerable influence and very considerable patronage in the City of London, and he is a magistrate for life. It becomes an office, therefore, I will not say of ambition, which I would have it, but of desire on the part of individuals who have pecuniary means, and who may consider it an object of ambition to fill that office. Hence it will not be surprising that a money power should be brought to bear in that case as in so many others which which we are all acquainted, where influence and power are sought by similar means.

183. When a contested election takes place for the office of alderman, is there any such treating as there is occasionally in the election of members of parliament? Are the public houses open, and provisions given away to the voters?—Publicans, I believe, are very prominently the agents on such occasions. The municipal electors of the City of London, the local politicians of the wards, are to a far greater extent frequenters of public houses, smoking rooms and bar parlours, than are the occupiers who are not municipal electors. They herd together and frequent public houses. The publican has more or less influence with this description of men who elect the aldermen and other officials of the municipality, and hence the publican seems to present himself very naturally as an agent for bribery or corruption on those occasions, whether as the primary or the secondary agent. And it is the fact that he is so employed.

184. Do you believe that political considerations enter much into the choice of the alderman?—They did so when the division between parties was more obvious than it is at present. We have lived to see the amalgamation of parties to a very considerable extent.

185. You do not think that now the elections of aldermen turn much upon political considerations?—Not so much as formerly. It may be remembered what toryism was; it is not practically known in the city what toryism is.

186. Can you give the Commission any practical suggestions for the improvement of the election of aldermen in those respects to which you have referred, and which would have a tendency to remove or diminish existing sources of corruption?—I would make their office in the municipality of the City of London worthy of the ambition of a higher class of men, and I would create such a constituency, with such checks upon the exercise of the franchise, as might, with such better class of men, act as a collateral guarantee against the probability if not the possibility of the recurrence of the practices complained of.

187. Do you think it would be possible to induce the higher class of merchants in the City of London to accept the office of alderman?—I do not. I think the office of alderman carries with it so bad a name, and is in such bad odour, that no high class merchant of the City of London would like to be one of that body, or to bear that name.

188. The question supposes any obloquy which now rests upon the City of London to be removed by judicious alterations. Do you think in that case there would be a disposition on the part of the higher class of traders in the City of London to accept municipal offices?—I believe there would be a disposition on the part of the higher class of commercial men in the City of London to accept municipal offices, if the circumstances of the municipal government in the City of London were so completely altered as that none of the ill odour which now attaches in their minds to the Corporation of London should attach to them, in the opinion of their fellow citizens.

189. You think that they might be induced in such a case to spare the time and give the attention which it would be necessary to bestow upon those offices.—I do.

190. Have you any other observations to make to the Commission under this head?—The Court of Aldermen is an irresponsible body; that is, being elected for life there is no direct responsibility to the constituency. It does appear to me unconstitutional that the Court of Aldermen, without the consent of the Common Council, should have the power of voting away large sums of money.

191. What term of years do you think would be the proper period for the duration of the tenure of the office of an alderman. I do not like the aldermen at all as members of the municipality; that is, I do not think the merchants of London would like to be aldermen.

192. You would do away with the office of alderman altogether?—Certainly.

193. Do you see any advantage in the existing division between the Court of Aldermen and the Court of Common Council, as distinguished from the ordinary constitution of municipal boroughs which have a single town council?—None whatever. You have here a Court of Aldermen, an irresponsible body, voting last year 36,000*l.* of the corporate funds,—I do not say for bad purposes,—and yet they are members of the Court of Common Council. In theory, the Court of Common Council, being the representatives of the constituency, hold the purse-strings; in practice, the Court of Common Council, of which the Court of Aldermen are components, vote a certain portion of the expenditure of the corporation; and the Court of Aldermen, in their own court, they being irresponsible to the constituency, voted last year 36,000*l.* of such expenses.

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194. In short you would merge the aldermen in the Court of Common Council in London, as is the case with other municipal bodies?—No. If by that question I am to understand that I am asked to approve of the Court of Common Council, with the mere merging of the Court of Aldermen into it, I say no. If I am asked, is it better that there should be two bodies than one body, merging the Court of Aldermen in the Court of Common Council, I should say one body would be preferable to the two.

195. You would get rid of the aldermen as a separate body?—Certainly, as a separate legislative body.

196. At present the Court of Aldermen is considered to be rather an executive body, and the Court of Common Council is considered to have principally a legislative character; is not that the case?—It may be so principally, but so small is the preponderance of either function that I think they are each in turns, and nothing long. One, I think, is quite as much executive as the other, and one quite as much legislative as the other. The Court of Aldermen, in their expenditure, vote sums of money as annuities to the daughters of aldermen who break up,—who fail, and become poor. One great inducement to become an alderman is that if, as some may anticipate, poverty should overtake them, there is always the little situation of chamberlain to fall into, with a trifling salary of several thousand pounds. In the accounts of money voted by the Court of Aldermen last year, I see an annual amount of 50*l.* for the relief and support of Louisa and Caroline Swain, daughters of the late Samuel Swain, Esq., alderman; 28*l.* 12*s.* to P. Armstrong, for the board and care of the said Caroline Swain, she being of unsound mind. To Hairiet Bedwell, third daughter of Mr. Alderman Swain, fifty-two weeks' allowance, at 1*l.* per week, towards her relief and support.

197. Were those sums voted in one year?—No. They are all paid in one year; but these are annuities. To Beata Elizabeth Macauley, daughter of George M. Macauley, Esq., late alderman, towards her relief and support, 30*l.* To Elizabeth Winchester, widow of Henry Winchester, Esq., late alderman, for her relief and support, 200*l.* To Mary Eleanor Gibbs, twelve months' payment, for her sole and immediate benefit, 180*l.*

198. Are sums of this description voted by the Court of Alderman without any confirmation by the Court of Common Council?—Yes; that is the very objection which I am urging. Assuming that they voted all the rest for the legitimate purposes of municipal government, which I deny, this is a very exceptionable item, seeing that it is voted by the Court of Aldermen, an irresponsible body, in favour of their late colleagues, or their widows or children.

199. Can the Court of Common Council pass money votes without the consent of the Court of Aldermen?—Yes.

200. And the Court of Aldermen can pass votes without the consent of the Common Council?—Yes.

201. Each one, then, with respect to money grants, is independent of the other?—Yes

202. What is the rule adopted with respect to the division of their powers in making votes of money?—I must refer the Commission to corporate witnesses for an explanation of that rule.

203. Would you propose that the management of the corporation funds should be intrusted to a committee of the Court of Common Council, instead of the present system?—No.

204. Supposing the Court of Common Council to be a body inconveniently large for the management of the accounts and expenditure, how would you propose that they should be managed?—The question troubles me. There is as much corruption in the Court of Common Council as can possibly be suspected of the Court of Aldermen.

205. Supposing the Court of Common Council constituted as you would desire it, you then probably would make the executive body a committee of that Common Council, and responsible to them?—Whatever municipal body may have the government of the City of London, whether the Court of Common Council or not, by whatever name it may be known, and however differently constituted from the present Court of Common Council, it is clear that, as they will be responsible to their constituents, the expenditure of the funds cannot be intrusted to better hands than those who are so responsible. I would in that respect refer you to the House of Commons, and ask whether any committee of the House of Commons is intrusted to make the expenditure necessary for the purposes of the national Government, and if not, I am not prepared to contend that a committee of a properly constituted municipal body for the government of the City of London should have that power.

206. The question did not suppose that the Common Council would part with the full control over the funds of their constituents. It was only put with the idea that some smaller body might be required for the management of the detail of those funds; and its object was to ask you, supposing there were no Court of Aldermen, whether you thought that function could be properly performed by a committee of the Common Council responsible to the Common Council at large?—Such details must always be referred either to a small body in the shape of a committee or to officers duly qualified, and giving sufficient guarantees for the faithful discharge of their duties.

Adjourned till to-morrow at twelve o'clock.

Wednesday, 2d November 1853.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

JOHN INGRAM TRAVERS, Esq., having been sworn, was examined as follows:— *J. I. Travers, Esq.*

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207. You are a merchant in the City of London?—I am a wholesale grocer.

208. How long have you lived in the City?—From my boyhood.

209. Have you directed your attention much to the municipal concerns of the City of London?—No, I have not.

210. You have never belonged to the corporation, nor taken any part in its affairs?—Never in the slightest degree; but I am connected with one of the City companies; the fishmonger's company. I am one of the court of that body.

211. What is your opinion of the present condition of the corporation of the City of London?—I believe, in common with most of my class, that the corporation of the City of London is in a very unsatisfactory condition; it is unsatisfactory in its management, and in my belief is more unsatisfactory in its system, which is obsolete, old, and I think worn out; quite unfit for the requirements of the present day.

212. You are of opinion then that no partial reforms would meet the circumstances of the case?—I believe the best way would be to sweep away the corporation and the local government of the City altogether; that is the conclusion to which I have come.

213. Do you mean that you would sweep away the existing system, and substitute nothing in its place?—I would substitute for it a chamber of commerce, or something of that description, which should give a voice and nucleus to the commercial classes.

214. I suppose you mean a body that would only express opinions on purely commercial subjects, and not upon municipal questions?—On purely commercial subjects.

215. Would you have no municipal body of any sort or kind in the City of London?—No, I would not.

216. Do you believe that to be the wish of the majority of the inhabitants of the City of London?—I must ask first what you mean by the inhabitants of the City of London. I do not reside there; the class of men that are in the eyes of the Government the City of London are not absolutely inhabitants of the City of London; the City of London is mainly deserted now by such inhabitants; it is chiefly taken up with large warehouses and counting-houses. It is inhabited now merely by the smaller shopkeepers, and by the employés of the different large City firms. I believe, therefore, if you were to ask the opinion of the higher class in the City, they would agree with my own conclusion, that municipalities are unfitted for the requirements of commerce in this country at the present time; that they are certainly of no use to commerce; that we have long passed the necessity for a corporate or municipal government. But if you were to ask the opinions of the smaller shopkeepers, many of whom belong to the common council, I think they are strongly in favour of local government. They have many reasons,—many solid reasons,—for endeavouring still to keep the government of the City and the control of its very large funds in their own hands. They are quite aware that the upper classes in the City are too much engaged and too much occupied ever, under the present system, to interfere with them.

217. Your opinion then of the inexpediency of municipal institutions, does not apply solely to the City of London, but applies generally to the whole of the United Kingdom?—Certainly; I consider that we have long passed the necessity for municipal institutions; and as a proof of it, I would ask, whether in cases of public or private grievance, we ever hear that municipal corporations are appealed to. In case of a public grievance of any kind, a public meeting is called, and an appeal is at once made to the Government through the House of Commons. Before rapid means of communication took place in the country, I can conceive that municipal and local corporations were useful and necessary, but I do not think they are so now. I think they are a nuisance.

218. But supposing it should not be considered expedient altogether to sweep away, as you propose, the municipal institutions of the City of London, but to endeavour to alter them in such a mode as to render them more in accordance with the wants and spirit of the present time; are there any alterations in those institutions which you think it would be worth while to make?—I do not see any hope of inducing the more highly educated classes, engaged in commerce, to undertake municipal or local government. They have got to much to do, and they are too highly educated to profess to undertake that which they do not absolutely understand. How can a merchant act satisfactorily to himself as a magistrate? If he is a man of good education and knowledge of the world, he must know that a magistrate's position demands as lengthened an education as that of a merchant or any other person. How can he act as a commissioner of sewers, or as an arranger of streets, or as manager of police? To neither one subject nor the other has he ever given the slightest attention. He must know, if he knows himself, that he is not fit for such a post. We subdivide in business. If you were to come in to my house you would find we have ten or twelve different departments, and men are brought up and educated on purpose for each department, and we never dream of mixing these departments; yet you would

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call the whole a grocer's business. But you see a grocer, or a merchant, or a large trader professing to act as the chief magistrate of the City of London, when in all probability he does not know even the rudiments of magisterial law. He must feel that he is in the hands of a clerk, or lawyer, or solicitor; and after a length of time that clerk, or that lawyer, whoever he is, is the real magistrate, and really manages the man who pretends to be so, and who sits upon the bench.

219. Your objection would apply in some degree, at least, would it not, to the whole system of unpaid magistracy in England?—Yes, certainly.

220. At present, I believe, it is notorious that the higher class of merchants in London keep aloof altogether almost from the corporation affairs?—Most entirely; the men of high class in the City of London. Take Mr. Thomas Baring, who by common consent is supposed to represent the commercial principles and character of the City of London. What would be Mr. Baring's feeling if anybody was to offer him an alderman's gown? I conceive he would feel insulted.

221. To what cause do you attribute the feeling you have described?—Doubtless at the present moment it is that the office has lost the character that it once possessed; but I believe that beyond that there is a feeling on the part of every educated man, that the office itself is what we term a humbug from beginning to end; and that to ask a man in Mr. Baring's position to take upon himself the office or to perform the functions of an alderman is asking him to lend himself to support a system which in his heart he disapproves of.

222. But it has been represented to us that persons sometimes make great pecuniary sacrifices to obtain the office of alderman. It would seem from that that some substantial advantages are supposed to be connected with it?—I suppose there may be substantial advantages connected with the office; but the higher class of persons, certainly, in the City of London, do not aspire to any corporation office.

223. Supposing it was no longer necessary for the lord mayor to be chosen from among the aldermen; but that anybody connected with the City of London, either by residence or business, might be chosen to the office of lord mayor; do you think that in that case a higher class of merchants in London might be disposed to take the office of lord mayor for a year, although they would not be willing to become aldermen, and go through all the duties which belong to that situation?—No; I do not think that anything would induce the higher class in the City of London to undertake an office that would be at all of the nature of the present office of lord mayor.

224. In other corporations, according to the Municipal Corporation Reform Act, any person who is entitled to be upon the burgess roll, and is eligible to be a town councillor, may be eligible also to be mayor; that is, all persons occupying premises in the borough and residing within seven miles. Now, supposing that the constitution of the corporation of London were assimilated to that, and brought directly within the Municipal Corporation Reform Act, would that make any difference in the inclination of the higher classes in the City to serve as lord mayor?—No, I do not think it would.

225. Is it not the case that at Liverpool, for instance, merchants of the greatest eminence have accepted the office of mayor of Liverpool for a year?—Because the office of mayor of Liverpool gives of itself great commercial and political weight. In London it gives none.

226. Would not that state of things be altered when men of the highest eminence were selected for the office of lord mayor, and the circumstances connected with the office were so changed that they would no longer have the same indisposition to accept it?—But I do not think that you would persuade merchants of high standing in the City of London to accept the office of lord mayor if they were hampered with the present corporation, or any remnants of it. I am sure you would not get any man of high character to undertake such an office; nor would it be possible, in my opinion, to give to that office any political or commercial weight, if it is hampered with any remnants of the present corporation.

227. But if it became the habit of the citizens of London to pay the compliment to a great merchant, of proposing to him to be lord mayor, would it not soon in all probability become a distinction, of which a great merchant would be proud?—No; I do not think it would. I think it might be offered at the present moment to a hundred and fifty men in the City of London, and be refused by them all. The office of sheriff was lately hawked about the city; and in point of fact it was a great favour at last to get anybody to undertake the office.

228. Do you think that the feeling you have described arises in any manner from the present limited area of the city?—I do not think that that has much to do with it.

229. Supposing the limits of the corporation were enlarged, would that produce any increased disposition to accept the office of lord mayor?—It would depend upon the manner and the extent to which it was done. If you were to rob London of its commercial character, and to make an immense municipality of fifteen or sixteen square miles round, and to have the office of the lord mayor in Parliament Street, and not in the City, you would then invest it with a Government character, and you might doubtless get men of high standing to accept it; but it would very soon become a Government situation of necessity, there would be so much to do. You would require a man so

well trained and fitted for the office, that of necessity it must become a permanent situation.

230. At Manchester, is not the situation of chief magistrate held by merchants of great responsibility and eminence?—There is no comparison between Manchester or Liverpool and London, either in the character of the merchants or of the offices.

231. Would you contemplate making the lord mayor of London an officer appointed by the Crown, like the préfet of the Seine at Paris?—I do not myself see why London could not be included in the general management of the government. If the Commissioners of Police are sufficient to undertake fifteen miles round London, I think they might include the City of London without any great additional staff or expense.

232. You would abolish municipal institutions altogether throughout the United Kingdom, and govern the towns entirely through the Home Office?—I am not prepared to say that I would do that throughout England; but I would begin with London.

233. Would not the reasons which you have given for doing that in London apply with equal force to other great towns in England?—No, not quite. For example, Manchester. The leading men of Manchester have a great deal of time upon their hands. The very nature of a manufacturer's business gives him a great deal of leisure; he brings a great number of men within one small spot, between whom a great amount of communication is absolutely necessary. In London the case is very different. The time of a London merchant is a vast deal more occupied than that of any provincial or out-port merchant; especially more than that of a manufacturer. The senior partner in a large manufacturing firm is in fact the capitalist; he has very little to do with the management of the details of the business; he is an adviser to his junior partners, and he has a great deal of leisure time upon his hands. He has not the same inducements to enter into society, and there are not so many other occupations for him in his locality as there are in London. The consequence of which is that municipal and local government may be much more satisfactorily and better carried on at Manchester, or at Liverpool, or at any of the out-ports, than it could be in the metropolis.

234. What are the principal municipal functions which the corporation of London do actually perform? Supposing, for instance, that your view were acted on, and that the corporation were swept away, what functions of local government would then remain to be provided for?—I am not sufficiently acquainted with the details of the government of the City to enter at once upon an account of the government of the City of London, but there is no portion of the government which might not be absorbed in the general government of the country in a week's time, I conceive. There is the police; there is the management of the sewers, which is very unsatisfactorily done, &c. &c.

235. The management of the sewers is under a separate commission?—It is; but it is a portion of the corporation.

236. You have mentioned the police. Have you reason to believe that there is any inconvenience found in the distinct organization, with reference to the police in the City of London, which divides it in that respect from the rest of the metropolis?—My own experience does not enable me to say that it is absolutely bad in its working, but I do not think it is equal to the metropolitan police.

237. You think it would be better if the police of the City of London were absorbed in the general system of metropolitan police?—Yes, I do.

238. What is the ordinary business transacted by the common council?—That I can not give a guess at. I do not know what they do.

239. Do the objections which you have heard urged against the corporation of London refer mainly to the system, or to the conduct of individuals under that system?—My own observation would lead me to the belief that the system is very much worse than the management. Within the last few years, under the dread of reform, and the influence of of public opinion, the management of the corporation in the City of London has been very much improved. The system, I think, is much more to blame than the management in itself.

240. You mean that more care has been taken of late years to select efficient and respectable persons for offices of trust and importance?—I think that there has been a great improvement in the last ten years.

241. Do you consider the salaries of the paid officers of the City reasonable in amount?—I think they are high, but I do not think they are at all too high. You cannot have men of talent, and men of education, and men of character and position, without paying them highly.

242. Are the duties that they perform of sufficient importance to require persons of much experience and education?—No. I think that half the City expenses might be dispensed with.

243. Take, for instance, the office of chamberlain; is that an office the duties of which are weighty and arduous?—I believe it is the next thing to a sinecure.

244. The salary is considerable, is it not?—I believe it is; the salary and emoluments.

245. Are there any other officers of the same sort, of which the pay is considerable and the duties light?—I conceive that that is the description of most of the offices under the corporation; but I am not sufficiently aware of the details of the corporation management to be able to say which are the worst. Some of the officers have considerable occupation and work.

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246. You have not particularly attended to the management by the corporation of their finances?—I have not.

247. As a merchant, have you any complaints to make of the management of the corporation with regard to tolls or other matters of that kind affecting commerce?—Yes; they are a very great hindrance to commerce. For example, in the case of green fruit. I am not aware that in my own business it operates against us, except in cargoes of green fruit, in which we frequently have obstructions and a great deal of difficulty, from the meterage, the City dues, and so forth.

248. In what way does the system affect the cargoes of green fruit to which you have referred?—Those matters are generally arranged by the wharfinger who may receive the ship's cargo; but the green fruit trade is especially under the management of the City of London, and there are officers appointed to measure and to levy a small toll upon certain descriptions of fruit.

249. Do you mean fruit imported from abroad?—Yes; nuts, oranges, and things of that description. I am only aware of it myself in nuts. There is a large trade done in foreign nuts, with respect to which we occasionally have complaints; but the wharfingers would be the persons to whom to apply upon that subject. I only hear complaints from other people.

250. But in your own personal experience, have you any complaints of any importance that you would wish to mention?—No; I cannot say that I have.

251. Do you see any advantage in making a connexion between the freedom of the City and the trading companies?—I see no advantage in it at all.

252. Do you see any advantage in requiring that all persons exercising retail trades in the City should be free of the companies?—No; I consider it a simple act of oppression.

253. Is that regulation now practically enforced?—I believe it is only in the case of the small people, and that the large fish go free.

254. Do you yourself exercise a retail trade?—No, I do not.

255. Is it not held that wholesale traders are not within the regulation?—Practically speaking, many of the wholesale traders certainly are not connected with the City of London in any way.

256. Has any attempt ever been made to enforce the regulation against wholesale traders?—I believe there have been attempts, and that they have been abandoned.

257. Are there not privileges with respect to porters, brokers, and other classes of persons in the City?—Yes; and a very great nuisance it has become to the City of London, and a very great drawback to its trade. The fellowship porters, and people of that description, make a monopoly of landing certain cargoes, and that has diminished the value of wharves in the City very considerably, because the same goods can be landed at a very much cheaper rate on the Southwark side of the river than they can be upon the City side. But again, upon that subject, a wharfinger would be a better authority.

258. Are you aware of any valid reason in favour of retaining those privileges?—No, I am not.

259. If the corporation were to be swept away entirely, as you seem to recommend, there would be an end of all questions of freedom, and everything of that kind; they would be swept away with it?—A most desirable consummation, in my opinion.

260. Are there any other observations that you are desirous of addressing to the Commissioners?—None; except to express my willingness, and I believe the willingness of the class to which I belong, to afford every assistance in my power to the objects and purposes of this Commission. I believe that feeling is entertained very generally throughout the upper classes, and the better classes of tradesmen and merchants, in the City of London; and I believe that this Commission has only to desire the attendance of any person, or any body of persons, and they will be most cheerfully and willingly obeyed.

The witness withdrew.

J. Acland, Esq.

JAMES ACLAND Esquire was further examined as follows:—

261. Have you any observations to make to the Commissioners with reference to the evidence that you gave yesterday?—I will state, in addition, with reference to the Court of Aldermen, that all aldermen are governors of the royal hospitals, the hospitals of Christchurch, St. Bartholomew, Bridewell, Bethlehem, and St. Thomas's. They also license the publicans of the City of London. As governors of the hospitals and as licensing magistrates they possess a very considerable influence, and in some instances an advantageous influence. With respect to the licensing of publicans, there is this objection to the aldermen exercising that power, that they are the elect of a very limited portion of the householders in their wards, and that the exercise of that power lays them open to a suspicion of partiality and preference. The system is not satisfactory.

262. Has it ever been imputed to the aldermen who act in licensing publicans that they have any pecuniary connexion with the brewing interest?—It has been said, and it is believed, that they have, in the persons of aldermen who are wine merchants, exercised a direct influence for personal purposes. I am not aware of any alderman being a brewer;

but there are cases which are matters of common talk in the City, without any specific charge being made for legal investigation. The general popular belief in the City is that, if you can obtain the support of a certain alderman for this reason, and a certain other alderman for another reason, those aldermen will induce their brethren to allow their nomination of a candidate for a licence.

263. You used the expression that aldermen exercices an advantageous influence in licensing publicans. Do you mean an influence which they turn to their own advantage? When I used the words "an advantageous influence," I used them rather with reference to the other point; namely, that they are governors of the royal hospitals.

264. Your meaning then is that their position as governors of the hospitals gives them a certain patronage and power of recommendation?—Yes; for example, in Christ's Hospital there are presentations which are very valuable. I allude to those two circumstances of licensing the publicans and being governors of the royal hospitals for the purpose of explaining how it is possible and probable that an individual may be willing to expend some hundreds or thousands of pounds to become an alderman, that question having been asked by the Commissioners.

265. Have they any Church patronage?—They have.

266. Of any consequence?—They appoint to some of the livings in the City. Many charges of nepotism have been brought against the aldermen and the common council of the City of London. The rectory of St. Peter's, Cornhill, is in the presentation of the corporation, and a son of an alderman holds it. Whilst I am upon this point I will dispose of the subject of nepotism shortly, by stating that the chamberlain is an alderman, or was an alderman at the time of his election; the clerk to the sitting justices was late an alderman; the rectory of St. Peter's, Cornhill, is held by the son of an alderman; the governor of the Debtors' Prison is the nephew of an alderman; the vicar of Christchurch is the nephew of an alderman; the clerk to the fellowship of free porters is the nephew and partner of an alderman; the surgeon to the police force is the brother to an alderman's partner; the City comptroller was a common councilman; the City solicitor was a common councilman; the high bailiff of Southwark was a common councilman; the Commissioner of Police was a common councilman; the sword bearer was a common councilman and deputy; the secretary to the Irish Society was a common councilman; the two bridge masters were both common councilmen; the keeper of the Green Yard was a common councilman; the housekeeper at the Sessions House was a common councilman; the keeper of the Monument was a common councilman; the upholsterer to the corporation was a common councilman; the clerk of the Court of Requests was a common councilman; the superintendent of mooring-chains was a common councilman; the common crier was a common councilman; the fruit meter was a common councilman; the beadle of the Coal Exchange is the son of a common councilman; the clerk sitter is the son of a common councilman; the clerk to the navigation was the son of a common councilman; the Gresham lecturer on astronomy is the son of a common councilman; the City carpenter is the son of a common councilman; one of the clerks to the Commissioners of Sewers is the son of a common councilman; the messenger to the Irish Society is the son of a common councilman; the principal clerk to the Commissioners of Sewers was the son of a deputy; the clerk to the corn meters in trust is the son of a deputy; the district surveyor is the son of a deputy; the collector of City wine dues is the brother of a common councilman; the governor of Newgate Prison is the brother of a common councilman; the printer to the corporation is the brother of a common councilman; the Gresham lecturer on music is the brother of a common councilman; the water bailiff is the nephew of a common councilman. These things may be very considerably extended.

267. In whom does that patronage for the most part reside?—A portion of it in the Court of Aldermen.

268. Are they appointed by the court?—Yes, certain of them; certain others by the Court of Common Council, and certain others by vote of committees of the Common Council.

269. Are any of those officers appointed by the freemen of the liverymen?—The only officers out of the list I have read who are so appointed are the chamberlain and the two bridge masters; they are appointed by the liverymen in common hall. I state deliberately that this list might be very considerably extended; it has been hastily compiled, and such as it is I submit that it is evidence of a spirit of selfishness and of advancement of personal purposes, not to say of corruption, which is sufficient to justify the bad odour in which the corporation stands in the City of London. I am free to admit that there are in both courts gentlemen who would disown connexion with any such system as is illustrated in this kind of patronage. Of course it must be matter of general conviction that although the majority have thus rendered themselves liable to that charge, yet there always must be an honourable minority endeavouring as far as they can to resist the perpetration of such evils. The common councilmen are 206; not 240, as they were at the time of the last commission. There have been two material changes since that Report was published. The one is a reduction of the Court of Common Council from 240 commoners to 206, leaving always the twenty-six aldermen in addition.

270. How was that reduction effected?—By an ordinance of the Court of Common Council. It was done under the pretence of making a fair distribution, and certainly

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they have a less unequal distribution of representatives of the wards than they had before.

271. Then, as as far as that went, it diminished the inequality of the representation of the different wards?—To a very slight degree; not at all satisfactorily.

272. Can you state exactly how it was done?—I can state how it was done by referring to the numbers of the wards given in this Report. The wards were not altered, but the numbers returned by some of the wards were altered.

273. Do you mean that the numbers returned by the smaller wards were diminished?—Generally so; that would be the character of the alteration. Aldgate ward has been increased from six to eight; Aldersgate has not been altered. Aldersgate had eight, and has still eight; it has 173 municipal voters. Now Aldgate ward had but six members, and had 227 voters. Therefore the addition of two, from six to eight, for Aldgate ward, does not fully compensate for the difference in the number of votes; but the tendency of the alteration was such as has been suggested, namely, to approximate more nearly or less distantly to a fair representation. The ward of Billingsgate was reduced from ten to eight. The ward of Bread Street, a small ward with only 106 municipal voters, formerly had twelve members; it has now but eight. The ward of Bridge, which had fifteen, has but eight. I do not see why Bridge ward should have so many as that, unless there be a portion of them for Bridge Without. The number of electors is only 153, which number of electors, dividing the electors by the members of the common council, for the ward of Bridge Within, gives but nineteen for each.

274. In short the general character of the alteration was to increase the numbers that were returned by the large wards, and to decrease the numbers that were returned by the small wards, and thereby to render the representation more equal?—I do not see that it has increased any of them, except the one I have mentioned, Aldgate, and Coleman Street. Those are the only two which have been increased. In other instances they have been reduced. There has been no increase made to Farringdon Without, which, whether as regards rateable property, or as regards the municipal constituency, is most inadequately represented in the Court of Common Council. The municipal constituency of Farringdon Without are 815, and it has but sixteen members, which gives fifty-one constituents to each member, whilst several of the wards even now have but twelve or thirteen to each member. The entire municipal constituency of the City of London is not one third of the occupiers of the City of London rated at 10*l.* and upwards.

275. Will you proceed next to state your views with respect to the Court of Common Council?—The Court of Common Council is composed of 206 members, who are elected annually, and twenty-six aldermen, who are elected for life. The municipal ward lists serve for the election of the aldermen, and serve also for the election of common councilmen. The elections of common councilmen are generally pre-concerted. In several if not most of the wards there are precincts which constitute a sort of sub-committee. At the precinct meetings, which are rarely attended by more than from six to ten or twelve, and very often not attended by more than two or three, the list is agreed upon of common councillors to be recommended to the court of wardmote. At the court of wardmote this list is represented as the list of candidates recommended, and it most generally consists of the old candidates. At those precinct meetings it very often happens that cakes and wine and other refreshments are provided for the few who are congregated in order to prepare this nomination list, if I may so call it. Then if any person be proposed as a candidate, he is proposed as a candidate against this nomination list, and he is put at the bottom of that list at the wardmote, in order to the taking of the votes for the election of the common councillors. He is considered an intruder; he appears to be an intruder. The preliminary committee of the wardmote, the precinct meeting, or where there are no precincts a clique of publicans (for they exercise very considerable influences in the election of common councilmen), pre-arrange who shall be the preferable candidates, and those candidates are returned directly in the case of precincts, indirectly in the other case to the wardmotes as the parties who should be elected. I am not aware of any case of direct bribery in the election of common councilmen. There is at all events the semblance of popularity and purity in the election of common councilmen, as compared with the cases of aldermen where there has been a contest, and where there has been money power exercised. But considerable influence is exercised by the common councilmen in the distribution of the enormous patronage which appertains to that body. That influence is exercised very generally in committees. It is an object with many individuals to become members of particular committees. Allowances are made to the extent of 2,825*l.* a year, I think, by the Court of Common Council to those committees; to some committees 200*l.*, to others 300*l.*, and so on. I think there are about twenty committees, many of them exercising very great powers, that is powers over very extensive properties.

276. Do you mean that the committee men are paid for their attendance upon the committees?—They are paid in meal or malt, in money for attendances, or in dinners, or in junkettings, swan hoppings, trips on the Thames, and a variety of ways in which this money is applied.

277. Is it usual to pay them so much a day for their attendance upon those committees?—In some of the committees I believe the money is wholly or in part applied to the payment of the members of the committee who attend the meetings of the committee.

278. Is that left to the discretion of the committee themselves?—I believe it is, wholly.

279. You mean that a certain sum is apportioned for the expenses of each committee, and that it is left to them to decide in what way that money shall be distributed?—It is so. The total of the money so allowed to the committees being £2,825. This system operates singularly to the hindrance of business.

280. Has each of those committees a clerk or secretary to attend to it?—Those committees appoint such officers as they deem necessary. Some of them have clerks.

281. Are those officers paid out of the sum which you have mentioned, or are they paid besides?—If they have clerks they are paid besides. But the officers of the corporation are always to hold themselves at the call of any of those committees. For instance, the city solicitor, Mr. Pearson, the deputy of the chamberlain, Mr. Scott, the comptroller, and the other officers are to hold themselves ready to advise or inform any of those committees.

282. Are all those committees all standing committees or are they committees appointed for special purposes?—Most of them are standing committees; some are for special purposes. For instance, there is the Wellington committee, called for a special purpose; there is the orphan school committee; and there is the markets committee.

283. In the case of the Wellington committee, do you apprehend that the members of that committee were paid for attending it?—No; I do not say that they were, nor do I case say otherwise. I do not know whether the common council in that particular voted a sum of money for that particular committee. I should think it most probable that they did not; but when it is a standing committee they then vote so much per annum to that committee for their expenses.

284. But in the case of the Wellington committee, could it not be known by the published accounts of the corporation whether they did or did not vote money for that special purpose?—No question of it. In the accounts of 1852 I find no such allowance. It is for permanent committees that those permanent annual sums are voted. A committee of forty members that had no such allowance voted to it has great difficulty in getting a quorum of members to attend. Another committee which has £400 allowed to it pleases to have an excursion to Kew or elsewhere, and it spends its £120 or £150 on such an excursion in the summer, and then, when they find that their money is nearly exhausted, in the autumn, they have the same difficulty or nearly the same difficulty in getting a quorum of the members together that the committee has that had no allowance. There was a deputation sent to Ireland some time since, and a sum of 400*l.* was voted by the Common Council for their expenses. They went to Ireland, it is true, but they had to spend the 400*l.*, and so they made a tour of the lakes till the 400*l.* was all exhausted.

285. I suppose they went to Ireland upon business connected with the Irish Society?—No doubt about it. Sometimes an instance occurs when a pile requires to be driven, and an inspection must take place, say some seven or eight or nine miles up the river, and the committee having this 400*l.* to spend on its pleasure, takes two or three days on the business. It goes to Windsor; it goes to Reading; the gentlemen take their wives, and it is a very pleasant thing. I mention these circumstances to show that there are ten thousand of these and similar inducements for men of small minds to desire to be members of the Court of Common Council.

286. Is it not understood that those grants of money are to be appplied to the public business of the committees?—It is distinctly understood that it is eating and drinking and pleasuring money.

287. You are understood to state that it is at the option of the members of the committee, either to take this money, which is allowed to them in consideration of their attendance, and put it into their pockets, or to spend it for purposes of common amusements such as you have referred to?—In some cases purposes of business, in many cases for amusement, as in the case of an inspection of a pile to see whether a pile shall be allowed to be driven under the Thames conservancy, or anything of that kind of business. In such a case, the business of going to inspect the pile is extended into the pleasure of going to Windsor or to Reading.

288. Do you consider the allowances excessive, if they were exclusively devoted to remuneration for the time employed in the attendance?—If you are to buy the services of people, by paying them for attendance in order to discharge these duties, the money is certainly very small; if you are not to assume a desire to discharge the duty without being paid for it.

289. Jurymen are paid?—Yes; jurymen are compelled to be jurymen. These men seek to be common councilmen.

290. Is the whole common council divided into committees, and is every common councilman necessarily a member of a committee?—No, certainly not; many common councilmen are members of several different committees. The great fight is to become members of those committees that have the most money to spend and the most influence to exercise. This is the nature of the corruption of the Court of Common Council.

291. How are the members of committees chosen; by vote of the Common Council?—Yes; hence the existence of an infinite variety of cliques in the Court of Common Council for the promotion of those particular objects of particular individuals. I am quite sure that when the Commissioners shall have witnesses from the corporation on these points it will only require the direction of the attention of those witnesses to these

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questions to have the fact at once admitted, and the answer, I believe, will be, that it amounts to only so many pence a day per man for his attendances spread over the whole year, or something of that kind. In 1849, the consolidated committee of the Court of Common Council made a report to the court. I have a copy of that report. I regret I have been unable to find it this morning. It is a very singular one, and I should not wish to misrepresent it; but the purport of that report was that the newspapers had of late said a great deal about the corporation in no very flattering terms; that the officers of the corporation had occasion frequently to have communication with Her Majesty's Government, and that Her Majesty's Government was thus led to misunderstand the objects and motives of the corporation; and that it was extremely desirable that a sum of money should be voted to the consolidated committee to enable them to put themselves right with the public through the press. That was the purport, in general terms, of the report of the consolidated committee in 1849 to the Court of Common Council, the object of the report being to obtain a grant of money which it was requisite that the court should vote to the committee. I believe the court received that report, and voted that the sum of 1,000*l.* annually should be allotted to the consolidated committee for the attainment of those purposes as set forth in that report. I believe those 4,000*l.* in four years have been spent. I believe they have been spent by the ordering of hundreds of papers on occasions where a newspaper has reported as they thought satisfactorily their proceedings. I am quite sure that during these four years the "Times" has not received one farthing of that money. I am quite sure the effect of the expenditure of that money is directly or indirectly to induce a paper to suppress that which is not favourable to the corporation, if known, and to give as favourable an account of their proceedings as by its ingenuity it is able to do.

292. Are not the details of the expenditure of this sum of 1,000*l.* laid before the common council, and afterwards before the public?—Certainly not; there are very many details of accounts of money expended by the corporation which are not published.

293. Do you know who has the management of the details of this expenditure. Assuming that certain copies of newspapers are purchased, as you say, who is it who decides which newspaper shall be selected, and what number of copies shall be taken?—The members of the consolidated committee.

294. Do you believe that the question is brought formally before the committee, and that they come to a vote upon it?—No; I think the committee would have some confidential agent. I think certain members of that committee would be very leading men in that committee. Committee business generally falls into the hands of two or three active individuals. I believe they have confidence in some of their officers, high or low, and that an intimation that there is a satisfactory report in such a paper to-day is followed by an order being sent for 500 copies directly. I believe in some instances application is made to them, "Will not you take so many copies of such a paper; we have a capital article in it in favour of the corporation." That is the necessary tendency of the system which is adopted.

295. You do not know who the particular individuals may be who manage this part of the business?—No, I do not. I should think it must be sometimes one individual and sometimes another. There are always officials about the Guildhall who are accessible to members of the committee to take orders and to execute commissions. The consolidated committee includes fourteen aldermen and the lord mayor.

296. Is it a standing committee?—Yes.

297. A common councilman is elected for one year only?—That is so.

298. Does it often happen that the same person is re-elected?—Very often.

299. Is that the general practice?—I should say so.

300. So that a common councilman serves for a considerable number of years in general?—Yes, till, promoted to some office in the corporation, or with the prospect of it, he retires in many instances; at other times he dies; but generally speaking he continues a great many years. Independently of 2,825*l.* allowed to the committee, there is the sum of 500*l.* for a special purpose; that is for a very stately procession on the Thames in a sort of gilded barge, when there is great good cheer, and, of course, the company of ladies, and the lord mayor, and all the paraphernalia of a corporate office; 500*l.* is allowed for that, in addition to the 2,825*l.* Very much of that 2,825*l.* is spent in the dinners of the committee and officers at the hotels, the Albion, or the London Coffee House, or the London Tavern; good fellowship prevails, and offices are obtained very frequently by the instrumentality of eating a great many good dinners with great regularity. A case occurred where a gentleman was very anxious to be chairman of an important committee; that is, a committee with much patronage. He was a bad eater. He was told, unless you attend the dinners more regularly you will never be chairman of that committee. He could not eat dinners, and he was not chairman of that committee, though, certainly, in point of talent and station, he was well qualified to have filled the office.

301. In general are you prepared to state that incompetent persons are placed in offices of importance and responsibility by the City of London?—Certainly not.

302. You think, generally, that the patronage is not ill administered?—Generally speaking, the higher offices are filled by men eminently qualified to fill them.

303. Do you think there has been an improved feeling of late years in regard to the selection of men to fill important offices?—I have no doubt that that is so to some extent. I am not prepared to say that at any one period fools were thrust into office. It is not the interest of anybody to be served by incompetent men. I am quite sure that since the last Report was published,—since the period when Lord John Russell announced his intention to bring a bill into Parliament to reform the City of London,—an announcement, however, which was never carried out,—the public attention has been so constantly directed to the corporation, public censures have been so general, that the corporation cannot but have seen the absolute necessity of minding what it was about, and being careful and vigilant, or more careful and more vigilant than it had been before, and, so far as it could, of getting out of the bad system of which it is the worker.

304. What do you say as to the choice of persons for subordinate offices?—Of the subordinate officers one is not so well qualified to judge, inasmuch as they do not come prominently forward. They may appoint a clerk to a situation of 150*l.* a year, who, probably, is not worth 80*l.* Still his want of knowledge and competence to the office is covered by the sufficiency of his superior, who takes the responsibility, and sees that the work is done in some way.

305. You can probably form a judgment as to the motives which determine the choice of persons to fill such offices?—I leave the Commission to form a judgment upon the motives from the list of appointments which I have read to them of sons and nephews of common councillors, and sons and nephews of aldermen and late aldermen, who are appointed to the offices. The list I have read is not a list of offices of high importance, although including offices of high importance.

306. Will you have the goodness to make any observations you may wish to make in regard to the common hall?—The common hall is a very ancient court of the corporation, and is invariably held in the Guildhall of the City of London, a most inconvenient place, because it is so large and so lofty that any speaker can scarcely hope to be heard there. It is, however, peculiarly fitted nevertheless for the sort of business which is usually there transacted, and where arguments are not of necessity an ingredient in the proceedings. The common hall consists of the liverymen of the various guilds of the City of London, whether occupiers or not within the City, whether rated or not, whether living seven miles from the City or living in the City, whether living in Edinburgh, in Dublin, or in the East Indies, provided they can get there at the time the common hall is held. There may be some 10,000 of those liverymen not upon the Parliamentary register, but upon the rolls of the livery companies. The Parliamentary Reform Bill requires that they shall reside within seven miles of London; but at whatever distance they may reside they are good electors at the common hall, provided they are on the livery of a guild. Of those 10,000, 7,000 and some hundreds are on the Parliamentary register, and residing within seven miles of London; the rest are either non-occupiers in the City of London, men of very limited means, many of them supported by charities of the guilds, and a considerable number residing at some distance, in fact, in most of the towns of the United Kingdom. The attendance at the common hall is commonly very small. There are not above 400 of the liverymen who take any general interest in the proceedings of the common hall, and of those 400 perhaps the usual attendance may be half that number, or something less. I have within the last few years been present at many common halls, although not a liveryman. I have been an observer at many common halls where the attendance has not amounted to sixty or seventy individuals; so that the functions of that court are exercised commonly by a contemptible minority of the liverymen, I should say by from 50 to 100, of 10,000 liverymen.

307. What are those functions?—Those functions are: the election of the lord mayor, the sheriffs, the chamberlain, the bridge masters, the auditors, and officers I think they call aleconners.

308. Probably the attendance is large when the election is contested and excites interest, and is small when it is a mere matter of form and excites no interest?—The attendance is rarely very large. The attendance is larger when it is anticipated there is a real fight to come off than when it is anticipated that the arrangement is preconcerted, and all settled beforehand.

309. That is the case with all bodies of electors, is not it?—It may be so; but in the present instance the elections are almost all arranged beforehand. The livery understand it well. There are those 400 men, who are at the beck and call of two or three or four individuals, who may be called the managers of the common hall elections. The common hall elections are generally conducted under a system of undisguised bribery and corruption.

310. Do you apply that remark to the election of lord mayor?—Not generally.

311. To the election of sheriffs?—I say the remark does apply sometimes to the election of lord mayor, but not generally. To the election of sheriffs it applies almost invariably; to the election of chamberlain and bridge masters invariably, or with very few exceptions; and the election of aleconners the same.

312. In what manner is the corruption practised?—I believe the corruption upon the present system commenced in the year 1831, when there was an election for the office of mayor between Sir John Key and Sir Peter Laurie. I think it was the election for the second mayoralty of Sir John Key. At that time Alderman Lucas, who was a very extensive lighterman, took a very prominent part in the election, and being a lighterman

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he was well known along the shores of the Thames by the people connected with the navigation and business of the Thames, who, under the corporation, must of necessity be freemen in order to hold certain offices, or members of livery companies, because the occupations of those people are corporate; and they must of necessity be liverymen to be members of the watermen's company, or fellowship porters, or any of those trades connected with the commerce of the Thames in the hands of the corporation of London. Alderman Lucas brought those men in large bodies to vote for his friend. The election cost from 12,000*l.* to 15,000*l.* for the two candidates, a very large proportion of which went to those men who are now called 'long shore men, though now they are not 'long shore men in the same sense that they were before. The 400 liverymen to whom I previously alluded are still called 'long shore men. The origin of the term dates from 1831, when Alderman Lucas, by the 'long shore men, effected the successful return of his friend, Alderman Key.

313. What do you mean now by 'long shore men?—We mean now all those liverymen who are to be bought for tickets of 1*s.*, or tickets of 1*s.* 6*d.*, who recognize their leaders in the self-constituted managers of those elections, and who, by preconcert, go to the hall on every occasion of an election to hold up their hands. There it generally terminates. When it comes to a contest it is taken out of the hands of the 'long shore men, and, of course, the great body of the livery are appealed to, and in most cases respond to the appeal.

314. Do you mean that the 'long shore men consider that they have performed their part of the bargain when they have held up their hands, and that they are afterwards at liberty to vote for whom they please?—No; but generally the holding up the hands settles the business; for this reason, the constituency being large, and being distributed over the kingdom, a real contest, that is, a poll, is a very costly affair, and it does not often occur that there is an election which is worth so contesting at so considerable a sacrifice of money.

315. Do those 'long shore men consist of one compact body, or are they divided into several bodies voting different ways?—The managers generally work together. The 'long shore men are not divided specifically into bodies, but each of those three or four managers considers that he has a superior influence over this man and over the other man, and he calculates that there are a certain number of voters whom he can bring up.

316. Have party politics anything to do with this organization?—In electoral matters the proceedings of the manager very seldom have any reference to party feeling; it is the open hand. The man's politics are not asked. The question is, how much can I make by the transaction.

317. In the contest between Sir John Key and Sir Peter Laurie, in 1831, in which you describe a large sum to have been expended, was the chief part of the expenditure, or any large part of the expenditure, for defraying the travelling expenses of the voters?—Wherever there is an election carried on to that extent by the liverymen, a considerable portion of the money is spent in defraying expenses. When I say a considerable portion, I mean a considerable proportion of the lesser half.

318. When you say this sum of money was spent, do you state that from common report, or had you any personal means of becoming acquainted with the fact?—I had no personal means of becoming acquainted with the fact. It is now twenty-two years back; but what then took place is no secret in the City. It is from common report I state it. There has been no secret of it made in the City, and the agents connected with the election have themselves avowed it.

319. Do you conceive that the expenditure is an illegal one?—It is not so considered in the City of London. In the City of London it is held by lawyers, among others, that there is no law against bribery at common hall elections, at all events; possibly at municipal elections. It is convenient to believe that in the City of London.

320. The Acts of Parliament respecting the election of members of Parliament clearly do not apply to municipal elections; but is it believed in the City that a municipal election procured by corruption is a valid one, and would be sustained in a court of law?—It is believed that no personal consequences will ensue,—disadvantageous to the party taking the bribe or giving it.

321. Supposing the validity of the election were brought in question before a court of justice, is it believed that the election would be sustained and held valid if corruption were proved?—Nobody asks the question. Who is to indict when all are parties to the transaction, or to similar transactions? There was an election in 1846 which cost the sum of 4,000*l.* or 5,000*l.*, between Sir George Carroll and Mr. Thomas Wood.

322. Are the expenses of a contested election for the office of lord mayor or of chamberlain similar to the expenses of a contested election for a member of parliament? Are there agents employed, refreshment tickets given, and travelling expenses paid?—At an election for members of Parliament, if you bribe you get the man into a room by himself, and then bribe him. At an election in the City of London there is no necessity for such concealment; it is a matter of notoriety. If you go to the committee room of a candidate you can there ascertain what the market price of your vote is, whether it be half a crown or whether it be 10*l.*, and you can get it and take it.

323. Do you believe that open bribery, such as you describe, is ever practised at municipal elections in the City of London?—Beyond all question. It is a matter of notoriety,

and no less a matter of fact, that the elections at common hall are almost invariably venal.

324. What is the most recent instance which you can adduce of an election in common hall, which has been conducted in the manner which you describe?—Bribery may be practised and is practised in two ways at common hall. Men are bribed to hold up their hands against the election of a man to an office which he does not wish to fill, and they are bribed again to hold up their hands in favour of the election of a candidate to an office which he desires to fill.

325. You have stated that in the case of a contested election of importance at common hall it is the practice for the committees of the rival candidates, without the least concealment, to give money to the electors who vote for their respective candidates. Will you state to the Commission some recent instance in which that system has been carried out in the City of London?—I drew the distinction between the two modes, expressly in order to answer the former question satisfactorily and fully. I believe the most recent instance of bribery has been in the election of the lord mayor elect, Mr. Alderman Sidney. I believe it was only to the extent of 200*l.* or 300*l.*

326. There were but two candidates proposed, were there?—Others would have been proposed, but that a sum of money was given to a manager of those 'long shore men not to execute his threat to put in nomination two others. Mr. Alderman Sidney is generally supposed to be a corporate reformer. It was believed in the City that it was not desirable that he should be lord mayor, and it was declared by an agent that he should not be lord mayor, for that two other persons would be named and elected, so that either Alderman Sidney would have been under the necessity of going to the great expense of a poll to secure his succession to the office, or two names, that of Alderman Sidney not being one, would have been returned to the Court of Aldermen from which to select the chief magistrate. The party who made this threat received a bonus. Under the inducement of that bonus he did not carry his threat into execution, and Alderman Sidney was therefore elected to the office.

327. Reverting to the statement which you made that it was the ordinary practice in the City of London, when a contest took place for an important office, that the committees of the rival candidates should openly and undisguisedly tender payments of money to those who voted for their respective candidates, can you state to the Commission any recent instance in which bribery in that form and to that extent has taken place? Bribery in that form has taken place in the last election to the office of chamberlain.

328. When was that?—This year. The candidates were Sir John Key, the present chamberlain, and Mr. Scott, the chief clerk,—the deputy chamberlain,—the man who does the business in the office.

329. It was rather a closely contested election, was not it?—Very.

330. Are you prepared to state to the Commission that upon that occasion there were committee rooms open for the two candidates at which bribes were openly and undisguisedly tendered to those who voted for them?—Certainly I am; I was an agent for one of the candidates.

331. Were you on the committee of one of the candidates?—No; I was a retained agent of one of the candidates.

332. Are you able and willing to state to the Commission what took place in that respect with regard to the candidate of whom you were an agent?—Certainly; money was given to parties for their votes.

333. For whom did you act?—Mr. Benjamin Scott.

334. Is it within your personal knowledge that during that contest money was given to persons who voted for Mr. Scott, in consideration for their votes?—Certainly; but I would state, in addition, that Mr. Scott was certainly the popular candidate. Mr. Scott had no occasion to bribe until the wholesale bribery of the other party jeopardized the election of the man who really had the majority of legitimate votes. Mr. Scott was the advocate of purity of election. It was only in consequence of the large amount of bribery practised on the other side that Mr. Scott paid to a very limited number of persons money for their votes.

335. Were those payments made by his committee without his knowledge, or were they made with his knowledge?—I have no doubt with his knowledge, because in the City of London it is not considered at all disgraceful to bribe at an election. It was always a question merely of the convenience of bribing. Of the necessity of it first, and secondly of the convenience. There was no necessity to bribe if the legitimate liverymen polled in sufficient strength for Mr. Scott as they did for a considerable portion of the time of the poll; but when the numbers were turned, and it was known, as we knew, and it will be proved before you, that Alderman Key was bribing largely, a small and insufficient effort was made to counteract it, and money was paid to several voters in the interest of Mr. Scott, and would have been paid to more if Mr. Scott had adopted the sound advice which was given him, namely: "You may win the election; it is only a question of another thousand pounds. We know they are bribing at such a price. We can much more easily get a man than they can, even at a somewhat lower figure. Are you willing to spend that additional 1,000*l.*?" Mr. Scott's answer was, "No, I have no more spare cash of my own; and although my friends would back me to any extent, I will not spend 1,000*l.* of their money."

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336. Was that extensive and systematic bribery on the part of Sir John Key, of which you speak, within your knowledge, or do you mention it only from rumour?—It is within my knowledge, in individual cases. Of course I had no access to the committee room of Sir John Key. It is within my knowledge, in particular cases, that parties were solicited to vote for Mr. Scott, but had been offered higher terms for Sir John Key, and afterwards accepted those terms, and voted. It is also, in a secondary degree, within my knowledge, from the information which I have received from the parties who were agents in the payment of money for Sir John Key.

337. Did Mr. Scott's committee believe that there was extensive bribery practised on the other side?—Certainly.

338. Did they act upon that belief? Did they take any practical measures during the election, founded upon the belief that there was extensive bribery on the other side?—If the question were thus varied, whether the committee or their agents took any such course, I say yes. On the knowledge of that fact such a course was adopted. Circulars were written to liverymen living at Bristol, living at Manchester, living at a considerable distance, informing them that their expenses would be paid; and in the City of London, by liverymen, that is always understood to mean that something more than the expenses will be paid.

339. What would be the effect of disfranchising all liverymen who do not reside within seven miles of St. Paul's?—Not materially to affect the question, The majority of those who come up from the country come from right feelings; I should say from feelings of desire for corporate reform. It is somewhat singular that this was an election in which the aldermen of the City of London took one side, and the general feeling of the reputable livery and even the bribed portion of the livery was on the other.

340. On which side did the aldermen vote?—On the side of their brother alderman, Sir John Key. The aldermen imagine that the chamberlaincy is an heirloom to their court for the decayed aldermen. They felt that it would be to break through that rule, and prejudice the anticipations of some of them, if, on that occasion, Alderman Key were not elected to the office, and nineteen of them agreed to find 100*l.* apiece towards turning the scale. Whether they paid it is another question.

341. Is it considered a great object to obtain the office of chamberlain of the City?—It is a very high office, with a very good salary, and with very large advantages, but very little to do. The duties of the office are very complicated; so complicated that it requires a man of great clearness of intellect, and great assiduity, and great experience in the office to discharge its duties. Worn-out aldermen are not therefore the best qualified persons to discharge the duties; and those duties are almost all of them discharged by Mr. Scott, who, upon that occasion, and for that reason, as having been acting chamberlain, and efficient chamberlain for many years, sought the office of chamberlain.

342. The principal, in fact, does not give much attendance or perform many duties, but the work of the office is chiefly performed by the deputy?—Chiefly so. He need not give much attendance; he had better not give much, for the proper discharge of the duties of the office, inasmuch as he is not so competent to discharge them as his deputy is.

343. If the emoluments of the office of chamberlain are returned at 2,500*l.* a year at the highest, do you believe that to be the extreme amount of the receipts?—I do not, by a very considerable sum. If you ask me what is the amount of the emoluments of the chamberlain, I confess I am unable to give a satisfactory answer, nor can I imagine that anybody can give a satisfactory answer, unless it be Mr. Scott, perhaps. The chamberlain himself might be the most competent person to inform the Commission, but I am not sure of that. The chamberlain has a privilege in reference to the balance in hand which is not clearly understood; indeed I dare say it is very complicated. I understand there is a balance of 70,000*l.* lying in the chamber of London, as it is called, which is the treasury, of which I can only give the Commissioners a general idea, sufficient, however, to lead them to a better source for the particulars. There was a certain fund, applied, I think, by Act of Parliament, to the buying up and exhausting of certain offices. They have all been bought up and exhausted, and I think there is a balance of 70,000*l.* left, which may be called no-man's fund, and which cannot be disposed of satisfactorily without an Act of Parliament specially for the purpose.

344. Does that balance stand in the chamberlain's name? Has he the use of it?—I believe he has the use of it. I am sure he has, to this extent, that if ever there be an expenditure of corporate estate funds beyond the assets in hand he has always the power of taking from that 70,000*l.* for a temporary accommodation.

345. Does this 70,000*l.* lie dormant, producing no interest?—No account is rendered of any interest produced. It is difficult to imagine that it is in sovereigns deposited in a chest; and one would suppose that there should be an interest produceable from that amount. I am not aware of any return being made of any accumulations of that 70,000*l.*, and I am disposed to believe that it must produce an interest, and that if that interest be not returned as addition to principal, then the chamberlain must have the advantage of that accruing interest.

346. Is that a subject which has never been publicly investigated in the common council or by any of the public bodies of the City?—I am not aware that it has, and I have been tolerably observant of the proceedings of the legislature of the City. Further

details and information upon the subject can hereafter be procured from those who are bound to know something about it.

347. It is stated in the Report of the Municipal Commissioners that the chamberlain is "entitled, and indeed compelled, to retain a very large balance in his hands, in order "that he may be able to answer the calls made upon him from time to time. There is no "precise limit fixed to this balance, but we were informed that the annual profit accruing "to the chamberlain upon this balance fluctuates between 1,000*l.* and 2,000*l.*" ?—The Commissioners were so informed, I have no doubt, by corporate officials. In all probability some corporate officer made that statement. There were no parties then taking the interest in this inquiry which there are now; no cross examination was likely to ensue on the part of the Commissioners, who did not know the details, there being no adverse party before the Commissioners.

348. Do you think that is put too low?—I think it is put considerably too low.

349. The Commissioners of the year 1834 consider the mode of remunerating this officer, "by making his emolument dependent upon his dealing with the balance intrusted "to his care, very objectionable in point of principle." Are you aware whether any alteration has taken place in that respect since that time?—I am not aware of any alteration having taken place in that respect. I believe if it were not an heirloom of the Court of Aldermen no such system would be allowed to exist.

350. Is it the amount of remuneration received by the chamberlain that you object to, or the mode in which that remuneration is given?—Both. It is an office approaching very nearly to a sinecure on the part of the chamberlain himself.

351. The former Commissioners describe the office as one of great labour and of the greatest responsibility. Do you believe that to be an incorrect description of the office?—Certainly, inasmuch as the duties are performed by deputy. If they had spoken of the office of chief clerk to the chamberlain, it would have been a very accurate description of the duties. That is one of the offices where certainly there is a large amount of duty to be set against the salary paid; but it is not a duty to be set against the salary of the chamberlain, but against the salary of the clerk, the chamberlain de facto.

352. There is no office of deputy chamberlain referred to in the Report?—He is not called the deputy chamberlain.

353. He is the servant of the chamberlain?—Certainly, he is the servant of the chamberlain. An overture was made to Mr. Scott during the contest, that his situation should be improved pecuniarily if he would resign, and a threat conveyed that if he persisted in the poll after a certain time he would lose the appointment, for that the new chamberlain would appoint some one else. Mr. Scott did not resign.

354. Has he been removed?—He has not been removed. In fact it would have been a dangerous thing to remove a man who knows how to discharge, and who does discharge, the heavy duties of that office. There is no other person of experience who could have taken it.

355. The duties there connected with the office are very laborious and responsible?—Laborious in one sense; laborious in clerkship and in accountancy, and they are also responsible, because there is a mental weight pressing upon the mind of an individual acting with reference to such large accounts for such a corporation as that of the City of London.

356. According to your account of the chamberlain's office, the unsuccessful candidate, who receives a small salary, discharges the important and responsible duties of the office for the successful candidate, who receives a large salary?—That is the case.

357. What is it then which induces Mr. Scott to perform the duties of his principal?—He did not succeed in obtaining the office of chamberlain; he is pleased to remain; it is not for me to say why he remains. Non constat, if Alderman Key were to die to-morrow Mr. Scott might not be elected the next chamberlain.

358. By whom are the clerks in the chamberlain's office appointed?—Mr. Scott, the principal clerk, is certainly appointed by the chamberlain. I think Mr. Scott, if he has not the actual appointment, at least has a considerable voice in the appointment of the subordinate clerks, who are several. I know his brother holds one of the offices; perhaps one in immediate connexion with himself.

359. You state, that Mr. Scott, if he had been elected chamberlain, would have been fully competent himself to discharge the duties of the office?—Beyond all question.

360. Do you think in that case the remuneration attached to the office would be excessive for the officer discharging those duties?—Certainly. I think the salary now given to the chamberlain would have been an excessive addition to Mr. Scott's present salary, and I think that the amount of the remuneration paid to the chamberlain would be an improper and excessive salary for the chamberlain.

361. Drawing a distinction between the nature of the salary and the amount of the salary, do you think the amount of the salary of the chamberlain would be excessive to any one really and efficiently discharging the duties of the office?—Yes, I think so. I think that might be tested thus: Take the salary of Mr. Scott, for argument's sake merely, at 1,000*l.*, and the salary of the chamberlain at 3,000*l.*; would Mr. Scott discharge the duties of his present office, and the nominal duties of the chamberlain, for less,—not than 4,000*l.*—but less than 3,000*l.*?—He would discharge them for 2,000*l.*, I have no question,

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and they would be discharged just as ably as they are now discharged for the supposed 3,000*l.* and 1,000*l.*

362. Is not the chamberlain in a position of personal responsibility which no clerk or deputy can be?—No, he is not.

363. Why so?—He gives sureties, which Mr. Scott would have to give just as Mr. Alderman Key does.

364. Mr. Scott gives securities to the chamberlain, does not he?—Yes.

365. Is Mr. Scott paid by the City or by the chamberlain?—By the City. If the Commissioners go into that portion of the evidence now, they will find much more light thrown upon the subject than was thrown upon it 1834, when there was no antagonistic party.

366. Is there any advantage in keeping up a distinction between the constituency of the common hall and the general constituency of freemen?—I cannot imagine any. The right and power exercised by the common hall seems to me to hinge very materially upon the right of the freemen. The body of freemen at large should have, and could exercise as well, the power of electing those officers now elected by the liverymen.

367. Is there any reason, for instance, why the lord mayor should not be elected by the freemen?—I can see none.

368. You spoke of a general and open system of bribery as prevailing at municipal elections in the City; are you to be understood to apply that to common hall elections only, or to elections by the common council?—To common hall elections only.

369. Passing now to the office of lord mayor, are there any observations which you wish to address to the Commission upon that subject?—I think not. I would simply remind the Commissioners that I have already adverted to the elections for lord mayor in the years 1831 and 1846, in which there were contests. The lord mayor is generally elected in rotation. The liverymen are told to elect two men from whom the aldermen shall select one, and with only occasional exceptions the next aldermen in turn is one of the two elected, and is the one selected. There are instances where an alderman is not popular with his brethren, and they will pass him over. There have been contests many years back; but the general rule is, that the next alderman in rotation is the alderman elected to fill the office of lord mayor.

370. Do you think it would be useful that there should be a power of electing the lord mayor directly, without reference to the Court of Aldermen; that it should not be necessary that the lord mayor should be an alderman?—Always assuming that the present system is to continue, and there is to be a lord mayor, most assuredly it is desirable that it should be a direct rather than an indirect election.

371. Do you think it would be advantageous that it should not be necessary for the lord mayor to be chosen from among the Court of Aldermen?—Assuming it to be decided that there should be a Court of Aldermen, then I should say it would be a great advantage that the lord mayor should be eligible from the general body of the citizens, rather than from that very small and unpopular body of the aldermen.

372. Do you think that there would be no danger of persons of respectability being deterred from becoming aldermen, when it was rendered less certain that they would one day fill the office of lord mayor?—I think the objection to being an alderman, wherever entertained, is not entertained with reference to the possibility of having hereafter to serve the office of lord mayor, because the person in the office of lord mayor has an ample fund provided for him, and it not unfrequently happens that the lord mayor, by economy, can save 1,000*l.* or 2,000*l.* out of that fund.

373. Is not it now an inducement to a person to obtain the office of alderman, that he is likely hereafter to become lord mayor—I think it is with those to whose ambition such an office ministers.

374. If you were to diminish the prospect of obtaining that prize, might not it deter many persons from seeking to obtain the office of alderman?—Yes; the present class of aldermen.

375. The situation of lord mayor is a fair object of ambition to the citizens of London, is it not—It would be, and it should be, under such a corporation as the City of London should have.

376. Do you coincide with the opinion expressed by a witness who has been this morning examined, that it would be desirable to sweep away altogether the municipal institutions of the City of London, and substitute nothing for them?—Certainly not.

377. You think it desirable that there should be municipal institutions, only they should be of an improved character?—It would be, I fear, a rude answer to ask for a definition of the word "municipal," in the sense in which it is used.

378. The question refers to such functions as the corporation of London now exercise; such as are defined in the Municipal Act for England and Wales, and exercised by town councils in boroughs generally. Is it desirable, in your opinion, that there should be some corporation in London exercising those functions?—I think that there should be some such body, because there is this difference between the municipality of London and most municipalities in the provinces, that the corporation of London are trustees of an immense amount of property. I do not speak now of charity trusts, but of municipal property; property to be applied municipally for the benefit and good government of the

locality. That is not the case in our new boroughs, and it is not the case to any very considerable extent in many of the old boroughs. In the City of London it is especially the case; for it must be taken, I believe, that all the City estates are held by the corporation only as municipal trustees, and that they are bound properly to administer to those estates, and I cannot imagine that any person can seriously argue that those estates are to go by the board, or that they would fall exactly within the business of a chamber of commerce.

379. Do you think the citizens and inhabitants of London would be satisfied to be entirely without municipal institutions, while there were municipal institutions at Liverpool, Manchester, and the other great towns of the country?—I cannot believe so; I cannot believe that the inhabitants at large would be satisfied.

380. Do you think it desirable that the lord mayor should be annually elected?—Speaking without reference to the present system, I think it would be preferable that the head of the municipality of the City of London should hold the tenure of office for a longer period than a year.

381. Probably you are acquainted with the provisions of the Municipal Reform Act?—I am.

382. By which the mode of election and the time for which aldermen should hold their offices are regulated?—Yes.

383. Are you to be understood to be of opinion that it would be advantageous to put the corporation of London under the same terms, and to bring them within the operation of the Municipal Corporation Reform Act?—No.

384. Why not?—That would recognize the continuance of the Court of Aldermen. There would be a certain number of aldermen who would go out of office triennially.

385. Under the Municipal Act are not the aldermen a portion of the town council?—Yes.

386. There is no distinct Court of Alderman under the Municipal Act?—I believe not.

387. If the constitution of the City of London were assimilated to that under the Municipal Act, the aldermen and the common council would be merged in one body. The aldermen would be annually elected, like the members of the common council?—A certain portion of them, those who have served three years, retire, and others come in for another three years, so that every year a third of them are elected.

388. They are re-eligible?—They are. I do not think, in the case of the City of London, that would meet what are the views of the most thinking men in the City, namely, that the corporation should be of such a character as that the higher classes of the commercial population of London should be induced to join it. For many years our merchants and bankers have held aloof from the corporation, when they have had every opportunity of joining it, had they pleased. I have arrived at a conclusion (rather adverse to my original feeling, which was that they ought to join, and make it right,) that nothing but the thorough reformation of the municipality of the City of London will offer a sufficient inducement to those gentlemen to lend their aid to the proper government of the City.

389. You state that in your opinion the inhabitants of the City of London would not be satisfied if they were deprived altogether of municipal institutions; supposing the corporation were reformed in such a manner as you would recommend, what advantages would the inhabitants of the City possess over the inhabitants of the rest of the metropolis who have no municipal institutions?—They would possess this advantage, that the municipal funds held in trust by the corporation would be administered under the responsibility of popular election.

390. Is not that the case at present in the parishes which administer their own funds? take, for instance, the parish of Marylebone; is not the vestry of Marylebone appointed by a popular election?—I spoke of funds held in trust, and I intended to convey by those words the funds which have descended to the present corporate trustees from times past, which are of a large amount. In the case of Marylebone, I take it the funds held in trust are funds collected from year to year by a rate, which involves the whole difference.

391. In fact, the great advantage which you consider the inhabitants of the City derive from municipal institutions, is, that they provide the means of administering the proceeds of the City property?—Which is the case now, but with a limited constituency, and therefore scarcely coming within the term popular election. By popular election I mean such an extension of the franchise as that every person contributing towards the municipal rates should possess the municipal franchise.

392. According to your view, the problem to be solved in reforming the corporation of the City of London is to provide a good machinery for administering the City property?—Chiefly so; excising the magisterial duties from the mere municipal functions.

393. Is there any other function of importance besides the management of the City funds, and the magisterial duties?—I think there are several; for instance, a power is vested in the corporation to impose tolls, and restraints and annoyances, upon the trade and commerce of the port of London.

394. Is that a beneficial function?—Certainly not. It is a function which ought to cease, and therefore the popular election of men to municipal offices, who under legal advice are told that that is the law, and who would maintain such incongruities, is not desirable; to prevent which, therefore, there should be an excision of those nuisances.

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395. Are there any considerations, in your opinion, connected with old historical recollections and associations, which would render the citizens of London unwilling to see themselves deprived of municipal institutions, and placed in the same situation with the parish of Marylebone or the parish of Lambeth?—I have no doubt there are feelings of that kind, which we all have. We are all what education has made us. I recollect as a boy I was a great admirer of the lord mayor's show. At present I have an utter contempt for it. I think it is a wasteful and foolish specimen of men playing the part of puppets to please the mob of the day. It certainly is not necessary to the proper administration of the affairs of the City of London.

396. If whatever was unsuitable to the ideas of the present day in the pageantry connected with the City of London were done away with, would not there still be a feeling of desire to support the proper dignity and even the hospitality of a corporation representing the greatest commercial city in the world?—But the ideas of different people vary very materially as to what constitutes dignity and true hospitality. They are not incompatible with common sense, and the proper conduct, in a commercial point of view, of the affairs of a municipality.

397. What do you think of the propriety of the public entertainments given by the corporation?—I think those entertainments have very often a political purpose; in some cases a political convenience. We are told in the City that it is very convenient for the minister of the day, dining at the Mansion House, to put affairs straight in the interest of his party with popular feeling, to ventilate the intentions of the Government with reference to public questions, and so on; but for the life of me I cannot understand why there should not be a better way of doing that than over a glass of wine after a public dinner. Good fellowship and good feeling is very often induced by conviviality; but, speaking as a man of business in the matter, I should say, let business be done before dinner, and if we have dinner let it be with no reference whatever to our business; and the honestest way is to pay for that dinner, and eat it, not charging it to the funds of the community.

398. Is not there a large grant made annually to the lord mayor expressly for the purpose of public entertainments?—There is.

399. Do you recollect the amount of it?—I believe it will be found that the allowances to the lord mayor will approximate to about 10,000*l.*

400. Is that always sufficient to cover the expenses of the lord mayor?—No; I think in the next mayoralty it will not be sufficient. I think in the present it may have been. In some it has left a surplus.

401. Do you consider that a justifiable expenditure, looking to the large revenues of the corporation, and the public purposes which it has to satisfy out of them?—I think it quite right that the chief magistrate of such a municipality should not have thrown upon his purse the heavy burden of maintaining the customary hospitality of the City of London. I am quite sure that very many might reasonably object, that they cannot afford it. I believe if the merchants and bankers were members of our municipality many of them would be much better able to afford it, and would prefer paying it from their own means to receiving it from the funds of the corporation.

402. The lord mayor's office is on the whole an expensive office, is not it?—Yes.

403. Is that the reason why it is an annual office, that the person holding it should not be called on to incur such expenses for more than a single year?—It is an expensive office in the abstract; but if more money be allowed than will pay the expenses, then, as regards the lord mayor it is not an expensive office.

404. Is not the office of lord mayor a cause of expense to the individual who discharges it, beyond and in addition to the allowance which he receives?—That depends upon the liberality of the lord mayor. Susposing the lord mayor, for example, were to say, I will have no lord mayor's show. Of course, if he were to say so before he were lord mayor, if I may use an Irishism, he would never be lord mayor. The aldermen would not elect any man to the office of lord mayor who would not do as they have done who have passed the chair, and as they mean to make those do who have yet to come to the chair, if they can; but if the lord mayor were to say, I will have no lord mayor's show, there would be a saving of 1,500*l.*, assuming that to be the amount, which I believe it is. He could then afford either to be more hospitable or more charitable, or he could afford to leave that 1,500*l.* in the chest of the chamber for the municipal purposes of the commonality.

405. Practically, does not the lord mayor generally find, at the end of his year of office, that he is a loser, and not a gainer?—I do not think so. I am quite sure no lord mayor who has saved money would tell you accurately what he had saved. To save money is not thought creditable in a lord mayor by his brethren of the aldermanic bench.

406. Would you wish to see the state and hospitality of the lord mayor altogether done away, or would you wish to see it reduced within narrower limits, and placed upon a different footing?—I would wish to see more of the state which appertains to the high character of the occupant of the office, and to the faithful discharge of his duties, rather than to the gewgaw and glitter which now hide defects, and scarcely embellish qualifications.

407. You are referring now to the pageantry which is incidental to the office?—I am referring to the general system of the mayoralty.

408. You would not object to decent hospitality, and even liberal hospitality?—Of course not; but wasteful profusion of trust funds every honest man should object to.

409. You were understood to say that you believed the lord mayor saved money sometimes. In the Report of the Commission is this passage: "The state of the office "is generally maintained on a very sumptuous scale; it very rarely happens that the "emoluments meet the expenditure; in the greater number of instances they fall short "of it by a very great sum. To what extent this takes place depends, of course, in a "great degree upon the individual holding the office; but we have reason to believe "that much unpopularity is incurred by attempts to contract the expenditure. The "excess of the outgoings above the income were represented to us as averaging 4,000*l*." —It were a delicate question to put to a corporate official, whether he thought the lord mayor exceeded his income, or saved money out of it, because it is considered in the corporation to be discreditable to the lord mayor to be supposed to have saved money out of the allowance. Nevertheless, it is believed pretty generally that not unfrequently the lord mayor does so economise as to save some money out of the large amount which is allowed him.

410. If the averages in excess be 4,000*l*., there must be some prodigiously extravagant lord mayors?—Or there must be extravagance in making that estimate.

411. Do the lord mayors differ very much in their expenditure?—Yes, very much.

412. Some are much more profuse than others?—Much more so.

413. Do you think it desirable that the office of lord mayor should be put in such a situation that it would be difficult for a man of moderate fortune to accept it?—It should not, certainly.

414. Whatever is the fair and legitimate expense of the mayoralty ought, therefore, to be defrayed by the public, and not by himself?—The fair and legitimate expense.

415. The sheriffs are annual officers, are not they?—They are elected at the common hall.

416. Are they put to any expense in the discharge of their offices?—The expenses of the shrievalty always exceed the allowance made by the corporation, and hence in the common hall elections more money is paid to the 400 'long shore men to vote against the election than to vote in favour of the election; and if there are three candidates, and two of them pay not to be elected, the third falls between the two stools to the ground.

417. In the Report of the Municipal Commissioners the Commissioners state that they have been told that on the average each sheriff has to expend 2,000*l*. beyond his receipts? —It is said to be so; it may or it may not be so; but certainly the expense of the office of sheriff greatly exceeds the amount allowed. There is, however, this set off, that the sheriff has the power of appointing the under-sheriff. The office of under-sheriff is a lucrative one; less so now, I believe, than it was formerly, but still lucrative, and still an object of desire among legal men; and this is the source of the immorality and corruption of the common hall elections for the office of sheriff. I hold in my hand a statement of the professions, trades, and occupations of the 206 members of the Court of Common Council. There are 21 lawyers; 14 stationers and papermakers; 13 spice, glass, lead, quill, spruce, cork, fruit, and other merchants; 10 woollen drapers; 8 carpenters, builders, and architects; 8 butchers and provision dealers; 7 bakers and pastrycooks; 7 oilmen and candlemakers; 7 auctioneers; 6 publicans; 6 grocers; 6 ironmongers and stovemakers; 6 printers and booksellers; 5 wharfingers and coalfactors; 5 tailors; 5 corn and flour factors; 4 jewellers; 4 wine merchants; 4 warehousemen; 3 undertakers; 3 lightermen; 3 surgeons; 3 chemists; 2 packers; 2 pawnbrokers; 2 engravers; 2 plumbers; 2 carvers; 2 brushmakers; 2 sailcloth factors; 2 accountants; 2 Berlin wool dealers; —and one of each of the following trades: horse dealer, saddler, toy seller, pianoforte maker, clothworker, carman, brassfinisher, poulterer, starchmaker, goldsmith, wireworker, perfumer, American agent, distiller, hat manufacturer, leather dresser, pin and needle maker, silk dyer, shipbroker, printseller, plate manufacturer, cloakmaker, importer of foreign goods, commission agent, silversmith, bootmaker, shirtmaker, umbrella maker, insurance clerk, and one of no trade or profession. The first item is the 21 lawyers, There are more lawyers than men of any other description in the Court of Common Council, for there are more legal offices to be filled which are in the gift of the corporation of London. Hence, in the list of the cases of nepotism which I mentioned just now, the Commissioners will see several cases of law officers who have been common councilmen and members of other branches of the corporation. The office of under-sheriff being lucrative, and it being requisite that it should be filled by a professional gentleman, the members of the corporation who are included in this number of twenty-one have been extremely active in endeavouring to procure such persons to be elected sheriffs as would appoint them to the profitable office of under-sheriff. From that circumstance has arisen the corruption practised in the election of sheriff in common hall. The originators of the system were lawyers; those who still pursue it are lawyers. It can be proved before this Commission that in many instances one professional member of the court has procured the appointment of many sheriffs, and has been their under-sheriff; and then, again, they are very often the agents to procure a rejection of the sheriffs who have been named; and in either case, and in all those cases, the business is done under those managers of common hall elections to whom I have before referred, who have, under the existing system, the control over those 400 reduced liverymen, who are the operative

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liverymen, and who are always ready, for some small consideration, to hold up their hands, whether for or against the election of the sheriff, and who, when a poll comes, are always purchasable at the market price, which may be as high as 10*l.*, as it was on the occasion of the election of the late chamberlain, where the price varied from 1*l.* to 2*l.*, or 5*l.*, and at last to 10*l.*, or it may be, where there is no such poll, the ordinary 1*s.* or 2*s.* 6*d.* ticket, which is an order to go to the public house and spend money to that extent.

418. What are the expenses of the sheriff in the City of London?—It is generally supposed that a sheriff who does what the Court of Aldermen expect a sheriff should do must spend 3,000*l.* over and above the money he receives.

419. To what purposes is this expenditure applied?—The case which occurs prominently to me is the case of the dinner at the Guildhall. Each sheriff is expected, the next 9th of November, to pay 700*l.* towards the expense of that dinner.

420. The expense is divided between the lord mayor and the two sheriffs?—Yes.

421. What are the other expenses?—The state and dignity of the office involve considerable expense;—the giving of dinners regularly expected;—the dinner to the judges at the Sessions House, at which dinner the aldermen claim to have a right to go and eat.

422. Is the principal expense of the sheriff confined to giving dinners? He has none of the ordinary expenses of a sheriff in the country, such as providing javelin men and a carriage for the judges, has he?—I am not aware of the specific expenses of the sheriff. I believe the duties of the shrievalty may be reasonably discharged with reasonable hospitality at half the amount which is now invariably lavished upon the office. But then, to discharge the duties of the shrievalty economically, though with reasonable hospitality, would require the person holding the office to place himself in direct antagonism to the anticipations and the demands of the Court of Aldermen of the City of London.

423. Is the office of an alderman an expensive one?—I should say not. I know of no expense properly coming within the meaning of that term contingent upon the holding of the office of alderman.

424. Do you think it possible that the office of lord mayor and the office of sheriff have been made annual because they are expensive; whereas the office of alderman has been extended to the life of the holder, because it is inexpensive?—I should not think so, because the office of lord mayor is not in my opinion expensive to the holder of that office. The office of alderman is not, I should think, conferred for life because it is non-expensive, but rather because it abounds in patronage of various descriptions. An alderman for life is a magistrate for life.

425. Is not the lord mayor a magistrate, and has not he also considerable patronage?—He has; and he has from 8,000*l.* to 12,000*l.* a year paid to him out of the City funds to discharge the duties of that office; he must go through the office of lord mayor when he is elected to it, and it wholly absorbs his time; that is another reason. It is not so with the office of alderman.

426. There may, probably, be another reason, that the office of lord mayor is considered too great a prize to allow the holder to retain it for more than one year?—I should think that is more likely to be the reason than the other. The corporation in the present year were unable to procure a sheriff. Several were chosen and elected, and refused to serve, and they had no sheriff except the first, Mr. Alderman Wire. Mr. Sheriff Wallis was elected, as I understand, without bribery; but Mr. Sheriff Wallis has been for many years perfectly conversant with the affairs of the common hall, although not generally engaged in the election of sheriffs. Mr. Sheriff Wallis is at issue with the corporation at the present moment on that very question of dinners at the Sessions House, where the judges for the first time for very many years have not dined this last session, for the reason that the invitation has not come to them from the lord mayor and sheriffs, but has come to them only through the lord mayor, as from the lord mayor and one of the sheriffs. The two sheriffs undertake to provide the dinners in alternate quarters. Mr. Sheriff Wallis was to find the dinner for the first quarter, and Mr. Sheriff Wire for the second. Mr. Sheriff Wallis thought that those dinners should be arranged upon a different footing from that which had been heretofore pursued, and he limited the invitation to dinner to all parties concerned in the business of the sessions. The aldermen, of whom Mr. Sheriff Wire is one, thought that whether they were there on business, or whether they came to eat the dinner, they had a right to eat the sheriffs' dinner, and they succeeded in inducing Mr. Sheriff Wire to set up an opposition table, and thus, when they went into the dining room, they were told: this is Mr. Sheriff Wire's table; that is Mr. Sheriff Wallis's table. The judges invariably take their lunch at Mr. Sheriff Wallis's table, they holding that the lord mayor and one sheriff ought to have been joined, as was customary, by the other sheriff, and that no such difference as between extravagance and legitimate economy ought to have prevented the usual form being carried out. But no judges, neither the judges of the land nor the City judges, have yet dined at the sheriffs' table, because Mr. Sheriff Wallis has told the aldermen that they have no right to eat his dinners, except upon his invitation, and he shall not invite any alderman to his dinners at the Sessions House unless that alderman has business at the sessions. Of course it follows that if the aldermen are not themselves invited to dinner they cannot invite John, Thomas, and William, as has been the custom, and so make a very indulgent affair of the dining after the business of the sessions. Mr. Sheriff Wallis is the pattern sheriff of

economy, and the corporation do not much like the intervention of economical principles between the dinner table and their dignity.

417. Are there any other corporate officers to whose situation you wish to call the attention of the Commission?—The office of bridge master is not an office of very high salary, nor involving any heavy duties. There are two bridge masters; their salaries may vary from 200*l.* to 400*l.* a year,—perhaps more,—with perquisites; but it is, I believe, invariably an office which leads to a contest which results in a poll;—the result is governed by bribery. It is a very customary thing for a man to pay several years' purchase of his office by bribery, insuring his life with a portion of his salary, being content with the remainder. The only other offices in connexion with the common hall are those of auditors. The auditors have but a trifling salary. The business is done for them by Mr. Scott. It is a mere formal affair, requiring only that they should attach their names to certain documents. I think they may receive about 37*l.* apiece for their year's service, and they pay regularly 10*l.* in bribery for their appointment. It is so trifling an appointment that the livery at large are not interested in it; but the 400 men, who are always on the look-out for the waifs and strays, the shillings and half-crowns, receive from the four annually 10*l.* in such tickets. With respect to these four, although they are annually elected auditors, they are taken from a clique of men who in turn are auditors for the year, receive their 25*l.* a year in so many years, and in two or three years they come in again. I think they cannot serve more than two years or three years in succession, whichever it may be. The same parties come in in regular succession. They are men of no standing in the world or in the City, but they stand well with the 400 shilling and half-crown men, who decide all questions at common hall which are not of sufficient importance to be taken to a poll.

428. Are those the persons who audit the accounts of the City?—Nominally.

429. Do you mean to say that that duty is not efficiently and satisfactorily performed?—I believe so.

430. Has any instance occurred which you are able to quote which goes to prove that this audit has not been properly performed?—No, because the accounts themselves are not called in question, and therefore it is not likely that the manner in which they have been audited should be called in question.

431. Is the audit simply an audit of account, or does it go beyond that?—I should think it is an audit to ascertain whether the accounts on the face of them are correct.

432. Are those auditors independent persons who could venture to overhaul the accounts of the City?—Neither from station nor from mental qualification, I should think, are they qualified to investigate effectually the accounts.

433. Are they generally professional accountants?—No; they are of the class of clerks.

434. They are auditors of the chamberlain's accounts, are not they?—Yes.

435. Is there any expenditure of the corporation which does not pass through the hands of the chamberlain?—I should say not; that is the treasury of the corporation; all money must first be drawn from the chamberlain.

436. If this audit is inefficient, practically, there is no audit of the City accounts?—I have this reason also for saying either that the audit is insufficient, or that the character of the audit is not what it ought to be, that if you take this return of the accounts of the corporation for the last year, it is extremely difficult to say that each item is not honest as to what it represents, but it would require a very skilful accountant indeed, and the devotion of very much time, to be able to put before a common-sense man a view of the funds and property of the corporation from this account.

437. It is stated in the Report of the Municipal Commissioners, "the auditors, a few "years back, required the chamberlain to grant them the means of investigating the ultimate "application of all the sums which had passed through his hands, and desired to inspect "the leases of the City property, for the purpose of examining whether it was injudiciously "let. The chamberlain having declined, and indeed being in many instances unable, to "furnish the bills of particulars, except as to a part of the sums (though the leases, which "are in the comptroller's custody, were produced), the auditors complained to the common "hall, and that body passed a resolution ordering the chamberlain to pay no money "without being furnished with a bill of the particulars of its application. But the common "council having supported the chamberlain, the matter stopped, after some adverse reso-"lutions had been passed by each body." Do you happen to know whether since that time any attempt has been made to subject the accounts of the chamberlain to a closer investigation, or to support the auditors in this demand?—I do not. I surmise that the date of that application of the auditor will be the date of Mr. Henry Hunt's appointment as the auditor; he being a man of some celebrity in politics. He made an appeal to the livery, and got appointed an auditor, but did not, satisfactorily to himself, I believe, or to the public, investigate the accounts, or attain his object. I can easily imagine that that is perfectly true; and without being prepared to state that they have not since that time done something towards remedying the grievance, I am quite prepared to state that the account is very complicated. Each account may be very accurately stated, and yet there is such a running of account into account, and such an antagonism of entries, that it requires a great power of accountancy to make out what the corporation is worth, or what property it holds in trust.

438. Does not the passage which has been read to you describe an attempt to convert

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a merely formal audit into a substantial audit?—Yes; and it also describes a successful resistance to such attempt, and not a creditable resistance to it. It describes, if I understand it right, that the common council interposed to protect the chamberlain; while it seems to be admitted by the statement that the chamberlain was unable to render the reasonable account which was asked.

439. Do you believe, when the accounts of the chamberlain are audited, he produces vouchers of his expenditure, or does he only lay before the auditors a balance sheet of his receipts and expenses?—I should think, in some instances, vouchers would be produced. There ought to be vouchers produced in order to justify payments. The payments are made generally, I believe, by what are called warrants from certain officers, or a certain committee of the corporation, having the effect of checks upon the treasurer, the chamberlain. Those vouchers ought to be produced in any audit of accounts. Whether they are so or not I am not prepared to state. The sheriffs' fines involve a question in connexion with the proceedings of common hall. A person elected to serve as sheriff who refuses to serve has to pay 400*l.* I believe, when any person is named by the Lord Mayor for sheriff, he remains upon that list for three years. If he be not elected for those three years he goes off the list, which is very desirable to the man who is not anxious to serve the office of sheriff, and still less anxious, perhaps, to pay 400*l.* for not serving, after being elected. Hence it becomes an object with an individual to stave off the election for the three years, that his name may go off the list; and I know of cases in point where certain terms have been made with the parties managing those 'long shore men, to this effect:—provided in none of those three years I be elected you shall have so many hundred pounds. When the sheriff refuses to compromise the matter, by hiring those men to hold up their hands against him, through his agent and their employer, he is most likely elected sheriff, and instead of paying his 100*l.* or 150*l.* for not being elected that year, he has to pay either 3,000*l.*, the expenses of the office, or 400*l.* for not serving. Therefore the arrangement is a premium to the man who practises corruption as a trade, and it is a premium to the 400 'long shore men, in the shape of the eating and drinking they get for their 1*s.* and 2*s.* 6*d.* tickets.

Adjourned to FRIDAY next, at twelve o'clock.

Friday, 4th November 1853.

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JAMES ACLAND Esq. was further examined as follows:

440. Have you any addition to make to your statements with regard to the points referred to when you were last before the Commissioners?—With reference to my previous evidence, and with reference to a document which I handed in to the Commissioners, I have to state that I have received a letter from a gentleman whom I know very well, Mr. George Borlase Childs, requesting me that I would, at my next examination, correct the evidence involved in the statement, that he, the surgeon of the police force of the City of London, is the brother to a partner of an alderman. I am happy to make the correction. I take it that it is so. I would therefore withdraw his name from the list of persons holding under the corporation who are related to members of the governing body of the coporation. As Mr. Childs has requested, I take the earliest opportunity of correcting my statement. If in anything I go wrong, I hope I shall be privileged to put myself right, and I shall be glad to do so at the earliest moment. I would now resume, if you will kindly permit me, the points involved in the charge, that the corporation have allocated a certain sum of money for the purpose of inducing a better representation by the press of their proceedings. On reading the report of my evidence I believe that I was somewhat incorrect in my statement, and I wish to make a statement now in correction, if it so be. I believe the fact to be this, that in 1849 the corporation having been for years in a spirit of opposition, not to say antagonism, to the wishes of the Government, a report was made by the consolidated committee to the Court of Common Council, of which report I hold a copy in my hand a lithographed copy issued by the common council. It is dated "Common Council, Thursday, 8th March 1849. Report of Consolidated Committee. To the Right Honourable the Lord Mayor, Aldermen, and Commons of the City of London in Common Council assembled. We, whose names are hereunto subscribed, of your consolidated committee, to whom, on the 22d day of May 1846, it was referred to confer with Her Majesty's Government and others upon such of the matters specially referred to the several committees as we may deem expedient, and to report thereon from time to time, do certify, that, pending the progress of the negotiations had on the references to us with various departments of the Government, and also in the proceedings in Parliament during the last two sessions, it has appeared to your committee that the motives and objects of the corporation have frequently been much misunderstood, to the great hindrance of your committee, and the embarrasment of

the concerns intrusted to them; impeding materially the arrangements they were proposing with the Government and the Crown; and that these inconveniences have in a great degree, arisen from the imperfect publication of the reports of the proceedings of the corporation, by which means want of confidence was engendered and misconception encouraged. That the proceedings of most other corporate bodies, of public meetings, and public transactions, are more fully reported and published than those of this corporation. Your Committee therefore feel it incumbent upon them to report to this court these practical evils, which their experience as committeemen and chairmen of the several committees has enabled them to point out, and to suggest, as the most efficient remedy for such evils, that provision should be made for more certain reports of the proceedings of the corporation and its courts, and a more systematic and periodical publication of them. Your committee recommend that it should be referred to them to make temporary arrangements for these purposes, and to report to this honourable court the provisions, if any, which they may think fit to suggest for permanent adoption. All which we submit to the judgment of this honourable court. Dated this 23d day of February 1849." Then follow the names of twenty-one of the members of the consolidated committee as signing that report. At the foot comes this:—"A motion being made and question put, that this court doth agree with the committee in their said report, the same was resolved in the affirmative, and it is referred back to the committee to carry the same into execution." I believe my statement went further, to this effect: that the Court of Common Council sanctioned the allocation of 1,000*l.* to that purpose in 1849, and that it has continued so doing in each year to this time, making a sum of 4,000*l.* which they have had the power of spending. Then I will correct that statement thus far. No such vote appears on the minutes of the proceedings of the Court of Common Council; perhaps I should say no such vote was come to as a formal vote; but I assert deliberately, and what I assert I shall be prepared to prove, that it was well understood by the consolidated committee that the court sanctioned them to expend not more than 1,000*l.* a year for that purpose.

441. What do you mean by the statement that it was well understood that they were to expend a sum not exceeding that amount, unless some formal vote was come to empowering them to do so?—I mean that the proceedings of the corporation of the City of London are,—I think the only word I can use is,—tricksy; that there is very much of that understanding as regards the appropriation of funds for what some may call politic, but which I shall call sinister purposes; purposes not to be recognized in public courts where the press are, but purposes which are believed to be desirable to be attained somehow or other by other means.

442. Your statement was to the effect that 1,000*l.* a year had been spent in the last four years in sums to be paid to various newspapers in this town. What proof have you to give us of such payments having taken place?—I have endeavoured to correct my statement as to the positive sum of 1,000*l.* being spent. That they were warranted in going to an expense not exceeding 1,000*l.* for those purposes I reassert. Whether they have spent the whole sum or not I am unable to say. I am justified in assuming that they have. They have never published an account showing how much of it they have spent, yet they yearly publish accounts purporting to be accounts of the receipts and expenditure.

443. Was any sum whatever mentioned in the vote which authorized any expenditure of this description?—No; it was remitted to the consolidated committee, in the words at the foot of that report, to make such temporary arrangements as they should think fit, and to report what measures they would recommend for permanent adoption.

444. You are understood to say that there is no trace of any formal report or any actual vote putting at their disposal any given sum of money for that purpose?—There is not; but the consolidated committee have a sub-committee of three of its members; that sub-committee have dealt all along with this vote as though it were a vote of 1,000*l.* a year; they have so treated it, in figures, in consultations, and in calculations, as a sum entirely at their disposal for such purpose.

445. How do you know that?—I do know it. I only hesitate, on that question, to consider how far, without breach of confidence, I can now say how I know it; but I say they have purchased newspapers 300 at a time, according to their own admission, and that continually. They have in their financial report an entry of 1,000*l.* under this heading: "To Mr. Hallkeeper." He is avowedly the person who has dealt with the transaction of the newspapers. "To Mr. Hallkeeper" (that is Mr. Temple), "on account of disbursements of his office, consisting of expenses of assistants, watchmen, gazettes, newspapers, advertisements, candles, firewood, and various other petty expenses, with relation to Guildhall and courts and offices connected therewith, 1,000*l.* in the year 1852." That is at page 43 of their financial report. At page 10 of the same report there is an entry of 100*l.* to the same individual. "To Mr. Hallkeeper, on account of advertising the letting of property, 100*l.*" "Advertising" is one of the items in the 1,000*l.* entry. There is at page 56 of the same report this entry: "To Joshua Temple, hallkeeper, on account of sundry disbursements and expenses connected with his office, 150*l.*" There is no separate entry for candles, unless it be under "Sundry disbursements," in the 150*l.* There is no separate entry for firewood. In the year 1851 there is the same entry of 1,000*l.* under the same conglomerated statement of items, including the candles. In the year 1850

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there is the same entry. In the year 1849 there is the same entry. I believe in the year 1850 it is 1,200*l.* Now that the papers were purchased is admitted; but there is no account here of the purchase of those papers, except by that item of 1,000*l.*; there is no account in any of those four years of any expenditure of 150*l.* a year, or 1,500*l.*, or any other sum, for newspapers, excepting the simple entry of 1,000*l.* to the hallkeeper in a lump.

446. In the public papers of this morning there is a report of a statement of Mr. Wood upon this subject, in which he says that the money spent in buying copies of those papers which most fully reported the proceedings of the common council has not exceeded 150*l.* a year. Have you any reason to doubt the accuracy of that statement?—None; but I have every reason to doubt its accuracy in another sense,— indirectly. It is not denied that any other sum was paid with reference to the dealings with the press. The amount which may have been give for purchased newspapers I cannot know until they please to publish an account; but they render no such account, except this lump of 1,000*l.*, without explanation or detail.

447. Are you prepared to state that you can prove or believe that payments have been made to newspapers out of this 1,000*l.* besides this 150*l.* a year, which it is avowed was spent in purchasing copies of newspapers which had reported fully the proceedings of the common council?—No; I am not prepared to state it, in those large terms. What I am prepared to state is, that they have always dealt with this vote of the common council as though they were at liberty to spend not exceeding 1,000*l.* a year, and they had it seriously under the consideration of a sub-committee of the consolidated committee to publish a newspaper of their own, with the balance which they had not spent of the 1,000*l.*, and the 1,000*l.* accruing for the year ensuing, and the 900*l.* which they pay for the publication of the shorthand writer's report of the Old Bailey proceedings. It was contemplated by the consolidated committee to deal with that 900*l.* by throwing the Old Bailey reports into a newspaper of their own which they proposed to publish, and to apply the accruing balance, whatever it might be, of the 1,000*l.* a year, which they had the power of spending, for that purpose.

448. But confining yourself to what has actually been done, are you prepared to say that you believe that more was done with regard to the press than that which has been avowed by the officer of the City of London connected with this expenditure, namely, that the sum of 150*l.* a year has been spent for the last four years in purchasing copies of those newspapers which most fully reported the proceedings of the common council?—It is difficult to get to know what a secret committee does, but it is not difficult, in due time, to prove how they have treated a transaction which they have not had the manliness to put on the face of the proceedings,—which they have thought fit not to record. They have admitted that they have spent 150*l.* a year in the purchase of those newspapers. Has it appeared in the published accounts that they have done so?

449. Your charge now is, that they have not published, as you think they ought to have done, a detailed account of the expenditure of this 1,000*l.*?—Or of any part of it that they have spent. I do not say that they have spent the 1,000*l.*, but I say that they have the power to spend it; they have a sanction to spend it; and they must be open to the fair assumption that they may have spent the whole of the 1,000*l.*

450. But this is surely a different thing from the statement which you made on the former occasion, that you believed that the whole of this 1,000*l.* per annum had been spent upon the newspapers?—I concluded so; it was voted for that purpose.

451. Does it appear from that minute of the common council which you read that this sum of 1,000*l.* was voted as a subsidy to the press?—No; nor the 150*l.* a year.

452. Is there anything in those proceedings of the common council to show that the sum of 1,000*l.*, or any other sum, was voted as a subsidy to the press?—Not as a specific sum; but it was referred back to the consolidated committee to carry out their recommendation. The recommendation is a loose one, not distintly stated, but evidently referring to some dealings with the press in order to secure, as they say, fuller and better reports.

453. Then you regard it as a vote by implication of a sum of money for that purpose?—Of the money, however much may have been spent, there is no return in the accounts, unless I may take the lump sum of 1,000*l.*, in which "newspapers" is included, to be such a statement. That very committee did, to my knowledge, spend a very considerable sum of money in endeavours to establish a newspaper of their own, at about that period, which was called the Citizen.

454. Are not the Old Bailey reports, of which you spoke, published at a loss to the City. Is not the circulation very small?—They are entirely given away, I believe. I think they are given to every member of the corporation.

455. They are on sale, are not they?—I am informed that they are sold in Cheapside; but I was not aware of it before.

456. Passing to the consideration of the courts of the City, beginning with the civil courts, have you any observations which you desire to address to the Commissioners upon that subject?—The Court of Hustings I believe to be an obsolete court. The form is gone through of opening the court, but no person attends, and no business is done, as I have frequently witnessed. I believe it is an ancient court, which is now obsolete; superseded, in fact, almost entirely, if not quite so, by modern courts, and by the alteration of the

system of law in the City. Then the Lord Mayor's Court is the second. That is a court against which there are many complaints with reference to foreign attachments; attachments of goods in the hands of foreigners. By "foreigners" those who are not citizens and freemen are meant. Generally speaking, it is a court to decide between citizens, or between freemen and foreigners not freemen; and foreigners who are not freemen complain that it is a tyrannical and oppressive procedure. But of the details of the court, beyond its general character, and the general feeling upon it, I am not prepared to speak.

457. Have you anything to say with respect to the Sheriffs' Court?—It is still called the Sheriffs' Court, but it is very different from the court which it once was, when it might have been more properly called the Sheriffs' Court. It still keeps the old name, but it is a new court. In point of fact it is a County Court. When the Government introduced the County Courts' Act into the Legislature, the City of London opposed the extension of that Act within its jurisdiction, and they successfully opposed it, although the City of London is a place where there are more commercial and trading transactions, and where there are more debts of small amount, than in any other portion of the empire, and it was thought to be peculiarly calculated to derive advantage from the operation of such an Act. But the corporation thought proper to oppose it. The corporate officers were interested in the maintenance of the old court, and it was successfully opposed. But when it was seen how successfully the County Court Act had been introduced into other portions of the empire, the public opinion was brought strongly to bear upon the corporation, and the corporation at last were compelled, by public opinion, to apply to Parliament for a specific Act, extending the operation of the County Courts' Act to the City of London. The operation of this Act in the City of London has been very beneficial. The business of the court has enormously increased, and the profits of the court (for there are profits beyond the expenses) are considerable. They are applicable to the reduction of the court charges on process; and the accumulation of those profits has been such as to justify the committee of the Court of Common Council in reducing those fees very considerably,—in many instances one half,—within the last few months. The committee which deals with this question of the Sheriffs' Court is the officers' and clerks' committee. They find that they have a surplus, I think, of considerably more than 1,000*l.* a year, and they propose to the court: "That the fee of one shilling in the pound now payable under the "head of general fund fees be lessened by sixpence in the pound; that the fee for "every summons issued, under the 38th section of the Act of Parliament, of sevenpence in "the pound, usually receivable with the fee of one penny in the pound to the high bailiff "under the head of plaint fees, be lessened by fourpence in the pound on all debts and "demands under twenty pounds; that the fee for every judgment by consent be "lessened from twenty-six pence in the pound to thirteenpence in the pound; that the "fee for every judgment summons be lessened by threepence in the pound; that the fee "of twopence in the pound payable on paying in, and the like fee of twopence in the "pound payable on receiving out monies, be discontinued." It is believed that even with such an immense reduction of the fees of that court the profits of the business will so increase as to justify a further diminution in the amount; an evidence that the corporation, in seeking exclusive legislation, and in opposing the general legislation by Parliament, were in this instance at least most unwise, and possessed very little foresight. The Sheriffs' Court is presided over by a judge, who is appointed by the Court of Common Council. Whether the Commissioners may think that system a good system I know not, but the impression it makes upon my mind is this:—You have the Court of Common Council appointing the judge of a court in the City, where the common councilmen themselves are mostly traders, and where of necessity those common councilmen are very often plaintiffs in the court, and where solicitors, being members of the Court of Common Council, often appear before the judge as representing parties to suits before him, and the necessary degree of intimacy existing between the officer of the court and the members of the court who appointed him does at all events seem opposed to that system of legislation which seeks to avoid anything like a justification of suspicion of improper motives. No improper motives, that I am aware of, are urged against the judge of the court; but his position with reference to those who appoint him, and with reference to those who are parties to the cases before him, seems to me to be anomalous, and open to objection. The question of costs is always a question in that court of considerable importance, and it has been said,—how truly I am not prepared to state,—but it has been thought, and it has been said, that when legal gentlemen who are members of the Court of Common Council, and who very frequently appear as representatives of parties in that court, ask for costs, they get them more readily and much more frequently than when costs are asked for by parties to causes who do not possess a similar advantage and similar personal influence.

458. How would you propose that the appointment should be made?—I think the appointment of judges should always be in the Crown.

459. In the Lord Mayor's Court and the Sheriffs' Court, so far as they are civil courts, are not the proceedings all by jury? Is not a jury summoned; and have not the jury to determine all questions of fact, just the same as at Nisi Prius in other courts?—If I recollect rightly, it is optional with the parties whether they will have a jury or not.

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460. That may be so under the modern Act of Parliament, the County Courts Act; but the question refers to the old practice, before that Act of Parliament was passed. Have not the trials in the Sheriffs' Court and in the Lord Mayor's Court, in actions between parties, always been conducted with a jury, in the same way as in other courts?—It was not uniformly the case in the Small Debts' Court, to my knowledge.

461. Are you prepared to say that in any of those civil courts the judge of the court determines questions of fact?—I think it is optional with the parties to the suit to say whether they will empanel a jury or not.

462. But the question has reference to the old practice of the Sheriffs' Court and the Lord Mayor's Court?—I am not sure, even if it were so, that the objection vanishes, because, even if there is a jury, still the judge charges the jury; and the point I dwelt most upon was the awarding of costs, in which the jury could not interfere.

463. Now, will you proceed to the criminal courts?—In speaking of the criminal courts you will, perhaps, excuse me for again adverting to the magisterial courts as a branch of the criminal courts. It is objected that the aldermen are not generally learned in the law; indeed one may be justified in saying that they are generally altogether unlearned in the law; their habits of life in trade have not fitted them peculiarly for study, and they are dependent wholly upon the assistance and advice which they receive from their clerks or legal officers. This appears to be an indirect way of attaining a desirable object. The desirable object is, that those who administer justice shall well understand the law; and here they have the law at second-hand, and it not unfrequently happens that the magistrate appears in the very invidious position of being a mere puppet upon the bench, when, from his consciousness that he does not understand the law, he allows the magistrate's clerk to deal as a magistrate with the transactions which come before him; a course of procedure not calculated to elevate the dignity of the bench, nor to vindicate the dignity of the law. That is peculiarly the case in the City of London. Instances are constantly occurring of magistrates making themselves appear very ridiculous when they are on the seat as magistrates. Singular as it may seem, an instance occurred some time back, of a magistrate telling a drunken man that he would let him off the fine for drunkenness if he would allow him to have his hair cut, because the man had very long hair. The man consented, and the magistrate sent for a barber, and the man's hair was cut in the justice room, and then he was let off the fine for being drunk. By instances of that kind, where magistrates please to be jocose, and where they make the office of magistrate a mere medium of ventilating their jocosity and their humour, the dignity of the magisterial bench is seriously impaired, and the respect for the law on the part of the public is considerably interfered with.

464. Would you recommend that barristers of a certain amount of experience and length of practice should be appointed to act as magistrates in the City as well as in the rest of the metropolis?—Most assuredly they should be barristers of sufficient standing.

465. Would it be desirable that they should be appointed by the Common Council of the corporation, or by the Crown?—I have so high an opinion of the importance of the laws being administered in the City, as elsewhere, so that not a breath of suspicion shall sully the purity of our law courts, that I think we cannot contend reasonably that a magistrate should be elected by those between whom he has to adjudicate. I think all magistrates should be appointed under the serious responsibility of the Government of the country.

466. Do you contemplate that they would receive a salary, like the police magistrates of the rest of the metropolis?—Say rather, like Liverpool; for, looking to the high commercial character of the City, I know no better comparison than that of Liverpool, where gentlemen of the highest attainments in commercial law are required as magistrates.

467. In that case would you propose that the salary of the magistrates should be paid out of the funds of the corporation; or should they be voted by Parliament?—So long as you have a municipality in the City, I think the expense of the administration of the law should be supplied from the municipal funds.

468. Then your view is, that the judicial and magisterial officers of the corporation should be appointed by the Crown, and should be paid out of the funds of the corporation?—Certainly.

469. The recorder of London is appointed by the corporation?—By the Court of Aldermen.

470. Are you prepared to say that you think that the public has suffered in consequence of improper appointments to the office of recorder?—Not of recorder. In the present instance I think it is highly honourable to the Court of Aldermen that they unsolicitedly selected a gentleman of the high character and talent of the present recorder, whose politics were certainly opposed to the general politics of the body that called him to the office. I think it is highly to their credit.

471. There was no canvass or interest of any kind that led to the appointment of the present recorder?—There may have been, and I believe that there was, influence exercised in favour of some one or two others,—momentarily, probably,—until the present recorder was mentioned; but assuredly there was nothing like a serious opposition to the recorder; he was called upon to take the office by the unanimous vote of the Court of Aldermen.

472. In that instance you give credit to the Court of Aldermen for having selected for

so important an office the individual whom they believed to be best qualified to discharge the duties of it?—I give credit to the Court of Aldermen in that instance, as a section of the corporation.

473. Would you propose that in future the recorder should be appointed by the Crown?—I should, because I would propose that there should be an end to the Court of Aldermen, and so I should if that were not the case.

474. You would recommend that the recorder should be appointed by the Crown?—I think it should be so.

475. That is the case now in all other corporations by the late Act?—I believe it is. I am strongly opposed to the City of London being made an exception to the general government of the country. It seems unjust to make use of its possession of old charters as a ground for its being made an exception to the general principles of the legislature and of the Government in their dealing with other portions of the empire. That of itself is most objectionable, because, if the corporation thereby get better terms, other portions of the empire will be dissatisfied that they have not equal terms with the corporation of London. If, on the other hand, the corporation of London have a worse bargain, then they will have a right to complain that they have not equal justice.

476. In attempting to reform the corporation of the City of London, would you take generally the Municipal Reform Act, and apply its provisions to the corporation of London, so far as they may appear to be applicable?—I entertain a very strong opinion, in common with another witness who has been examined before you, that the more commercial portion of the community of the City of London will not participate in any municipal arrangement which involves the continuance of anything like the existing system. The municipal institutions of other towns, under the Municipal Reform Act, secure aldermen as well as common councilmen; and the aldermen of the City of London have generally rendered themselves so unpopular with the higher classes of the community (I do not think that is an improper term, it is not used invidiously,—but they are in fact so),—with the superior classes of the civic community,—that I doubt very much whether you could induce that class to become a portion of the reformed corporation if it so nearly resembles the present corporation in its form and functionaries as the municipal institutions of the provinces do resemble it.

477. Do you think that would be a sufficient reason for giving a different form to the municipal institutions of London from those which are found to answer in the other great towns of the country; for instance, with respect to the designation of alderman, which you say is disliked by the citizens of London, but which is regarded without displeasure by the inhabitants of Liverpool, do you think it would be unwise to continue it in London?—It would always be a name in the City of London involving ridicule.

478. Do you think it would be desirable to abolish the mayor and sheriffs, upon the same ground?—No; the sheriff is rather a legal term that one does not quarrel with.

479. It is only the aldermen you object to?—I do not object to an alderman of Manchester. I do not object to the name. I object to that which the name here implies. The term alderman of London conveys a different idea from what the mere word alderman would convey in any other part of the empire.

480. But my question proceeds on the supposition that the functions and situation of alderman were materially altered in London; would there in that case be an objection to retaining the title?—I think there would. Those living in the City of London can very well understand the feeling which I state to exist there, and which is known to exist there. Perhaps it is difficult for those who do not live in the City of London to enter into it; but it is so. Nothing is more common in a well got up farce than to have the part of an alderman with a big belly, who cares for nothing but eating and drinking. Whether that has anything to do with it I cannot say. It is not sufficient, I should think, to account for the distaste existing towards the name. But so it is; and I hold that it is most desirable that the higher class of the community should be induced to co-operate in the municipal government of the City of London.

481. Have you any observation to make upon any one of the criminal courts of the City of London?—With respect to the Old Bailey, it is boasted by the corporation, perhaps truly, that the returns of the number of convictions in proportion to the number of commitments by the magistrates of the City of London compare triumphantly with a similar return of the proportion of convictions to the same number of commitments in the county of Middlesex or in any other county. I am not prepared to say whether this is so or not; but I think if it were not so it would not be so stated. But then I think that may be accounted for otherwise than it is accounted for by the advocates of the corporation, for it is assumed that that is a proof that justice is better administered by aldermen of London sitting as magistrates than it is by paid magistrates sitting in the county of Middlesex. Non constat, I think the aldermen of London elected by the ward electors of their respective districts are personally known to a very great number of those who come before them; and I think there is a bonhommie, a good humour, and a legal laxity in their method of dealing with the cases that come before them, that accounts very much for the non-commitment of many; who if committed would have been acquitted. So far as to commitments. Now, as to convictions, we come to the Old Bailey. There sits the officer appointed by the aldermen; there sit the officers appointed by the Court of Common Council; there sit the corporate functionaries, the lord mayor and the aldermen.

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Legally the presence of a certain number of those committing magistrates is necessary to the formation of the Court for the trial of the very men whom they have committed. Now it appears to me that that is opposed to one's general ideas of constitutional propriety, that the magistrate who commits shall be the magistrate to try. And then, when it is borne in mind that those magistrates and those judges are in the habit of daily convivial and friendly intercourse,—seeing what humanity is,—each knowing his own nature,—is it not natural that the committing magistrates should have on occasions an influence over the presiding judge, their appointee, and that thus there should be more convictions, as a justification of the legal acumen of the committing magistrate, as in the other case there were fewer commitments of the parties brought before him because of the bonhommie and good nature of the magistrate.

482. Would not the objection which you have stated apply in a great measure to the system of the county magistracy in England?—Certainly, at the sessions.

483. Do not the committing magistrates sit on the bench at quarter sessions in counties?—Yes; but I am taking the objection first in principle to the system as applied to the City of London. If my objection be worth anything, it is not worth less because it applies beyond the City of London.

484. The lord mayor and aldermen of London are the magistrates before whom any person accused of any offence is brought, to see whether he should be committed for trial or not. Then when the person comes to be tried, supposing him to be committed, he must be tried before the court of Quarter Sessions in London or at the Old Bailey; those are the only two criminal courts in the City of London, are they not?—It is all of the nature of quarter sessions. Practically in the City of London the trials are always at the Old Bailey; there are no quarter sessions.

485. At the Courts of Quarter Sessions in London, which is a very different court from the Court of Session of the Old Bailey, does not the recorder act as judge?—I know no other criminal court than that at the Old Bailey. We have a monthly delivery at the Old Bailey.

486. If you look at the Act of Parliament which constituted the criminal court of the Old Bailey, which is held once a month, you will see that it is provided there that there shall be two commissioners; and the aldermen always attend there in order to make up a court; but the person who tries the prisoners, in effect, is the judge; either the recorder, or the common sergeant, or the judge of the Sheriffs' Court. Do you mean to say that when the recorder, or the common sergeant, or the judge of the Sheriffs' Court sits as judge, the aldermen take part in the proceedings on the trials at the Old Bailey?—My impression is that they do. I do not say that they do when the judges of the land are presiding. I am not sure how that may be; but the three courts are sitting at the same time, and the aldermen are necessary to the constitution of the other courts, whether or not they may be necessary to the constitution of the court where the judges of the land are presiding. Within the last fortnight I was present in one of those courts. The seat of honour was occupied by an alderman, and a judge of the court was sitting in an inferior position,—not the central seat.

487. Which court do you mean?—One of the three Old Bailey courts; it was not the principal court.

488. In the principal court the lord mayor sits in the middle of the court, and the judges who attend sit on the right or the left, and do not occupy the centre, because the lord mayor is considered at the head of the commission; therefore he sits there, but he takes no part in the proceedings?—In the one case the alderman sits in the seat of honour, as the lord mayor does in the other.

489. In the Report of the Municipal Corporation Commissioners, in page 135, section 283, there is a description of the sessions of the peace for the City of London:—"The sessions of the peace for the City of London are holden eight times in the year. They commence on the day before the sessions at the Old Bailey. The judges are the lord mayor, aldermen, and recorder, any four of whom form a quorum; but the recorder is the acting judge, who charges the jury, and delivers the judgments of the court. The jurisdiction of the court, taken strictly, extends, like that of other sessions of the peace, to all kinds of felonies; but the trial of appeals and misdemeanors constitutes its only business, felonies, and misdemeanors partaking of the nature of felony, being always tried at the Old Bailey. It is nothing more than a sessions of the peace, and is the only tribunal in London for the decision of appeals under the Poor Laws, and appeals against rates and summary convictions." That is a Court of Sessions quite distinct from the Central Criminal Court; and that was the court alluded to in the preceding questions?—I really do not know. There is so little business done there that I do not know it. The Old Bailey absorbs all the attention.

490. It is the only court in London in which appeals under the Poor Law and matters of that sort can be tried?—There is less sessional business in the shape of trials in the City of London than elsewhere; partly arising from this circumstance, that the alderman is generally prayed to deal summarily with the case.

491. When he has the power?—Which is much more extensive than it was; and which prayer is much more likely to be presented to him as between the alderman and his constituents than as between a barrister sitting as a paid magistrate and the public.

492. Is the principal alteration which you would suggest in the superior criminal

courts of the City, that the aldermen should take no part in them, whether that office should continue or not?—That the magistrate should take no part in them, whether he be an alderman or not. I would next mention a practice at the Old Bailey which is most objectionable,—most irregular,—but which is sanctioned by the corporate authorities; and I feel bound to call the attention of the Commissioners to it. I mean the circumstance of their reducing the court of criminal jurisdiction to the character of a theatre, by their setting apart the best places in the court in the shape of a gallery, and to their sanctioning the charge of money for admission, which leads to exhibitions of a most unseemly character. It is notorious that on occasions of the trial of great criminals as much as a guinea apiece is charged for admission into that gallery, and in common sessional cases they are very glad to take one shilling; for the price of admission is on a sliding scale; the greater the criminal the greater the tax upon the prurient curiosity of the public; and the seat of justice is desecrated by a course of procedure which seems to be resorted to only for the purpose of producing a sum of money for certain officials and functionaries of the corporation.

493. What officers of the corporation get this money?—I am not prepared to tell the precise proportions which the different officers may get; but I am prepared to give the Commissioners just so much evidence upon that point as will enable them in due time to ascertain all that they may require.

494. The money is actually taken by the doorkeeper?—It is so. The doorkeeper is the tenant contracting with the under-sheriffs. The under-sheriffs let it per annum, or per sessions; per annum I believe it is. The doorkeeper receives the money, and I understand that a portion of the money received by the under-sheriff from the doorkeeper goes to the lord mayor, another portion to the macebearer, and a third portion to enhance the profits of the sub-shrievalty.

495. Do you mean that the entrance fees so taken by the doorkeeper go to increase the value of the doorkeeper's place, which he purchases from the under-sheriff?—It is a speculation by the doorkeeper, who is generally one of the footmen or servants of one of the sheriffs.

496. Do you mean that he gets his place by purchase?—He gets his receipts by purchase.

497. Does he get his place by purchase?—If he be a footman of a sheriff, that would be his place; the other is his pecuniary amusement. In order to further emolument, he pays a sum of money under contract to the sheriff, chancing for his part what the receipts may be, whether he makes a profit or a loss. And of course these contractors watch very vigilantly the proceedings in all the police courts within the jurisdiction of the Old Bailey criminal court.

498. Are the payments which you imagine to be made by the doorkeeper to the under-sheriff avowed?—Yes; there is no doubt about it; it is notorious.

499. Do you state it merely from general notoriety, or from any published accounts which you have seen?—I state it from the fact of my friends having been made to pay money when they wanted to go in.

500. The question does not refer to the receipt of money paid at the door, but to the fact which you have stated, that the doorkeeper in some way gives money to the under-sheriff for his place?—It is not sometimes very convenient to be obliged to give up one's authority for a fact of this description, but I have no hesitation in stating that I have the information from one of the present sheriffs, and that it is also a very notorious practice; that I have remonstrated against it with him, and that he had declared that he would endeavour to put it down. When Alderman Sir Matthew Wood was sheriff, he did put an end to it. I know the opinion of the present recorder to be most decided upon the question, and steps will certainly immediately be taken to bring that opinion to a desirable result. Still it exists, to the dishonour of the City of London. It ought to be put an end to, if not voluntarily, compulsorily. But how any functionaries of a City boasting such ancient charters and so high a position as the City of London can stoop to increase their receipts of their functionaries by any portion of the sums thus exacted from the public I am at a loss to imagine.

501. You state that the fee exacted by the doorkeeper varies in proportion to the interest which the public take in the trial; that it is increased according to the number of persons who wish to gain admittance?—Most certainly; upon the same principle that rooms at an execution let for more money when they are in a good situation, or when the malefactor has done some very desperate deed. It is a prurient curiosity which ministers, it seems, to the funds of these corporate functionaries. Whilst I am upon the subject of the civil and criminal courts, I will take leave to mention that the corporation, by its officers, makes out the jury panels; that the moment a person is elected a common councillor his name is removed from the common jury panel, and put upon the special jury. There are members of the Court of Common Council who get these occasional guineas for sitting on special juries at Guildhall, and also upon juries to award compensation, of which there are so many in the City of London, who are invariably in attendance on those courts, in order that they may take their place in the box as special jurors. There are, of course, many high-minded men who never avail themselves of that peculiar privilege of the situation, and who do not attend upon those occasions; but there

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are those who could be named, but that it would be invidious, whose circumstances are not the most flourishing in the world, and who do pick up many occasional guineas in the course of the year in this way, as a regular business.

502. You are probably aware that the same thing used to occur at the trials as Nisi Prius at Guildhall, in London, where the special juries at one time were almost invariably composed of persons who were in the habit of attending, and who made very good special jurymen?—Some of them, doubtless.

503. Do you know anything respecting the Courts of Conservancy of the Thames?—No; in common with all other non-officials, I know very little of the Courts of Conservancy of the Thames. It is generally supposed in the City of London, that those courts are a mere excuse for pleasure parties by the lord mayor and aldermen and their friends. The aldermen, I know, receive a sum of 13*s.* 4*d.* for each court in what are called the out-counties; I think, Kent and Essex; and a sum of 10*s.* for attending each court in what are called the home counties; Middlesex and Surrey. I believe there is very little business done there; it is quite a corporate court; it is held out of the City of London. It is always made an occasion for a pleasure party, and the aldermen are very punctual in their attendance at those courts of justice, if they be courts of justice.

504. Have you anything further to say upon this branch of the question?—Before proceeding to the next part of the question, will you allow me to call your attention to a case. I have stated previously that according to the municipal law in the City of London a freeman may not employ a non-freeman to the prejudice of a freeman. The tendency of such a law in its general aspect is of course to give to the freeman a higher rate of wages than the non-freeman can command, and that without reference to the value of the labour given. Very recently, it being just now the fashion among the operative class to strike, there was a strike among the privileged labourers of the City of London, in connexion with the lightering of goods on the Thames; that is, among the water section of privileged porters. There are several small companies, and their names run very much into each other; but these were the water section, who navigate the lighters which convey goods from one vessel to another, or from a vessel to the shore. There was a strike among those who are the privileged labourers on board those lighters. I think it was the waterman's company, or some society connected with the waterman's company. The consequence was, that the trade of the port of London was very materially and very prejudicially interfered with, those men being few in number compared with the number of men who would pursue that calling if there was no such exclusive privilege for the few. In consequence of their striking, the lightermen were under the necessity of discontinuing their business, or of employing those not engaged in the strike, and not, according to the City law, privileged to do the labour. Some lightermen set the law at defiance, urged by the importance of the work which they had to be performed, and employed men who were not free of the City of London; and although they had, commercially speaking, and locally speaking, full justification for such a course, yet the law being against it one of those lightermen was proceeded against in one of the magisterial courts of the City of London, I think the Mansion House, and had a fine imposed upon him in vindication of such City law. There is no question, that such being the state of the law, the men who were on strike were materially favoured, and that the attainment of a beneficial result on their part, where the master was unable to help himself, was promoted. Now in this era of free trade—not as an experiment—not as a fancy or a theory—but as justified by practical results which we have all witnessed—it is most objectionable that such a system of monopoly in favour of a small section of the operative class against their employers should be maintained. And a larger view may be taken of it, for it is not merely in support of the employed against the employer, but it is in support of a very contemptible minority of the operatives against those who would be employed but for this monopoly; and it is to the prejudice of the great mass of the labouring classes of the City of London that they must not undertake this work unless they pay the corporation 6*l.* 5*s.* 4*d.* for the privilege of doing so, besides other charges.

505. Is not that rather an objection to the state of the law with respect to the privileges of this portion of the working class, than to the jurisdiction of the magisrate who fined the person brought before him?—Yes; I am not urging that the magistrate who so fined acted illegally, because I know at the time the magistrate expressed his regret that he was obliged to fine; and it always makes much against a law as affecting the principle of it, when he who administers it is obliged to regret that under the law he muct come to this or that decision.

506. Do you believe that the rate of wages received by the members of those companies differs materially from the rate of wages received by labourers of the same description who are not thus incorporated?—I am quite sure of it; I say so, because, not only am I certain that such must be the effect of such a cause, but I know a particular case which enables me to speak most positively upon that subject. It is the case of a man who is a carcase butcher and slaughterer in Whitechapel within the City of London, in Aldgate High Street; his name is Woodley. He is free of the butchers' company of course; he being in the trade, the butchers' company had the power to compel him to take up his freedom in the trade, and he is free of the butchers' company; but the operative butchers who are free of that company are very few; that portion of them who choose to engage in the coarser part of the business, the slaughtering, are still fewer. An

operative butcher would, of course, rather take a situation in the house and establishment of a retail butcher, where everything is comparatively cleanly and comfortable, and where his wages are regular, than accept a situation in the employment of a carcase butcher where there is every discomfort necessarily connected with his employment. The consequence is, that the carcase butchers have extreme difficulty in procuring freemen to labour for them. Mr. Woodley employed what freemen he could get, and he also employed a non-freeman. Two years back he disagreed with one of his men, and an information was immediately lodged against him, that he, being a butcher and a freeman of the City of London, had employed a butcher who was not a freeman of the City of London. He was obliged to settle the action in the Mayor's Court, and the only way in which he could settle it was by agreeing to find the money to take up the freedom of the non-free butcher. He did so. Afterwards a similar instance occurred, and then a third instance occurred of the same kind. In each of those instances he had to take up the freedom of the non-free butcher in his employ; and no sooner had he done this on each of those occasions, than the party whose freedom he took up said, "Now I must have more money; I must have higher wages;" and the wages were increased from the sum of 18*s.* to 30*s.* per week; and now there is a fourth instance where, in consequence of a quarrel resulting from a refusal to give a man more than the man was worth, another information was laid against him, and this proceeding is at this moment pending before the mayor and aldermen in the chamber of Guildhall in the City of London. "Sir John Key, Bart., "chamberlain of the City of London (the plaintiff in this suit), by George Thomas Robert "Reynal, his attorney, demands against Thomas Woodley (the defendant in this suit) five "pounds of lawful money of Great Britain which he owes to and unjustly detains from the "said plaintiff. For that whereas by a certain act of common council made by a common "council assembled, according to the custom of the City of London, in the chamber of "the Guildhall of the said City, situate in the parish of St. Michael Bassishaw in the said "City, on Friday the fourth day of July, in the eleventh year of the reign of our Sovereign "Lady late Queen of Great Britain, &c., and in the year of our Lord one thousand seven "hundred and twelve, it was (amongst other things) enacted by the authority of the "same common council, that no person or persons then being free of the City of London "or who thereafter should become free of the said City should after the Feast of St. "Michael the Archangel then next ensuing, by any colour, way, or means, set on work "in any manual, occupation or handicraft within the said City or liberties thereof any "person or persons being a foreigner or foreigners from the liberties of the said City, "knowing or having due notice given to him or them that such person or persons so by "him or them set on work is or are a foreigner or foreigners as aforesaid, upon pain of "forfeiture of 5*l.* of lawful money of Great Britain for every time that any such person or "persons should commit such offence, or do anything contrary to the true intent and "meaning of the said act of common council. And whereas it was then and there, by the "authority aforesaid, enacted, that all and singular the said several penalties and forfeitures "by the said act imposed on any offender or offenders against the same or any part thereof, "should and might be sued for and recovered by action of debt, bill, or plaint, to be commenced "and prosecuted in the name of the chamberlain of the City of London for the time being "in any of the Queen's Majesty's courts of record within the said City, and that the "chamberlain for the time being should in all suits to be prosecuted by virtue of the "said act or ordinance against any offender recover the ordinary costs of suit to be "expended in and about the prosecution thereof, and further, that one moiety of all "forfeitures to be recovered by virtue of the said act (the costs of suit for recovery of "the same being deducted and allowed) should, after the recovery and receipt thereof, be "paid and delivered to the treasurer of the hospital of Bridewell, for the use of the said "hospital, and the other moiety thereof to him or them who should first give information "of the offence for which such forfeiture should be incurred, and prosecute the same in "the name of the chamberlain of the said City, for the recovery of the same, anything "in the said act contained to the contrary notwithstanding, as by the said act of "common council appears. Yet, notwithstanding, the said defendant (although well "knowing), in nowise regarding the said act of common council, nor the penalties "therein contained, after the Feast of St. Michael the Archangel, in the said act men-"tioned, and before the affirming of this bill original, that is to say, on the 17th day of "August in the 17th year of the reign of Her present Majesty Queen Victoria, and on "divers others days and times between the said 17th day of August and the day of "affirming this bill original, the said defendant, being then free of the said City, did set "on work in the manual occupation of a butcher one James Harvey, within the liberties "of the said City and jurisdiction of this court, that is to say in the parish of St. Helen, "London, the said James Harvey being then a foreigner from the liberties of the said "City, and the said defendant knowing, and having due notice given to him, that the "said James Harvey at the time he was set on work as aforesaid was a foreigner from the "liberties of the said City, contrary to the true intent and meaning of the said act of "common council, whereby the said defendant hath forfeited the sum of 5*l.*, and whereby "an action hath accrued to the said plaintiff to demand and have of and from the said "defendant the said sum of 5*l.* above demanded. Yet the said defendant, although often "requested so to do, hath not yet paid to the said plaintiff the said sum of 5*l.* above

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"demanded, but hath hitherto altogether refused and still doth refuse to pay him the "said sum."

507. Do you apprehend there is any obstacle interposed to the admission of members into the City companies, of operatives, except the payment of an entrance fee, with a view to limit their numbers?—Certain companies. They have byelaws limiting their numbers; the higher class of companies especially.

508. Can you give any instances?—The instances are all before the Commissioners in this Report. It is especially the case in companies which are trustees of very large estates.

509. The question referred to operatives. Is there any attempt, by limiting the numbers, to keep up the price of labour, except that which consists in the charge of an admission fee on becoming a freeman?—The companies open for operatives are the only companies which I understand to come within the question.

510. Is any operative admitted to those companies as a matter of right, if willing to pay the fee?—Certainly, in all those companies which admit operatives; but all those companies which demand the highest price in the shape of fines on admission of course necessarily exclude operatives. I question whether that is not the case in all companies, pro tanto. Suppose the fine be 15*l.* only, how many operatives can find that sum? Since the year 1835 an operative may become free of the City on paying 6*l.* 5*s.* 4*d.* A butcher need not go to the butchers' company in order to become free; but if he becomes a master butcher the City come down upon him, and say, "You shall take out your freedom."

511. If a man is free of the City, has he a right to belong to any of those companies?—Not unless he pays the money. He is not free of the company because he has purchased the freedom of the City. Each company has terms of admission, and his being free of the City does not enable him to become a fellowship porter If you employ me to take a message for you instead of a ticket porter in the City of London we both are liable to a penalty.

512. Who fixes the price of admission to the company of fellowship porters?—Their rulers.

513. Does the price vary?—It has not varied recently. It is one fixed price to all men.

514. Do you apprehend that it varies according to the number on the list. When the number is full, do not they raise the price to prevent others from coming in?—The company is never full, in the case of a poor company; the admission of freemen is a great source of income. In rich companies it is a great inconvenience. They are exclusive in their character, and wish to remain so.

515. Is not it the case, that a person who is free of the City, and not free of a company, is out of the prohibition which you read from the paper in the case of Woodley?—Yes; if he becomes a freeman of the City that ordinance of 1835 holds him harmless to work as a journeyman butcher. There is, however, a question between the companies and the City about that law. The companies contend that the law trenches upon their privileges.

516. The next point is that of wards, upon which you have already made a statement to the Commission?—One peculiarity of the wards deserves notice, namely, that the wards do not comprise any certain number of parishes. Parishes are broken in the arrangement of the wards, which, if the wards were to be retained, is extremely objectionable. Charities are sometimes left to parishes; sometimes to wards; sometimes between parishes and wards; and as wards do not comprise entire parishes, there is a great difficulty in the arrangement; and this difficulty appears very obvious in the register of the revising barrister, where it seems that the parties are given under wards; but where parishes being partly in one ward, and partly in another, two wards are put together, so that from the list you cannot tell which ward any particular voter votes for. It is a practical difficulty, which if ever the Commission come to the arrangement of wards it would be well for the Commissioners to know. The local parochial divisions and the ward divisions are not harmonious. With the disparity in size the Commissioners are perfectly acquainted.

517. Would you wish to keep up the distinction of wards in the City at all?—The present division of wards cannot be maintained; and as the division cannot be maintained, I think it scarcely desirable to keep up the division of wards at all, for the identity of the name would be lost if you altered the divisions.

418. You state that wards, as wards, have charities attached to them?—Yes, as wards; therefore the wards will need to be retained for the charitable purposes of the trust; but they need not be maintained as municipal wards.

519. Do you think it would be better that there should be no division of the nature of wards in the City of London at all?—If there should be a division, it does not necessarily follow that it should be under the form of wards.

520. In the Municipal Corporation Reform Act, all towns of a certain size were directsd to be divided into wards, and that is the case throughout the country?—I am rather disposed to object to division into wards. I am disposed to think that it encourages party feeling, local prejudices and preferences; that it induces an assumption of superiority, or

an allegation of inferiority. I am disposed to think that the constituency should not be split up into wards.

521. Your objection would apply the general system in other towns in England as well as to London, in that respect?—If there be anything in it it would; but at all events I apply it to the City of London; and if hereafter I should be permitted to put before the Commissioners what I would submit as a scheme for the supercession of the present system by a better, that question would form a component part of such scheme

522. Have you a plan of that kind for the better government of the City of London which you are prepared to submit to the Commissioners?—I have not It will be in your memory, that on one or two occasions, when I have been asked questions tending to that point, I have suggested that the evidence of fact might be better completed first; and that at the conclusion I should be very happy to submit to the Commissioners a scheme which I am maturing, and with which I shall be prepared in a few days.

523. With respect to the police, have you any observation to make upon the present system on which the police of the City of London is managed?—I think the police o the City of London is well managed. We all recollect when there was a very strong prejudice against the introduction of the police in the place of the old watchmen. The old watchmen were a very peculiar class in the City of London, and of course they had their friends, for they very seldom found the thieves, and there was a strong prejudice in the minds of a certain class against the police. I may say there was a general prejudice; but they have outlived that prejudice, and in the City it is admitted that the police is well conducted. I scarcely know of an exception to that feeling. The commissioner of police is appointed by the corporation. They, however, do not materially interfere with him. I think he is not a man likely long to remain commissioner of police if he were unduly interfered with. He admirably conducts the police. At the same time I have no hesitation in saying that I think the police of the metropolis should be homogeneous. I think it should have but one authority. However they may have removed trifling local difficulties, as I understand they have removed one which existed, namely, the demarcation between the City boundary and the county boundary, which prevented the City policemen going into the county after a thief, and vice versâ, I think, as a question of high polity, the control and direction of the police force of the metropolis should be in the hands of the Government. It is, after all, a governmental metropolis; and the citizen ought not to lose sight of it in his local prejudices in favour of the City of London. I believe the police to be as well administered as it can well be in the City of London. I think it would be as well administered if it were not distinct from the metropolitan police; and then I think if that be the case the weight which turns the scale is the consideration that you would have unity of action and promptitude of action emanating from one responsible source.

524. Is not the City district now completely surrounded by the district of the metropolitan police?—And more than surrounded; it is intersected. There are portions of the City of London into which a City policeman has no right to enter. By law his entrance is barred. I mean portions within the City of London. It is much the same as it was formerly with the counties. A portion of the county of Middlesex might be in the county of Cumberland, and so it is in the City of London. Portions of Middlesex are isolated districts within the boundary of the City of London. I allude especially to the parishes of St. Bartholomew and Glasshouse Yard, and other localities of that kind.

525. In addition to the diminution of harmony of action which is produced by the separation, would not the consolidation tend also to greater economy in the management?—One would think so; upon general principles it is so. I am not sure that the expenditure is extravagant. I am not sure how that may be.

526. Does not the separation of the City police from the general body of the metropolitan police create the necessity of a separate staff for that limited district?—Yes; but still I think any considerable extension of the metropolitan police, for instance, with the City of London, would necessitate more or less an augmentation of the staff above what would be necessary if it were not in the City of London. The City of London, I should say, requires a greater number of police in proportion to its magnitude than any other portion of the metropolis. The warehouses in the City of London are left at night. I live among those warehouses in Milk Street, Cheapside, and I have reason daily and nightly to observe the extreme care with which the policemen examine all the fastenings of those warehouses and counting-houses when there is no person to take care of them, and when, in fact, they are in the sole custody of the police. That is not the case out of the City of London to anything like the same extent. If a family is out of town, a servant is left in the house to take care of it. It is not so in the City of London, to a considerable extent. The portions of other jurisdictions which are thus isolated within the City are small, but perhaps not so small as may be imagined. With respect to the parishes of St. Bartholomew, which are privileged parishes, when the City of London took out summonses against 4,032 non-freemen, to compel them to take up their freedom, among that number there were many, I think 170, who were occupiers in that very parish; and therefore, if there were 170 to be summoned in that parish, whom they had no right to summon, which they admitted afterwards when the inquiry was gone into, it is not so small a portion as the Commissioners might be led to imagine. Glasshouse Yard may not include above fifty or sixty occupiers.

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527. The next head under which this inquiry is divided is the head of "Port of London." You have already made certain statements to the Commissioners upon that subject; is there anything further you wish to state?—It is an intricate subject, as the Commissioners state; but it is intricate rather because of the defects of the present municipal system. The corporation assume to be, and they are practically, the conservators of the Thames. Whether legally so or not I must leave between the Government and the corporation; but it is a point of the highest importance to the commercial interests of the City of London that the corporation should not remain conservators of the Thames. The power given them under their old charters enables them to impose so many restriction upon trade, so many vexatious imposts upon commerce, that it is highly desirable that those charters should be abrogated, and the commerce of the port of London set free. The items which I had the honour of submitting to the Commissioners on a previous occasion, in reference to the corn-metage and other metages, were inaccurately stated, if the Commission understood me that the amounts I gave were anything like the amounts exacted from the commerce of the City of London. There appears in the corporation accounts for 1852 a sum of 9,567*l.* 7*s.* 8*d.* against the entry "Metage Duty on Corn imported." That is not anything like the amount of metage duty on corn which is paid. The entry is made among the receipts of the corporation under the head "Market Tolls and Duties." I suppose that comes under the term "Duty." Metage duty on corn imported, 9,000*l.*, does not mean what it appears to state; it means metage duty to four or five or six time sthat amount, but metage duty yielding to the corporation a balance of 9,596*l.* It does not appear in the account as a balance; it does not appear, as I submit it should, as a total, with a credit of the payments made on the other side. No entry of the fees paid to an innumerable host of vampires who live upon the commerce of London under that term, and under the term fruit metage, appears in that book. They are paid by the corporation, and the corporation net 9,500*l.*, and they enter it as though that were the amount of metage on corn imported.

528. Do the City of London publish any account of their gross revenue, or does their account only give the net revenue?—Their account is incomprehensible. If you turn to page 61, there is a statement of the cash in the hands of the chamberlain at the end of that year; that cash amounts to 228,000*l.* It professes to be the balances of some fifty accounts, as nearly as I can guess, some of them overdrawn, some of them having balances in hand, and deducting the overdrawn account from the balances in hand it shows that the balance is 228,000*l.* as cash in hand. I take upon me to say that they have nothing like that amount of cash in hand.

529. Do they produce any account of their gross receipts, independently of the deductions which may afterwards be made?—No, they do not. In that case of corn metage, for instance, they do not.

530. The account of the expenditure is complete?—It is complete, if you take for granted, for instance, that 1,000*l.* covers the newspapers and the candles; it is complete in that shape.

531. The sums are complete, but the items are not particularized?—The sums appear on the face of the account to be complete; the particular items are not specified, and therefore, without a more searching audit, you cannot say that the sums as they appear are correct.

532. According to your account, that audit never takes place?—Certainly not an effectual audit; such an audit never takes place. That financial account appears under various heads; for instance, "Bridge House Estates," "Trophy Tax," and so on. You will find them differently paged, and the accounts run into each other. The salary given to Mr. Bunning, the eminent architect, is entered as his year's salary from the City funds, 1,500*l.* If you look fifty pages further, under a different heading, "Bridge House Estates," you there find "Mr. Bunning, a year's salary, 600*l.*" So that if you want to find what one person receives, whether as salary or disbursements, you must look right through the book under the great variety of headings which are in that book. It is a complicated system, which has the effect of producing that misunderstanding which the corporation on some occasions profess a desire to avoid. With respect to this account, misunderstanding is unavoidable; the account is unintelligible to anybody, but what I may call a police accountant, an accountant investigating an account for the purpose of satisfying himself of the accuracy of every item entered. If the Commission would be pleased to refer that book, which is an official document, to an accountant of high character, to prepare for them a statement of what the property of the City is, to what extent it is encumbered, and so on, and what the available assets are,—particulars very desirable to be ascertained,—the best accountant you could find would have extreme difficulty in satisfying himself. The corporation have mortgaged the present Smithfield market for 100,000*l.* within the last few weeks.

533. Have the City an unlimited power of executing charges upon their property?—I believe they have; that is, I believe they exercise such a power.

534. With respect to the mode in which brokers are appointed in the City of London, is there anything which you wish to state to the Commission?—This disadvantage results in the case of brokers, in the householders' sense of that term; I mean, brokers seizing under distress:—a broker acting for the corporation puts a poor man out of court; he is backed by his employer; that employer being a wealthy corporation, to stand against

which were madness on the part of a poor man. I allude to the case of Gentry, one of those who, as I previously stated, had his goods seized and sold to defray the Mayor's Court charges and the corporation exaction of fine for freedom. Such a broker sells the goods, and makes no return, or merely returns a sofa, because there is a sofa too much. He seizes a great deal more than is necessary of the property, and the man has no remedy. He has indeed a remedy in law; his remedy being to fight the corporation of the City of London. The broker acts for the corporation of the City of London, and the corporation defends all its functionaries. Then also there are brokers in the City, in another sense of the term; brokers who, because they are admitted, and because they give sureties, are trusted by the public, as in a recent case within the last week, which I believe is now under investigation by the corporation, where the broker swindled a number of persons. I have no doubt if he had not been what is called a sworn broker the public would not have had faith in him as a broker; they would have examined for themselves, and ascertained whether he was trustworthy before they trusted him; but the effect of the corporation licensing a man to act as a broker is to give a fictitious position to that broker. He gives security for a most inefficient amount; but he pays a fine for his admission to the freedom of the corporation, which is the great object of the brokerage system, so far as the corporation is concerned, but which ought not to be the object. If it is desirable that a broker should be licensed, the licence should be efficient as a guarantee to the public against any malpractices.

535. Within the Stock Exchange itself are there no regulations with regard to the admission of brokers?—Yes; they have their own regulations.

536. Can a broker appear on the Stock Exchange without the sanction of the body?—I believe not. If he acts as a broker the corporation pursue him.

537. Is it necessary for a broker, in order to act on the Stock Exchange of London, to have both the sanction of the corporation and the sanction of the Stock Exchange?—I believe it is. If the corporation knew that any person acted as a broker who was not so they would summon him, and require him to take up his freedom; perhaps suing him for penalties.

538. Under the head of "Markets" is there anything which you wish to say to the Commission?—The markets are, or are not, the private property of the corporation. The markets which are the private property of the corporation yield a legitimate revenue; but I have to submit to the Commissioners that there is a market which is not the private property of the corporation, which they assume is their private property, and with respect to which they have acted illegally and oppressively on such an assumption; that is Billingsgate Market. I produce the 9th and 10th Vict. cap. 346., being "An Act to "repeal, alter, and amend the several Acts relating to Billingsgate Market in the City of "London." The first provision in this Act to which I will call your attention is the 7th. "And be it enacted, that from and after the passing of this Act Billingsgate Market shall "be in every day of the week, except Sunday, a free and open market for the wholesale and "retail sale of all sorts of fish; and that it shall and may be lawful for any person to buy "or sell, both by wholesale and retail, any sort of fish, or any quantity thereof, in the "said market, without any disturbance or molestation whatsoever." And then the 8th section gives the control, maintenance, and regulation of the said market to the lord mayor, commonalty, and citizens of London, who are to have "authority, jurisdiction, "and control over the said market for the sale of fish both by wholesale and retail, as "they now have over the several other public markets of the said City." The 9th section refers to tolls. "And be it enacted, that it shall be lawful for the said mayor, aldermen, "and commons, in common council assembled, by themselves, or any of their collectors, "officers, or servants, to demand and take or cause to be demanded and taken the "several tolls specified in the schedule annexed to this Act, such tolls to be paid and "payable by the owner of the fish, or the salesman, consignee, or other person to whom "the same shall be delivered." Then there is a short schedule of tolls to be levied on every boat with river fish; in short, upon all boats bringing fish, and upon all carts, machines, vans, or waggons conveying fish, and no other tolls. Now the charge against the corporation in this instance is, that, notwithstanding they are thus limited as regards tolls to the schedule of the Act, and notwithstanding that schedule limits them to tolls upon vessels or carts bringing fish, they exact from those sixty salesmen, or thereabouts, the sum of about 20*l.* apiece, making the sum of 1,200*l.* a year, to which they have, as it is conceived, no legal claim whatever, and which is an exaction, and a grievous exaction, interfering with the supply and the price of a commodity which is essential to the support and health of the community.

539. Has not the question ever been tried in a court of law?—No.

540. Why not?—To fight against the corporation of London is a desperate thing. To appear here as a volunteer witness, as I am doing, is to bell the cat, and take the bull by the horns. It is worse to oppose them in a court of law.

541. How long have those payments been going on?—I can produce witnesses before you who remember when they were not, and who stood in the market when they were not.

542. Before the Act passed did not they take the same tolls as they do now?—I believe so. I know parties who are complaining under this grievance, and who have explained to me that beyond all question in their time—and they are not very old men—there were no such tolls.

543. Have they complained to the corporation on the subject?—I think not. I think

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the power of the corporation would crush any one of the sixty who mooted the objection, except under the protection of this Commission, which I hold to be a great protection to all those who are suffering under corporate oppression.

5442. Under the head of "Porters" have you anything more to state to the Commission?—The fellowship free porters are at issue with the corporation, and are seeking justice at the hands of the corporation, by an appeal to the civic legislature. I am sure I shall not be understood as advocating the system which I have been all along condemning. It was a most impolitic thing, in my opinion, ever to impose this system upon the commerce of London; nevertheless, here is a community existing under the authority of the corporation, possessing rights, and claiming of that corporation fair play and fair dealing as towards it. When the London Dock Act was passed a clause was introduced compelling the London Dock Company to make compensation to all those with whose vested interests that dock interfered. In the year 1807, the late Sir William Curtis, alderman, being the governor of the fellowship free porters, as Alderman Sidney, the lord mayor elect, is now governor of the free porters, he received from the London Dock Company 11,366*l.* as the compensation of 130 ticket porters whose business was interfered with by the company. That money was distributed among the ticket porters, and they were well satisfied. I think they had about 90*l.* each. With respect to the free porters, the men who do the porterage on the Thames, and who would have done the porterage as regards the ships which enter the docks, but that the dock companies have their own labourers who usurp the position of the free porters, it is contended that they should have, and it is almost believed that somebody has had, for them, a similar compensation to that which the ticket porters received. It would not appear that the ticket porters, on the face of it, were so likely to be entitled to compensation from the dock company as the ship porters, who load and unload. Those men say, if the system is to be done away with, or if it is to be interfered with, they have a right to compensation pro tanto to the amount to which their vested interests may be effected. They have petitioned the Court of Common Council very often, and they cannot get anything like attention to their petitions. The liberal feeling which has been growing up even in the City corporation of late years, consequent upon the emancipation of trade from restrictive laws, has begotten a feeling of adverse to the claims of those men,—adverse to the institution. I can easily understand how in justice it might be; but as to those men, their tools, or rather their investments in the matter, and of their own creation, how the corporation can turn their backs upon them, in the face of the ordinances of the Court of Common Council, and the legitimate claims which it seems to me they have, I cannot understand? The men do, however, complain that their vested interests are being taken from them without compensation. Many of them are old and decayed, and they look with extreme suspicion upon the conduct of the officials of the corporation who are at the head of their body. They complain that no sufficient accounts are rendered of the money which is diverted from their own funds by an officer for whom they are bound to find a capital of 7,000*l.*, though he is only an officer of theirs, in order that he may carry on the business of his office. They complain, in fact, of many grievances of this kind, and that the corporation turn a deaf ear to all their petitions, upon the principle, as I heard stated in the Court of Common Council, "It is a very dirty case; we ought never to have had such people." That is very true; they ought never to have had them; but they have had them; they have sanctioned them, and they have passed ordinances recognizing their right; and yet the corporation, which standsup for its own franchises,—its exceptional privileges,—denies the right, and turns a deaf ear to these men.

545. Is it the case that the dock company have within their own docks the right of employing their own servants, without respect to the privileges of the City?—On the contrary, I assert that there is a clause in the dock company's Act which entitles all persons with whose occupation they interfere to demand compensation to that extent.

546. Still, provided they give compensation, they are taken out of the operation of the general law relating to the City, and they may employ their own servants, and they actually do so?—That is so; and that suggests the idea, that if a fair estimate were made of the value of those exclusive and objectionable privileges on the part of the corn-meters, coal-meters, fruit-meters, and the like, the merchants of the City of London would be most happy to buy up those obnoxious privileges, and thus emancipate the commerce of the City of London. I have no authority for making that statement; but I think I know enough of the feeling of the merchants of the City of London to warrant me in making it.

547. Are you aware of a single trade privilege connected with the City of London which it is desirable to maintain?—A trade privilege is always a trade injustice. A trade privilege implies a preference of one man to another, and that must imply the prejudice of that other man. A privilege, further, implies the advantage of a few to the disadvantage of the many; otherwise it would not be a privilege; it would be a persecution of the few; and I have yet to learn how a privilege to the few can be otherwise than a persecution to the many. An oppression it certainly is. I know of no reason why any exclusive trade privilege should be perpetuated in favour of any man or any set of men.

548. The trade privileges in the City are very numerous and very various, are not they?—Yes, they are.

549. Are you aware of any, out of them, which can be considered to be of beneficial

operation, or of any public utility?—I know of none which can be so accounted. I know of none at all desirable, except to the recipients of the pecuniary advantage, which is an infliction upon those who pay. *J. Acland, Esq.* 4th Nov. 1853.

550. Have you anything to say respecting the property of the companies?—I should like to endeavour to make this account of the corporation consistent with common sense, whatever the effect of such an attempt might be. I think an analysis of this account, throwing, as they do not, the different heads of the account under which they have a pecuniary interest together, so that we may arrive at the aggregate of their means, and their charges upon their means, and their expenditure of a portion of those means, would be very desirable.

551. Is there any other point to which you desire to call the attention of the Commission?—With reference to the elections at common hall, I have stated to the Commission that in 1846 there was a severe contest in the City of London for the office of lord mayor. The candidates were Sir George Carroll and Alderman Thomas Wood. Alderman Thomas Wood is now chief clerk at the Guildhall justice room. He was then a candidate for the mayoralty. On that occasion there was a great deal of bribery. The far greater portion of the bribery was on the side of Alderman Wood. I hold in my hand a list of the persons who received bribes on that occasion in his interest. They should be liverymen; and, assuming that they were, I have ascertained which of them are still on the livery list and the parliamentary register, and for this reason: that if it shall be your desire, at any period in the course of this inquiry, to receive full evidence of the extent of the corruption practised at those elections, you have here the names of the companies to which they belong, and of some hundreds of liverymen, who, on that occasion, received bribes, and who polled on the days stated in each of those lists. I also hold in my hand evidence with reference to the election of Mr. Alderman Brown, the late chamberlain, to that office, in 1844. Bribery is the rule on those occasions. I happen to have in my possession the original receipts of some eleven or twelve of the parties who were actively engaged upon that occasion, and I find that of those eleven seven are still in existence, and I am prepared to give you their names, if you desire to go further into the question.

552. Do you mean that those were voters, and that they gave receipts for the sum they received for their votes?—It is under the shape of attendance; so many days, at 10*s.* a day. They were more than voters. The system is one of notorious and extensive bribery; and if the Commissioners are at all in doubt upon that point, as to the quality of the liverymen electing, under the present system, the corporate officers, and are disposed to seek further evidence, my only object is to say that here are the means of summoning some of the parties. These are the originals, which I will always hold at the command of the Commission, and I am having a fair copy made, which I will hand in as soon as it is in my power to do so.

Adjourned to Tuesday next, at twelve o'clock.

Tuesday, 8th November 1853.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

JAMES ACLAND Esq. was further examined as follows:— *J. Acland, Esq.* 8th Nov. 1853.

553. Are there any points, which you have omitted in the previous examinations, to which you are desirous of calling the attention of the Commission?—I desire to make a few observations upon the Irish Society. It is a society in the interest of the twelve principal guilds or livery companies of the City of London; and, until the year 1832, its governing body was composed of delegations from those twelve guilds. Some difficulty arose with reference to one of the companies. I think, if I remember right, the salters' company. The charter required that a certain proportion from each company should constitute the government of the society; and the salters' company, having very few members, were frequently obliged to put an alderman in the place of a salter; and at last the inconvenience became so great that the corporation of the City of London undertook its management by a board, consisting of a governor, deputy governor, and twenty-four common councilmen.

554. Was there any Act of Parliament passed to facilitate that change?—I am not sure how the change was legalized.

555. Is the property now in the corporation of the City of London, or in those companies?—It is still in the companies. The change had this effect, that it gave to the corporation of the City of London a considerable amount of patronage. The governor of the Irish Society is one of the aldermen of the City of London; Alderman Humphery. Its late secretary, Mr. Slade, was a common councilman. His assistant clerk was the son of a common councilman. The present secretary, Mr. Davis, was a common councilman. The late agent in Ireland,—a very responsible situation, and a very lucrative one,—

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Mr. Fletcher, was a common councilman; and his successor, the present agent, Mr. Green, was late the deputy of the ward of Aldgate, which is the ward for which Alderman Humphery is the alderman. So that Alderman Humphery, representing the ward of Aldgate in the councils of the corporation, and being governor of the Irish Society, appoints or procures the appointment of his deputy for Aldgate to the situation of agent to the society on those estates in Ireland. At the last contest for secretary there were twelve candidates. The number of those candidates was reduced to three, of whom two were common councilmen and one the son of a common councilman, and one of the two common councilmen was elected.

556. I observe it is stated by the former Commissioners that the Irish estates under the charge of the general corporation, as well as those under the several companies, are managed with great liberality and benefit to their tenants. Have you any reason to doubt the correctness of that assertion?—I have a strong impression to the contrary. I am aware that the journals of the locality, the daily papers, have frequently complained of the misgovernment of the corporation of the Irish estates. They complain that there is no inducement to the tenants to improve the property, and that if it were in individual hands the property would be immensely improved. The particular grounds of those complaints I am not prepared with; but I am prepared to say that there is in Ireland, at all events, a very strong feeling that the estates are not in good hands.

557. You have no personal knowledge upon the subject?—I have no personal knowledge, except such knowledge as a perusal of the Irish papers of that district may have given me.

558. Is there any other point to which you desire to address yourself?—I am anxious to address a few observations to the Commissioners on a question of very great importance, as it strikes me, involving a very important principle. I mean the practice of the corporation of the City of London, through their recognized agent, the remembrancer of the corporation, interfering needlessly and mischievously in the progress of bills in their passage through Parliament, and in the introduction of clauses calculated to except the City of London from the operation of beneficial Acts of Parliament, and so to prejudice the community over which they preside. I had occasion, on a former day, to observe upon their resistance to the County Courts Act, so far as its application to the City of London went. The County Courts Act being a good Act of Parliament, and greatly in the interest of the community at large, it followed naturally that in course of time the citizens of London found it desirable that that which was enjoyed by other parts of the country should be participated by them in the City of London; and then the Corporation had to expend, I think, seven or eight hundred pounds in getting a special Act of Parliament to do that at a later period which they might better have done at an earlier date. On the present occasion, I will call your especial notice to the circumstance of the interference of the corporation, in the last session of Parliament, with reference to the Charity Trusts Act. The Charity Trusts Act has for its object to give to the community a prompt and economical remedy in all cases of abuse in charitable trusts. No one can question the character of such an Act of Parliament. It was of great interest in the City that that Act of Parliament should be participated in by the citizens, for in the City of London we have 691 charities held in trust by the livery companies, and 740 held in trust by the parochial officers, giving a total of 1,431. The annual returns from the trusts held by livery companies amount to 60,478*l.* 16*s.* 2*d.* The annual amount of charity trust funds held by parochial officers within the City is 47,591*l.* 1*s.* 9*d.* Giving a total of 108,069*l.* 17*s.* 11*d.*, as the annual income from charity trusts within the City of London, as far back as 1832, when the Commissioners on Charities sat. In all human probability that annual value is now greatly increased. The manner in which the Charity Trusts Bill proposes to remedy the abuses of public charities is this: that whereas it was very expensive to go to the Court of Chancery in order to complain of a grievance and procure a remedy, it is now enacted that Commissioners shall be appointed before whom any person may complain of maladministration of a trust; that is, I think, any of the trustees, or any three inhabitants of the locality. The Commissioners entertaining the question decide, aye or no, Is there cause for further procedure? Is there an abuse? If there be an abuse, they give their fiat to the applicant to proceed in one of two ways; either in the superior courts, by an application, not to the lord chancellor, as formerly, but to the master of the rolls or one of the vice-chancellors; or, on the other hand, to the Court of Requests or the Court of Bankruptcy of the locality. And they are governed as to the court they shall refer the question to by the amount of the charity. If the charity be not exceeding 30*l.*, then the Commissioners have power to send the complainants to the County Court or the Court of Bankruptcy of the district. If it exceeds 30*l.*, then they are sent to one of the vice-chancellors or to the master of the rolls. Now, as the number of charities whose annual produce is not more than 30*l.* each is 1,076 out of the 1,431, the total number of charities, leaving only 355 of which the annual amount exceeds 30*l.*, this appeared to give, as proposed in the Legislature, a most desirable advantage to the citizens of London, as regards those charities. But a clause was introduced in the House of Commons, through the instrumentality of the remembrancer of the corporation of London, to this effect, that all the trust charities within the City of London of 30*l.* and under should be taken to be charities of over 30*l.*, so as to throw upon all complainants the obligation of resorting to the master of the rolls or one of the

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vice-chancellors, instead of the cheaper and more prompt remedy of the Bankruptcy Court or of the County Court of the locality. This is the extent of the complaint upon that head. But you will see the great importance of my complaint when I state to you that in the last inquiry,—the inquiry before the Commissioners in 1832,—looking to their report, it appears that there had been misapplications of the charities held in trust by the livery companies to an extent involving 21,133*l.* of principal money, besides an annual sum of 910*l.*; and that as regards the parochial charities of the City of London, there had been misapplication of funds to the extent of 10,805*l.* of principal money, and of 4,564*l.* annual sums; that of the livery exhibitions,—the exhibitions held in trust by the livery companies,—8,184*l.* annually had either been misapplied or not applied at all. Giving a total of 31,938*l.* of principal money misapplied, and 13,659*l.* of annual payments misapplied. And if you bring the annual payments of 13,659*l.* into a principal sum, at the rate of four per cent., it will make a grand total of defalcation or misapplication of 318,783*l.* I will hand in a statement which I have prepared for this purpose, showing you the magnitude of the question as regards the charities of the City of London, which are most of them very old. One does not charge malversation upon the present trustees; but, looking simply at the fact that the Commissioners report that there had been these malversations and misapplications or negligences, you will understand with how great interest the citizens of London looked towards the benevolent measure proposed by the Government in the Legislature with respect to charity funds, and you will imagine their vexation that the corporation should stand between them and justice (justice, by-the-bye, to the poor), by the introduction of that clause exempting from the operation of the Act,—not merely the charities of the corporation,—not merely the charities held in trust by the livery companies,—but all charities within the City of London, including all the parochial charities, with which description of charities the corporation officially have nothing to do. I beg to hand in the statement to which I have referred. (*The same was delivered in, and is as follows*):—

CHARITIES within the City of London, 1852.

		Annual.	Above £30.	£30 and under.
691	held by livery companies - - -	£60,478 16 2	155	536
740	„ parochial officers - - -	47,591 1 9	200	540
1,431		£108,069 17 11	355	1,076

REPORTED to have been misapplied or not applied.

		Principal sums.	Annual sums.
88	livery charities - - - -	£21,133 11 2	£910 11 8
130	parochial charities - - - -	10,805 7 7	4,564 13 7
10	livery exhibitions - - -		8,184 0 0
228		£31,938 18 9	£13,659 5 3
	The annual sum of 13,659*l.* 5*s.* 3*d.*, at 4 per cent. upon the capital invested, represents a principal of	286,844 10 3	
		£318,783 9 0	

559. Is there any other point to which you desire to advert?—I am anxious to say a few words upon a subject which has greatly interested, not merely the inhabitants of the City but of the metropolis, and not merely of the metropolis but of twenty miles round. I advert to the coal dues; the history of which may be said to lie in a nutshell. The corporation of London in former times lent money to a sovereign, which money was lost, and the coal dues were granted to the corporation, in order that they might be repaid the amount they had advanced. That amount was repaid by the coal dues; and that amount being repaid, one would think there should have been an end of the imposition. But not so; from time to time the corporation have procured what may be called a renewal of their Parliamentary leases, and that lease now existing I think will expire in the year 1862, about nine years hence. They toll the coal consumed by the citizens of London, and they toll the coal consumed by every inhabitant of this metropolis and within twenty miles of its centre. Surely the metropolitans have a right to complain that the corporation of the City of London taxes that necessary of life. First, that they tax it against all policy, because to tax a necessary of life is not only against policy, but against humanity, for it must tax most heavily those who can least afford to pay it. And next they have a right to complain of the injustice of the citizens of London taxing the citizens of Westminster in such a matter, especially in a matter which no more concerns the citizens of Westminster than it does the inhabitants of York. Why are the citizens of Westminster to be made to pay this debt from the Crown to the City of London, rather than the inhabitants of Manchester or Birmingham?

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560. Is it not the case, that part of the proceeds of those coal dues is applied to the improvement of other parts of the metropolis besides the City?—It is so; but the argument is not affected by that, because the City of London at all events tax the citizens of Westminster more than 4*d.* The citizens of Westminster have to pay 13*d.* per ton tax upon their coal, and they only have expended upon the metropolis at large 8*d.* The City of London take that 4*d.* a ton from the inhabitants of Westminster, and from every inhabitant within a radius of twenty miles, as their private property, and they claim to have an equal right to that 4*d.*, under the Act of Parliament, with any other portion of their City estates, and to do what they please with it. Now it is the least important portion of the argument, that it amounts to a very large sum of money. The more important matter is the impolicy, the injustice, the dishonesty of the principle involved. I say dishonesty, because the debt has long been paid, and the tax is still continued. How the corporation have been enabled to deceive the legislature upon the point, as I must assume they have, I know not; but assuredly this tax is not an honest tax as it regards the inhabitants of other portions of the metropolis. The 4*d.* tax received by the City in 1852 amounted to 62,440*l.* The penny tax received by the City to defray the expenses of carrying out the Act of Parliament amounted to 15,607*l.* The 8*d.* tax received and expended I believe by the Board of Works (which was the Woods and Forests) amounted to 124,880*l.* Making a total of 202,927*l.* The Commissioners are aware that a portion of this is levied within the port of London, and another portion of it is levied from the canals and railroads within twenty miles of London.

561, Are you aware that we have abundant information on this point in the report of the House of Commons committee?—I am not going further into it; but it has been complained, and I believe with justice, that the corporation obtained an undue advantage on the last occasion of this matter being before Parliament, in extending the twenty miles by the road, which had always previously been the limits, to twenty miles as the crow flies. It was a surprise upon the Legislature and upon the Government, and certainly a surprise upon the trade. Very extensive complaints are reaching me from all quarters around this twenty miles upon the subject. I have been asked by many, whether the Commissioners would receive their memorials, and I have said that there could be no harm in sending them, and that I had no doubt they would receive them. The people of Croydon have a good right to ask why they should be taxed to pay the debts of the Government to the City of London, or for the purpose of improving the City of London.

562. Without entering into the policy of the coal tax at all, if seaborne coals have to pay the tax on coming to London, do you think it unreasonable that coals brought by land carriage should pay the same tax; that they should be put upon the same footing?—Then, upon that principle, I should say, why have you a limit of twenty miles? Why do you stop at twenty miles? If the principle is good for anything, it should extend over the empire. My answer to the question is, yes. If the one is just the other is just; but the one not being just, the other cannot be just, of the same kind. The Commissioners are aware that there is a strong feeling in London upon this question, and I am not disposed to trouble you by enlarging more upon it. I think in a few words I have put the question fairly before the Commissioners.

563. When you were last here you said that you wished to put in some observations in writing upon the financial accounts of the City of London. Will you have the goodness to do so?—I hold in my hand a statement of the produce and expenditure of the City estates, published by the corporation as the account for the year 1852.

564. Have you a duplicate copy of that?—They are extremely difficult to get; they are made for special circulation; and they are not adapted for general circulation. It is the most talented book I ever attempted to understand, because I take its purpose to be to prevent anybody understanding it. Certainly I am utterly unable to understand it. There is a statement in this book which purports to be the chamberlain's account with the corporation, made by the chamberlain, in which he debits himself with the receipts, and credits himself with the expenditure. There is another officer of the corporation, called the comptroller; and at the close of the account of the chamberlain you will find the account of the comptroller, in which he debits the chamberlain for the receipts, under the head of "City Income". Now it occurred to me that the comptroller's account debiting the chamberlain should be a check on the chamberlain's account debiting himself. Of the thirteen items of which it is composed, I find but one item that agrees in amount. The first item at page 1 is: "By general rents within the City of London and liberties thereof" the chamberlain debits himself with 43,415*l.* 7*s.* 5½*d.* At page 69 the comptroller debits the chamberlain for the same item 44,455*l.* 11*s.* 1*d.*, being a difference which should leave the chamberlain debtor to the corporation, beyond his account stated, 1,040*l.* 3*s.* 7½*d.* Then the second item is of precisely the same kind, leaving the chamberlain debtor 319*l.* 15*s.* 11*d.* over and above what he states himself in his account to be debtor to the corporation. The next item is of a different sort. There the chamberlain debits himself 82*l.* 1*s.* 1*d.*; the comptroller debiting him only 69*l.* 17*s.* 9*d.*; making a credit to the chamberlain of 12*l.* 3*s.* 4*d.* The office of the comptroller, I need scarcely state, is to check the accounts between the chamberlain and the corporation of London; and there is only one item in the account in which they agree. The total difference between the two accounts is upwards of 9,000*l.* If you subtract the total of the one

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account from the total of the other, you will find that the chamberlain's account against himself amounts to 9,000*l.* and odd less than the comptroller in his account charges him. But that 9,000*l.* involves a considerably larger amount. It is like a penny wrong in the accounts of a banking house, for which they hunt for hours, because it may involve many other amounts; so that this sum of 9,000*l.* involves a considerably larger amount. But taking it at 9,000*l.*, then I have to submit to you that at all events the discrepancies in the accounts have to be accounted for before you by the corporation, and that the account which they profess to publish should be an account which the Commissioners should understand. I think, when they look into it, they will find that it is an account which they cannot understand. I was anxious to discover how these differences might have arisen; and it occurred to me that possibly the chamberlain might have deducted expenses which the comptroller had not deducted from the gross amounts. But there is a case in the comptroller's account, the fourth item, respecting the Finsbury estate, where the comptroller deducts the expenses, and the chamberlain does not; so that I was completely deprived of that which I had thought a happy means of solving the apparent discrepancy.

565. What are the relations of the comptroller to the chamberlain? Does the comptroller make payments, or does he, in fact, audit the accounts?—No. The chamberlain makes the payments; the comptroller renders an account to the corporation of all sums in which he thinks the corporation should debit the chamberlain or treasurer, and in such account there appears to be 9,000*l.* more than the amount with which the chamberlain debits himself.

566. Does the comptroller execute the duties of an auditor?—Not exactly that; but, for example, in the case of the coal dues, the clerk of the coal market has to deliver to the comptroller every afternoon the particulars of the quantity of coal entered, and the amount of dues received. Before he goes to the chamberlain's office he lodges that account with the comptroller, and then he proceeds to the chamberlain's office, which is the treasury department of the corporation, to pay the money.

567. Then he accounts to the comptroller before he pays the money into the corporation?—It appears so.

568. Then the comptroller's part would be the reverse of an audit; it is rather a preliminary check.—It is so.

569. Do you know what relation the comptroller bears to the auditor?—I should say, none whatever. I should say that the auditor should also audit the accounts of the comptroller; the auditor should see that the comptroller does not debit the chamberlain with more money than should go to his debit; and per contra. I cannot see any relationship between the two.

570. Then the comptroller is an accounting officer; not an auditing officer?—He receives nothing. He is the check.

571. Does he render an account?—He renders an account, and here it is published. I have no doubt that in the evidence given by the corporate officers on the former occasion they will have described the special duties of the comptroller; but I find it somewhat difficult satisfactorily to describe them, except as I practically instance them in the case of coal duties. The comptroller seems to be a check as against the commission of error, and the auditor seems to be an officer appointed to detect errors, and point them out. I do not think the comptroller has any other function than that of acting as a check. In these accounts you will find that it is a very general practice of the corporation of London, as far as their accountancy goes, to merge a very great number of items under one head; so that it is extremely difficult to analyse the portions which may be allotted to any one of the heads of this combined account, and you are thus prevented from making out the exact amounts of the different portions of those items. Take, for instance, the charges connected with the office of lord mayor. You will find, at page 17, the sum of 7,151*l.* "To the lord mayor, the late deputy sea coal meters, and others; compensation allowances for the loss of emoluments on the abolition of the metage of coals." Now if we are anxious to know what the office of lord mayor costs the City, how are we to find it out? How are we to know what proportion of that 7,151*l.* goes to the lord mayor, and what proportion to the coal meters? I beg to hand in, for your consideration hereafter, a general statement of the differences in the accounts between the comptroller and the chamberlain. I also beg to hand in these charges, as connected with the office of lord mayor, but with this remark, that of course, after the observation I have just made, I cannot vouch that this item is correct; indeed I am sure it cannot be, because whatever proportion the sea coal meters have to take of the 7,151*l.* must be deducted from this; but here we have under the head of lord mayor sums making a total of 13,889*l.* I am willing to take off the 7,151*l.*, when I can be told on authority what I am to put in its place as the lord mayor's portion of that 7,151*l.* There are three items in this which seem rather singular, and worthy of attention. At page 42 you will find the lord mayor had a violet gown supplied to him; but the account will not tell you how much was paid for it, because with the lord mayor's violet gown two gowns for sheriffs' yeomen are combined, and you thus are ignorant of the amount which the violet gown cost, until I tell you that the sheriffs' yeomens' gowns cost 7*l.* 7*s.*, so that there was a violet gown which cost 15*l.* for the lord mayor. At page 37 in the same year you will find that Mr. William Price was paid for a silk violet gown for the lord mayor 18*l.*; so that there are two gowns for the lord mayor in that year,—two

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silk gowns, I suppose,—the one 18*l.* and the other 15*l.*; and at page 57 you will find a payment to William Price for a crimson velvet robe for the lord mayor, on the occasion of the Duke of Wellington's funeral, 72*l.* Making 100 guineas for three gowns for the lord mayor in one year. At page 40 you will find that the sword-bearer and the common crier have each a gown costing 30*l.* each, because they had not had a gown for three years. In the year 1849, then, I naturally look to find the same charge; and I find they had 30*l.* each because they had not had a gown for three years. But in the year 1850 I find they each had a gown costing 30*l.* each, because the Coal Exchange was opened in that year. So that, although there were gowns in 1849 which cost 30*l.* for the sword-bearer, and 30*l.* for the common crier, they needed new gowns in 1850, at 30*l.* expense for each, and in 1852 they each had another new gown because they had not had one for three years; but they certainly had each had one two years back; they had had two within three years. This does not seem to imply a very careful charge of the pecuniary affairs of the City of London. With respect to the law expenses for the year 1852 in the accounts before you (which it would take you some time and give you much trouble to find, for they are spread through the entire of the volume in single items), they amount to 3,973*l.* At page 14 you will find:—"Holding Court of Pie Poudre, 7*l.* 1*s.* 6*d.*" We had thought that court would have disappeared with Bartholomew Fair; it had been thought so in the City; but it seems to be continued, and to involve legal expenses of some kind, for here we have a charge of 7*l.* 1*s.* 6*d.* for holding a Court of Pie Poudre. At page 15 you will find 200*l.* for a suit in Chancery, in relation to the oyster meters, and in the same page 70*l.* 8*s.* 5*d.* for a suit with respect to markets; and then at page 19 you find one of very many charges which have been incurred by the City of London for legal proceedings between the corporation of London and Messrs. Combe, Delafield, and Co., on a question whether they may carry their malt from their malthouse to their warehouse without the corporation touching it, and charging them metage. There is the sum of 506*l.* 15*s.* this year in that one case. The whole legal expenses (without occupying your time needlessly by going through them) amount to 3,973*l.* 18*s.* 5*d.* The corporation have, as all the world knows, a state carriage; they have also a navigation barge and a shallop. I have no items about the state carriage. I could not copy the whole amount, but I have extracts of the expenses in relation to the navigation barge and shallop for the year 1852; they amount to 541*l.* 16*s.* 10*d.*, and for the four years 1849 to 1852 they amount to 2,411*l.* 16*s.* 6*d.*; giving an aggregate of more than 600*l.* a year towards the expense of water excursions of the corporation of London. On a former occasion I gave the amount paid to the committee men of the corporation, or rather paid to committees of the corporation, at, I think, 2,825*l.* I find it is more. I then stated also that in addition to that there was 500*l.* for swan hopping. That 500*l.* appears to be 750*l.* Then, again, the 300*l.* to the improvement committee I do not find in that account. The little pocket book which I hold in my hand cost the corporation 120*l.* It is therefore an official document and is good evidence for the various items of all the various committees. It gives an item of 300*l.* to the improvement committee, and why it is not in the accounts I have yet to learn. However, that goes to the extent of 300*l.*, in addition to my former estimate of 2,825*l.* Then there is 600*l.* to the Irish Society, which I did not include in that 2,825*l.*, because it does not come out of the estates of the corporation, but out of the estates of the Irish Society; but it goes into the pockets or into the stomachs of the members of the corporation of the City of London; and therefore I think that may fairly come into my account; thus raising the sum to 4,050*l.* as the amount paid to the committees of the corporation of the City of London and the Irish Society, including the swan hopping to the common council themselves. Then, in the bridge accounts, which you will find at the conclusion of the corporation accounts in that book, there is a certain kind of benevolences, which is only singular with reference to what follows. The benevolences in 1852 of the Bridge House Committee stand thus:—"The Right Honourable "William Hunter, Lord Mayor, the usual benevolence out of the Bridge House estates for "and towards the charge of feasts during his mayoralty, 50*l.*" And then follows the item, "Thomas Cotterell, Esquire, and Richard Swift, Esquire, Sheriffs, the same during the "shrievalty, 50*l.*"

572. What is the meaning of "feasts" in that entry?—I have no dictionary with me; but my idea is that it embodies eating and drinking.

573. For whom?—I should say they are feasts in which the members of the Bridge House committee participated, beyond their allowance from the corporation.

574. You do not suppose that it is anything for the purpose of charity?—No; I take it to be most inconsistant with benevolences. In that book you will find immediately afterwards these items: St. Thomas's Hospital, 5*l.* The parishes of St. Olave and St. John Southwark, 2*l.* 13*s.* 4*d.* So there is benevolence of the dry bread kind for the poor, and benevolence of the turtle and wine kind for the rich. Not a very seemly or becoming series of items for the corporation of the City of London. There are many items of expenditure made by the corporation which do not appear in that account. I will not be tempted, by a recurrence to my former evidence, to detain you at any length; but I assert my personal knowledge of the existence of a secret service fund in the hands of an officer of the corporation, and my personal knowledge of the expenditure of many hundreds of pounds, not one farthing of which appears in the items of that book.

575. Do you mean that there is an expenditure which is not included in those accounts, or an expenditure which is not detailed in the items in those accounts?—I cannot say that it is not included in those accounts. I cannot say that a law charge of 100*l.* may not mean something else; but I say that under no item in these accounts could such expenditure honestly and fairly range.

576. Do you know, or have you any belief, as to the amount of the secret service fund to which you refer?—I have not.

577. Have you any belief as to the purposes to which it is applied?—I believe it is applied to any purposes that the corporate functionaries imagine that they have an interest in. By the term "functionaries" I do not mean only the paid officers; I mean the corporation and the officers, and the corporation acting by their officers.

578. You say that you have personal knowledge that part of the funds of the corporation are misapplied for purposes of secret service which are never accounted for. Are you able to give the Commissioners any evidence of that fact?—I am not at this moment prepared to do so; but I am prepared to say that the Commissioners shall have evidence of it before the Commission closes. I will hand in the extracts from the accounts to which I have referred. (*The same were delivered in, and are as follows :—*)

ACCOUNTS of CHAMBERLAIN and COMPTROLLER contrasted.

No.	—	Account of Chamberlain.	Page.	Account of Comptroller.	Page.	Difference. Dr. Chamberlain.	Difference. Cr. Chamberlain.
		£ s. d.		£ s. d.		£ s. d.	£ s. d.
1	By general rents within the City of London and liberties thereof	43,415 7 5½	1	44,455 11 1	69	1,040 3 7½	
2	„ general rents within the counties of Middlesex and Surrey	9,577 0 3	1	9,896 16 2	69	319 15 11	
3	„ tenancies at will	82 1 1	1	69 17 9	—	- - -	12 3 4
4	„ the City's moiety on three sixth part of the net proceeds of the Finsbury estate - £19,826 19 10						
„	„ two sixth part of ditto, net, purchased of the representatives of Dr. C. Wilson - 13,217 19 10½						
		33,044 19 8½	1	38,404 14 1½	69	5,359 14 5	
	The above difference in the produce of the five sixth of the Finsbury estate is enhanced by the fact that the comptroller has deducted 2,395*l.* 6*s.* 4*d.* for "expenses," there being no such entry in the accounts of the chamberlain	- - -	—	- - -	—	2,395 6 4	
5	„ amount of markets and tolls	27,539 12 3	3	27,440 2 11½	69	- - -	99 9 3½
6	„ do. of offices	73,169 13 5	4	74,416 0 0¼	69	1,246 6 7½	
7	„ do. of bequests	132 6 8	4	135 13 4	69	3 6 8	
8	„ the amount of brokers' rents and fines on the admission of brokers, received in the year 1852	3,756 0 0	5	5,206 0 0	69	1,450 0 0	
9	„ sums payable on the admission of persons to the freedom	840 13 4	5	896 16 2	69	55 12 10	
10	„ interest and securities	1,392 10 3	5	1,165 6 9	69	- - -	227 3 6
11	„ sundry and casual receipts	6,429 11 0½	7	6,561 1 11½	69	131 10 11	

CHARGES connected with the office of LORD MAYOR, 1852.

Page.		£ s. d.
17	To the lord mayor, the late deputy sea coal meters, and others, compensation allowances for the loss of emoluments on the aboltion of the metage of coals, pursuant to Act 1 & 2 of William IV. c. 76.	7,151 1 9
„	„ the lord mayor, one year's payment out of eleven coal meters, places, package, and scavage, and public markets, in lieu of the benefit arising from the sale of certain officers' places, and sundry ancient allowances, together with	
36	„ Sundry additional allowances, deducting 1,500*l.* for discontinuance of swordbearer's table	5,997 8 4
33	„ the lord mayor, for breakfasts and dinners at courts of conservancy in his mayoralty, and for fees to jurors on views, and officers attending the said court.	300 0 0
36	„ the lord mayor, in lieu of finding and keeping furniture in repair	100 0 0
„	„ collector, in lieu of income tax on allowances to the lord mayor	228 7 6
57	„ William Price, for crimson velvet robe for lord mayor	72 0 0
37	„ William Price, for silk violet gown for lord mayor.	18 0 0
42	„ violet gown supplied to the lord mayor, and for gowns for sheriffs' yeomen, less 7*l.* 7*s.* 0*d.*	22 7 0
		£13,889 4 7

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Legal Expenses, 1852.

Page.		£	s.	d.
14	By holding Court of Pie Poudre	7	1	6
15	„ Charles Pearson, for suit in Chancery, in relation to oyster meters	200	0	0
„	„ Do. in respect to markets	70	8	5
29	„ Do. in respect to metage (mayor of London v. Combe)	506	15	0
„	„ Do. disbursements in relation to metage of corn	22	7	6
„	„ Do. in respect of magistracy and police	1,522	19	6
33	„ Do. disbursements by order of the consolidated committee	100	0	0
56	„ Do. disbursements in respect of suits in Chancery, under direction of consolidated committee	200	0	0
33	„ Do. in respect of suit relative to the bed and soil of the River Thames	256	11	10
„	„ Do. by order of navigation committee.		17	9
„	„ Do. for retaining fees for attorney and solicitor general	18	18	0
56	„ Do. disbursements by order of law bill committee	205	4	2
„	„ Do. disbursements by order of freedom committee	104	17	8
„	„ Do. in relation of rectory of St. James, Duke's Place	77	1	3
73	„ Expenses in relation to navigation fund	604	3	2
6	„ Solicitor to Bridge House estate	76	12	10
		£3,973	18	5

Expenses in respect of the Navigation Barge and Shallop, 1852.

Page.		£	s.	d.
34	To T. W. Humphreys, navigation barge master, one year's salary, including allowance for coals, candles, &c.	100	0	0
„	„ S. W. Leach, engineer, &c., for disbursements for the navigation barge	184	14	4
35	„ William Morgan and Son, for rope	4	0	10
„	„ Price and Company, for white lead, oil, &c., supplied for navigation barge	11	12	3
„	„ J. Brass and Co., for furniture for navigation barge	86	14	10
„	„ Richard Cartwright, for carpenters' and joiners' work to navigation barge	44	5	10
„	„ Charles Wooltorton, for repairs to cooking apparatus	10	1	11
„	„ Philip Gooding, for a brass plate and inscription for navigation barge	16	11	6
„	„ John Oliver, for plumbers' work to barge and shallop	15	2	11
„	„ executrix of Thomas Francis, for iron castings for navigation barge	9	16	9
„	„ George Emerson, for sailmakers' work	8	5	2
„	„ Thomas Pottinger, for clothing for shallop watermen	44	18	6
„	„ Timothy Satchell, for hats for shallop watermen	5	12	0
		541	16	10
	Like expenses in 1851	1,077	13	10
	Ditto 1850	473	2	7
	Ditto 1849	319	3	3
		£2,411	16	6

Allowance to Committees and Sections of the Court of Common Council for Summer Excursions.

Page.		£	s.	d.
10	To City Lands Committee	400	0	0
15	„ Markets Committee	200	0	0
17	„ Coal, Corn, and Finance Committee	200	0	0
18	„ Corn Meters in Trust	50	0	0
24	„ Police Committee	200	0	0
55	„ General Purposes Committee	200	0	0
„	„ City of London School Committee	100	0	0
„	„ Parliamentary Committee	50	0	0
„	„ Officers and clerks	100	0	0
„	„ Law bills	50	0	0
„	„ Commissioners of Sewers	300	0	0
„	„ Chairman of Section of Court of Common Council	750	0	0
57	„ Library Committee	50	0	0
6	„ Bridge House Estate Committee	300	0	0
33	„ Navigation Committee	200	0	0
„	„ Irish Society (see their account)	600	0	0
„	„ Improvement Committee is allowed 300*l.*, but the charge cannot be found in the chamberlain's account	300	0	0
		£4,050	0	0

BENEVOLENCES, 1852.

Page.		£	s.	d.
6	The Right Honourable William Hunter, lord mayor, the usual benevolence out of the Bridge House Estates, for and towards the charge of feasts during his mayoralty - - -	50	0	0
„	Thomas Cotterell, Esq., and Richard Swift, Esq., sheriffs, the same during their shrievalty - - - - - -	50	0	0
„	St. Thomas's Hospital, for one year's benevolence to Michaelmas 1852 - - - - - - -	5	0	0
„	The parishes of St. Olave and St. John, Southwark, to Michaelmas 1852 - - - - - - - - -	2	13	4
		£107	13	4

In closing my observations upon the finance accounts, I will beg to submit to the Commissioners a list of returns which I respectfully ask them to call for at the hands of the corporation. "First, a return of all the real and personal estate and income of every kind, "direct and indirect, of the corporation of the City of London. Secondly, a return of all "the debts, mortgages, bonds, or otherwise charged on the corporate estates, or indebted "by the corporation. Third, the entire expenditure of every kind for the last year, 1852. "Fourth, a schedule of all the salaries paid by the corporation in every department "of their municipal and other government,"—because all the salaries are not in this book. You will not find the chamberlain there; you will not find Mr. Scott, the chamberlain's deputy; you will not find any officer in the chamberlain's department; and this leads me to correct an error which I made with reference to the chamberlain's department. Under a recent arrangement the interest of the monies does not go to the chamberlain, but goes to an account out of which the chamberlain and his officers, and that portion of the corporate establishment, are paid. It was formerly as I stated. It is not so any longer; and there is this inconvenience in the present arrangement, that we have not the salary of the chamberlain or of any of his establishment in the printed accounts published by the corporation.

579. You mean that the chamberlain and his clerk are paid out of the profits of those balances?—I mean that they are paid stated salaries out of the profits of the balances. But then this shows the want of proper accountancy there. There should be an item, on the one hand, of the profits made by the floating capital, and, on the other hand, of the expenses paid out of those profits. But there is neither the one item nor the other, and the accounts are therefore imperfect. This one circumstance, out of very many, justifies me in requesting you to call for a return of the amount of all the salaries paid by the corporation in every department of their municipal and other government. "Fifth, a "schedule of all fees or gratuities received or taken in any office or by any officer of the "corporation; and a schedule of the gross amount of all fees or gratuities received by "individual officers or servants of the corporation, whether such officers are partly paid "by salary or exclusively by fees or gratuities. Sixth, a debit and credit statement of "corporate assets and liabilities at the present time. Seventh, a balance sheet exhibiting "the present annual value of the corporate estate, after satisfaction of all charges and "claims thereupon." I think if we have those accounts we shall better understand the financial state of the corporation.

580. Have you now finished your statement upon the subject of the accounts?—I think I have.

581. After carefully examining the City accounts, do you think that they afford evidence of pains having been taken to draw them up in such a form as shall be most intelligible?—In such a form as shall be least intelligible.

582. Do you mean to say that you think that the form which has been adopted has been chosen with the design of preventing persons from clearly understanding them?—I believe that the corporate officers are very far from fools; and, assuming that the person who prepared the account has any talent in him, and, assuming that there is a motive, from the fact that it is an incomprehensible account, I am led to the conclusion that such must have been the intention.

583. Did you ever hear of any complaints having been made as to the form in which the accounts are presented?—No.

584. You have now stated to the Commissioners at great length the defects which you believe to exist in the system of government of the Corporation of London, and in the manner in which that system has been conducted. Will you now have the goodness to state to the Commissioners any opinions which you may have formed as to what would be the nature of the system which you would propose to substitute for the municipal government which now exists in the City of London?—I have given the subject some attention, and I have prepared a scheme by way of suggestion. I would rather that the Commissioners had arrived at their own conclusions, though I cannot object that they should ask my opinions, and the conclusions of others. I would have desired rather that I should not have had to submit my opinions upon the subject to the Commissioners as a

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whole; but I prefer doing it to giving them piecemeal in such a way that one part would have little or no relevancy to the other, and that there would have been a want of harmony in the aggregate of those opinions.

585. I beg you to understand that the Commissioners have no wish to urge you to make any statement to them under this head, unless you are perfectly ready and willing to do so. The question was put under the supposition that you have some scheme of municipal government for the City of London to propose, and if so we should be desirous of hearing it. I will add that we only ask you for the outline of such a scheme?—I am anxious to be understood as not pledging myself to various items of this scheme as a whole. I give the suggestions for as much as they may severally be worth; and I am not to be considered as pledging myself to the whole, so as to preclude me from altering my opinion upon the subject. I suggest them merely for the consideration of the Commissioners, each on its own merits; and I shall willingly submit to the rejection of nine, if it leaves the tenth of any value. Then the whole object of my labour will be answered. I propose:—1. That the principle of the Incumbered Estates Act for Ireland be applied to the estate of the corporation, with the exceptions of the Mansion House, Guildhall, the markets, public offices, and courts of civil and criminal judicature. 2. That the proceeds of the sale of such property be paid into the Bank of England, to the credit of the president, councillors, and burgesses of the City of London. 3. That all mortgage bonds, debts, and other liabilities, be paid off and discharged. 4. That the balance be invested in one description of stock in the public funds, and that the dividends thereof be paid to the aforesaid account in the Bank of England. 5. That the Parliamentary register for the City of London be the burgess roll of the corporation of the said City. 6. That each burgess be required to sign the electoral check book at the Guildhall prior to the exercise of his electoral functions. The necessity for which, or the advantage of which, will presently appear. 7. That no addition be hereafter made to the list of liverymen forming a portion of such register. 8. That the existing ward system, as regards Parliamentary and civic registration and elections, be discontinued in favour of one strictly alphabetical list of the entire constituency, 9. That the council of the City of London consist of thirty members, burgesses of the said city, to be appointed annually. 10. That twelve of the members of the first council be nominated by the Crown; four retiring at the end of the first year, four at the end of the second year, and four at the end of the third year. 11. That eighteen of the members of the first council, twenty-two of the second, twenty-six of the third, and subsequently the whole of the members of the council, be elected by the burgesses, by voting lists duly signed, and delivered to official collectors, or by the post, at the Guildhall, in order to the authentication of each signature by the proper officer, by comparing the signature on the voting list with the signature previously given at the Guildhall. 12. That the councillor having the greatest number of votes be the president of the council and chief magistrate of the corporation for the ensuing year, with the Mansion House for his residence, and an allowance of 5,000*l.* (the salary of a cabinet minister) for the proper support of the dignity of his office. 13. That the councillors whose names stand second and third on the return be sheriffs of the City of London, with an allowance of 1500*l.* a year each. That the recorder, town clerk (who shall be a solicitor), steward (that is chamberlain), and accountant be the chief officers of the corporation. That all present officers of the corporation, with whose continned services the council may dispense, be compensated upon a scale to be approved by the Lords of Her Majesty's Treasury, such scale being prepared with equitable regard to the length of period during which such services may have been performed. 16. That the corporate year be the ordinary year of the calendar (not beginning on the 9th of November, but on the 1st of January). 17. That no fees of any description be paid to any officer or servant of the corporation, in addition to his fixed salary. 18. That the police, sewers, paving, lighting, and cleansing of the City be transferred to metropolitan commissioners. 19. That the City coal dues be abandoned. 20. That the City street tolls be abolished. 21. That the City metage upon corn, salt, fruit, and oysters be no longer compulsory. 22. That the monopoly privileges of ticket porters, free porters, fellowship porters, and all such be abrogated. 23. That the burgesses of the City of London shall be no longer subjected by the guilds or livery companies of the City to compulsory membership. 24. That all the City judges and three City justices be appointed by the Crown, at salaries to be fixed by the council, and approved by the Lords of Her Majesty's Treasury. 25. That the affairs of the Irish Society be managed by a committee elected by and from the several guilds interested therein. 26. That the corporate conservancy of the River Thames shall not extend westward beyond the city boundary, the Temple. It now extends thirty-six miles. 27. That Southwark be released from enforced connexion with the Corporation of the City of London. 28. That the corporate dues within the port and harbour of London be restricted to a moderate fixed tonnage duty upon shipping. That would get rid of a very complicated system. 29. That the Court of Hustings, the Lord Mayor's Court, the Appeal Court of St. Martin-le-Grand, the Court of Pie Poudre, the Court Leet and Court Baron of Finsbury, and the Court of the Manor of Duke's Place, be abolished. 30. That the City dues upon wine, oil, and all other gaugeable articles, and the charges for groundage and water baillage, be discontinued. 31. That all localities within the City which are considered privileged places, or which claim to be under other than civic jurisdiction, be henceforth under corporate jurisdiction, as portions of the City

of London, and within the boundary of its Parliamentary constituency. 32. That the Royal Commission of Conservancy be recalled, and all proceedings on account of impediments to the navigation of the Thames be instituted in the ordinary civic courts of magistracy. 33. That the appointment to all offices now in the gift of the lord mayor, or either of the Courts of Aldermen, Common Council, or Common Hall be vested in the council. 34. That no appointment by purchase be allowed. 35. That no appointment be bestowed upon a member of the council or any of his immediate relatives within three years of his having been a member of that body. 36. That the council be empowered to levy the necessary rates in aid of the corporate funds towards satisfying the assessments of the metropolitan commissioners for the expense of conducting the affairs of the corporation, and for effecting the requisite street and other improvements within the City of London. 37. That all proceedings of the council be held in open court. And I conclude these suggestions by observing that in the event of similar local institutions being given to the other metropolitan boroughs, a metropolitan board might advantageously be formed by the delegation of one or more members from each council, in whom might be vested the charge of all matters of common interest. If upon any of these points the Commissioners should desire to have my reasons for entertaining the opinions which they involve, I shall be very happy to give them.

586. You stated that you were desirous to see the coal dues abandoned; do you mean at once?—At once.

587. Are you aware that some of those coal dues are mortgaged to a considerable extent?—They may be; the book does not show us to what extent.

588. How do you propose to deal with the obligations which have been contracted under the Acts of Parliament by which those coal dues were granted?—In one of my suggestions I propose that all mortgages, bonds, and other existing debts shall be paid off. My first proposal is that the Incumbered Estates Act for Ireland shall be applied to the corporation of London.

589. You mean that you would sell the property of the corporation of London in order to pay the debts that are now secured upon the coal dues?—In order to pay all debts which the corporation owes.

590. Are not the charges upon the property of the corporation of London chiefly special in their nature, and not general? Is there not, for instance, a charge on the coal duty for one purpose, and another charge upon a certain estate for another purpose? Do you mean then, that you would throw all the charges into hotchpot, and pay off the charge upon the coal duty by the proceeds of the sale of the land?—I would pay off all the debts of the corporation. Suppose the case of an outgoing corporation; if the incoming corporation is to succeed to a free estate, there is no way that I know of freeing that estate except by selling the property they have, and discharging all their debts out of that aggregate sum, and handing over the difference as their real capital.

591. But is there not a difference between a temporary tax upon coal, which is imposed by Parliament, and made subject to a charge for a specific purpose, and an estate in land which has been devised to the corporation as their own property?—If the question were whether you would pay 20*s.* in the pound to each creditor, having reference to the different character of each security and its value, I might understand it; but I cannot see how a corporation owing different sums of money can make a difference with reference to the specialty suggested, as affecting its payment of the money it owes.

592. Have you made any calculation which satisfies you that if the coal dues were suddenly to cease the City estates would enable them to pay off all the obligations now secured upon those coal dues?—I have made many calculations, and I have arrived at the conclusion that the economy which would be effected by getting rid of the complicated machinery under which the corporate estates are now administered would go very far to compensate for all the large charges which I have made in that scheme. It is not the mere question, how much you have to pay, but it involves the question how much you save; and if you should go into that question you will find there would be a saving to an enormous annual amount; and if the result did not leave us with the precise amount that the corporation now enjoys, it would leave an honest corporation, having sufficient to enable them to maintain the dignity of the office, and to be of essential service to the citizens of London.

593. Do you consider the corporation to be in an insolvent state?—I believe it to be in such a state that it cannot be insolvent, but that it cannot tell how far it is from insolvency. I believe the complication of its accounts, the magnitude of the mortgages, the clashing peculiarities, the different and many Acts of Parliament affecting it, the infinite variety and character of the properties it possesses, is such that simplification is the first thing which is desirable, in order to the economizing of the estates of the corporation, and in order to the facilitating of the better government of the City of London under another corporation.

594. Do you propose that the whole of the landed property of the corporation should be sold, and the proceeds invested in the manner you have described?—I do.

595. That being the case, what is your meaning in proposing, under No. 25, that the affairs of the Irish Society be managed by a committee, elected by and from the several guilds interested therein? What would be the business of the Irish Society if all their Irish property were sold?—The Irish property belongs to the guilds, which are not part,

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as they say, of the corporation of the City of London. If any portion of it belong to the corporation of London, as a corporation, let the guilds pay them its value.

596. Do the proceeds of those estates go to the corporation or to the guilds?—To the guilds; they found the money.

597. Do you mean that the corporation only manages those estates for the guilds, but does not receive the income?—Exactly so. I am not sure that the corporation may not have a very trifling interest of some few pounds a year; but it is the twelve principal companies who own the estates.

598. Is there anything else which you desire to state to the commission?—Not at the moment.

Adjourned to Thursday next, at twelve o'clock.

Thursday, 10*th November* 1853.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

W. Delafield, Esq., and H. N. Fisher, Esq.
10th Nov. 1853.

WILLIAM DELAFIELD, Esq., and HORATIO NELSON FISHER, Esq., having been sworn, were examined as follows.

599. (*To Mr. Delafield.*) Are you a partner in the house of Combe, Delafield, and Company?—I am.

600. We have been informed that you consider yourselves aggrieved by a particular privilege which the City exercise, or at least claim, with reference to the metage of corn, and we desire to hear any statement you have to make to us with regard to the nature of that alleged grievance?—I shall be happy to give any information which the Commissioners may desire upon the subject; but our solicitor, Mr. Fisher, who has conducted the suit which has arisen upon this question between the City and our firm, is perhaps more fully prepared with all the particulars.

601. (*To Mr. Fisher.*) Will you have the goodness to make any statement that you wish to the Commissioners upon the subject?—

Mr. Fisher.—Messrs. Combe, Delafield, and Company are, as is well known, brewers of considerable note. Their house of business and their brewery is in Castle Street, Long Acre. In or about the year 1833 they took a lease from the Duchy of Lancaster of what is called the Duchy Wharf. It is a wharf on the Thames just above Waterloo Bridge; on the Westminster side of Waterloo Bridge. It was with a view to unship their malt and grain which they use in the brewery. They did so for two or three years. I should state, probably, that Messrs. Combe have large malting houses at Yarmouth, where they purchased barley, and turned it into malt, and shipped it from Yarmouth to London, in their own vessels, it being malt, and in bulk. For some little time they unloaded this malt at this wharf. The City then in the first place made this claim. A party of what are termed fellowship porters, came and demanded a right to land that corn, and every particle of it, at certain charges. This was resisted by Messrs. Combe; and in or about October 1835 a bill was filed against them on behalf of the City, and on behalf of the fellowship porters, claiming this right, which, in the words of their bill, they set out thus:—"That the portage and carriage of all coals, corn, and grain, of what kind "soever, and of all salt, of what sort soever, and of all kinds of apples, pears, plums, and of "onions, and of roots to be eaten, and of all merchandises, measurable or to be measured, "arriving or brought into the port of the City of London upon or by the water or by "the River of Thames, or going out of the said port, within the limits hereafter mentioned, "in any ship, boat, barge, or vessel whatsoever, floating, loading, remaining, or being of "what side soever of the River of Thames, and upon any bank or wharf or shore of "the same river, which shall happen there to remain. and to be delivered or landed or to "be carried outwards or from the said City from the bridge of the town of Staines in "the county of Middlesex unto London Bridge, and from thence unto a certain place "called Yendal, alias Yenland, alias Yendeele, towards the sea, in the county of Kent, "have time out of mind belonged and yet do belong unto plaintiffs the mayor, and "commonalty and citizens of the City of London, or their grantees, and always have "been and now are exercised and used by certain porters, freemen of the said City, called or "known by the name of corn and salt porters, taking their denomination from the chief of "the merchandises aforesaid anciently established and appointed to and for their labour "and work of portag, by orders of the Court of Lord Mayor and Aldermen of the said City; "and the said mayor and commonalty and citizens, or their grantees, the said corn and "salt porters, have had and taken and ought to have and take certain reasonable rates or "wages payable in that behalf." Messrs. Combe and Co., finding that they could do the work at a very considerably less rate than these fellowship porters charged, declined and refused to have anything to do with them. This bill was filed, as I said before, in October 1835, Messrs. Combe put in their answer to that bill in January 1836, and witnesses were

examined. But before a decree was had in this suit another claim was made by the City, which was, that they insisted upon measuring the corn, although Messrs. Combe did not require it to be measured. It was their own corn, and when a cargo of their own corn was landed they did not require it to be measured. But still the City said, "We claim the "right of measuring this," and making what they called reasonable charges for doing so. Messrs. Combe did not require their services; therefore they refused to have anything to do with them. In consequence of that refusal another suit was instituted against Messrs. Combe and Co.

602. Did they claim to measure the malt as well as the corn?—It was all malt, and they claimed to measure it. In consequence of the refusal of Messrs. Combe and Co. to allow the city meters to attend and measure, another bill was filed against Messrs. Combe and Co., in July 1839, to which Messrs. Combe put in an answer on the 6th of March 1840. That bill was with the view, as was the bill in the portage suit, to take an account against Messrs. Combe of the quantities of corn or malt that they had landed at this wharf, and claiming that upon each of the quarters, after the account was taken, they should be paid what they would have received if they had done the work which Messrs. Combe refused to allow them to do. Of course it was a question of considerable importance to Messrs. Combe, and the advisers of Messrs. Combe thought that by a bill of discovery Messrs. Combe would get an inspection of the City documents, and would get from the City such information as might upset the claim which the City had made upon them. Consequently, in March 1840, a bill of discovery was filed in the metage suit against the City, on behalf of Messrs. Combe, setting out certain documents, and praying that they might be allowed to inspect those documents, with a view to their defence to the suit which the City had instituted against them.

603. What was the cause of the delay of five years, between 1835 and 1840?—The portage suit was commenced in 1835; the metage suit was commenced in 1839. Messrs. Combe also were advised to file, and had previously, in December 1838, filed a cross bill in the portage suit. I should state that the porters have an office in Tower Street, at which office all their books of account and other things are, and where all the business of the fellowship porters is transacted; and it was necessary to file a bill of discovery, not only in the portage suit, but also in the metage suit. To the bill of discovery in the metage suit the City put in answers. One, the answer of John Hurcomb and John Eayres, which was filed December 1840.

604. Who are they?—They were two of the clerks or heads of the fellowship porters, or at the corn meters' office, having the custody of the books of accounts and other books. And the other by the mayor of the City of London and Henry Woodthorpe, who was then town clerk. That was filed in January 1841. But they were not willing, of course, to give very direct answers to our bill of discovery; and we were obliged to except to their first answer, and then we got another. The second and further answer was put in by the mayor and Mr. Woodthorpe, in November 1841. Still we did not get what we conceived we had a right to, and we were obliged again to except, and we had a third answer from the City and Mr. Woodthorpe, filed in February 1842. Upon that third answer coming in, we moved the Court with a view to get an inspection of these documents, admitted to be in their possession, by having them produced and shown to us.

605. I presume that in their answer they quoted certain documents?—They referred to and admitted the possession of certain documents, and they stated certain reasons why they should not produce those documents. In June 1842 an order was obtained from the present Lord Justice Knight Bruce, who then was Vice Chancellor, directing that we should have an inspection of the documents that we claimed.

606. Were those documents mentioned in the answer of the City?—They were mentioned in the answer of the City, and mentioned in our bill of discovery. We mentioned certain charters and other documents which we thought would assist us, and those were the documents which we got an order from Lord Justice Knight Bruce, then Vice Chancellor, to produce. I should probably have stated that we obtained an order from Lord Abinger, the Chief Baron, in our suit, for a discovery in the sortage suit.

607. That was in the Court of Exchequer?—That was in the Court of Exchequer. Those suits were both instituted in the Exchequer. We saw some few of the documents which Lord Abinger gave us liberty to inspect, and desired that we might have the inspection of; but they were not of very much use to us. Then the portage cause came on for hearing, before Vice-Chancellor Knight Bruce. Witnesses having been examined on both sides, some fifteen were examined on behalf of the City; and some fifteen, or rather more on behalf of Messrs. Combe and Delafield, at, of course, very considerable expense,—it came on before Vice Chancellor Knight Bruce, and certain issues were directed by that learned Judge to be tried at Winchester at the summer assizes then following. That decree was in January 1842. But in June 1842, having obtained in the metage cross suit an order from Vice Chancellor Knight Bruce to examine documents of the City, which we conceived to be of material importance in our defence in both suits, we moved in the portage suit that the trial of those issues should be postponed till we had the privilege which Vice Chancellor Knight Bruce had given us to inspect those City documents. There was an appeal to the Lord Chancellor immediately lodged against Vice-Chancellor Knight Bruce's order in the metage cross suit, and the trial of the issues was put off

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in consequence, upon our application in the portage suit. The appeal came on before the Lord Chancellor, Lord Lyndhurst, and was argued in January 1843. The judgment of Lord Lyndhurst upon the appeal was not given till December 1845. In the meantime we got the trial of our issues in the portage suit postponed. Lord Lyndhurst confirmed the order of Vice Chancellor Knight Bruce, and refused the application of the City. We then immediately had notice given us that the City would appeal, and they did appeal to the House of Lords, and upon that point we are now in the House of Lords. Our suit began in October 1835; we are now in the month of November 1853, and the thing is still going on, but it is tied up in the House of Lords, upon that appeal of the City from Lord Lyndhurst's order of 1845.

508. Which appeal is given upon a collateral point?—Upon a collateral point.

609. That point being the refusal of the City to produce certain documents in their possession?—Yes.

610. Can you, without going into detail, give us a general idea of the nature of these documents? Are they charters?—They are charters and other City documents which are in the archives of the City, which we think will show something to prove that the claim which the City make, which I read when I first commenced, is confined, either to the City or to some part of the City, or that it is confined as between seller and purchaser, where it may be very useful; but here the claim is made on our corn for which we do not require either metage or portage.

611. Are they documents in the nature of charters upon which the City ground a public right affecting the whole population of the metropolis from Staines to Yantleet Creek?—They claim the privilege by prescription, I believe; but there are charters which support that, I believe.

612. Are we right in infering from your statement that the City withhold the knowledge of public documents upon which they ground a very extensive public claim affecting the metropolis, and a large population beyond the precincts of the metropolis?—Most undoubtedly they do so, and they have appealed to the House of Lords against decisions given by Lord Lyndhurst and by Vice Chancellor Knight Bruce upon that question.

613. The result of this delay has been, that the right which the City claim, has not been hitherto enforced?—It has not, against Messrs. Combe and Co.

614. Have the issues ever been settled?—Yes, they have. The issues were framed by Vice Chancellor Knight Bruce. When the cause came on, he used words to this effect: "I think the better course will be that I should now, as you are all before me, put down "in writing what the issues are to be." He did so, on the spot. The issues were these which he directed to be tried at Winchester, and which, by an order of the 11th of March 1846, have now been postponed until further order, it being understood between us (there is a separate solicitor for the fellowship porters) that the portage suit remains as it is till after the decision on the appeal to the House of Lords in the metage suit. The issues were these: The order as made by Vice Chancellor Knight Bruce on the 19th of January 1842, "Doth "order and decree that the parties do proceed to a trial at law at the next Summer assizes "to be held for the county of Southampton, or at such other time as the judges of the Court "shall appoint, upon the following issues, viz.: First, whether the measurage, portage, and "carriage of all coals, corn, and grain, of what kind soever, and of all salt, of what kind "soever, and of all kinds of apples, pears, plums, and of onions, and of roots to be eaten, "and of all merchandises measurable or to be measured, arriving or brought into the "port of the City of London upon or by the water or by the river of Thames, or going "out of the said port, from the bridge of the town of Staines in the county of Middlesex "and London Bridge, and from thence into a certain place called Yendall, alias Yenland, "otherwise Yendale, towards the sea in the county of Kent, in any ship, boat, barge, or "vessel whatsoever, floating, loading, remaining, or being of what side soever of the river "of Thames, and upon any bank or wharf or shore of the same river, which shall happen "there to remain, and to be delivered or landed or to be carried outwards or from the "said City, from the bridge of the town of Staines in the county of Middlesex and "London Bridge, and from thence into a certain place called Yendall, alias Yenland, "otherwise Yendale, towards the sea in the county of Kent, have from time whereof the "memory of man runneth not to the contrary belonged and yet do of right belong unto "the mayor and commonalty and citizens of the City of London, or their grantees, and "always have been and now are of right exercised and used by certain porters, freemen "of the said City, called or known by the name of corn and salt porters, anciently "established and appointed to and for their labour and work of portage by orders of the "Court of Lord Mayor and Aldermen of the said City, and whether the said mayor and "commonalty and citizens, or their grantees, the said corn and salt porters, have from "time whereof the memory of man runneth not to the contrary of right had and taken "and ought of right to have and take certain reasonable rates or wages payable in that "behalf." That is, I believe, in the words of their bill. There are other issues which are something similar, but which I need not read.

615. You have given us the history of one suit. Will you now state what was done with respect to the other?—The other suit, the portage suit, arrived at a hearing, as I have stated, and a decree was made directing certain issues, one of which I have read, and the cause stands over now till the appeal to the House of Lords, with reference to the order in the metage suit, for our seeing those City documents, is decided.

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616. Then the one suit hangs upon the other?—It does. The Commissioners of course will observe that Messrs. Combe's wharf is out of the City, and they thought themselves very much oppressed in being obliged to have these fellowship porters.

617. According to your statement, this right claimed by the City has no reference to the limits of the City, but it is claimed to extend from Staines to some place in Kent?—From Staines Bridge to Yantlet Creek in Kent. I believe it is upwards of 100 miles of river.

618. Can you give any idea of the expense to which the parties have been put by all this litigation?—I can, in round figures. I believe it has cost Messrs. Combe something like 2,000*l.* to resist this claim, which they could not have borne if they had not been of the character that they are. It would of course have swamped a small person. Perhaps the Commissioners will allow me just to mention further, I have here the evidence of a Mr. Amsinck, who was brewer to Messrs. Combe, Delafield, and Co., stating what the City charges were for what they claimed to do, and what they could get it done for by porters who were not fellowship porters. I will just read the witness's evidence. This evidence was taken in the Court of Exchequer, and taken by interrogatories, not taken vivâ voce. The witness is George Stewart Amsinck. To the fifteenth interrogatory he describes who the fellowship porters are, and how the body, as he learns, is constituted; and he says, "that the hours of work are regulated as follows: for three months of the year from 5 to 7; four ditto, 6 to 6; and five ditto, 7 to 6; and that the charges are: metage $\frac{1}{2}d.$ per quarter; holdage, $\frac{1}{2}d.$ per quarter; lastage, 1*d.* per ten quarters; fillage, 8*d.* per ten quarters; porterage, 2*d.* per quarter, being after the rate of 3*s.* 3*d.* for ten quarters; and deponent says that men, not being members of the fellowship porters, complete the same work in a shorter space of time at $3\frac{3}{4}d.$ or 4*d.* for ten quarters."

619. Would that include metage, or would it be for porterage only; because metage is not wanted by these parties?—I take it that the $3\frac{3}{4}d.$ or 4*d.* for ten quarters would be for porterage, and that the metage would be an additional expense.

620. So that it is not a fair comparison of the price of labour, but it is a fair comparison of the difference of expense to those parties?—Yes; because we should not require metage.

621. If the sum for which it is said it could be done by persons not members of the fellowship porters, namely, $3\frac{3}{4}d.$ or 4*d.* per ten quarters, applies to porterage only, it ought to be compared with the charge of the fellowship porters for porterage simply by itself, which appears to be 20*d.* per ten quarters, and that has to be compared with $3\frac{3}{4}d.$ per ten quarters?—Yes. I hardly know what lastage is, but I take it that lastage would be necessary in taking it and putting it into the sacks; that is 1*d.* per ten quarters; fillage is 8*d.* per ten quarters, and porterage 2*d.* per quarter; this latter charge would be 20*d.* per ten quarters.

622. Can you give us any idea how much per annum Messrs. Combe and Delafield would have lost if they had yielded to the two demands which were made upon them for porterage and for metage, and had not contested the question with the City?—I am not prepared to say.

(*Mr. Delafield.*) I think it was something like 1,000*l.* a year.

623. (*To Mr. Fisher.*) Have you anything further to state?

Mr. Fisher.—I might observe, how hard it is upon Messrs. Combe, Delafield, and Co. to have these two suits instituted against them, supposing they are right in resisting them, putting them to very heavy expenses, from which they could derive no benefit whatever.

624. Do you happen to know whether there have been other cases of the same description, or is this the only case of the kind?—I believe there have been others, where the parties have given in, being afraid to resist the City. I know one of them, to my own knowledge, where they came to me. They were small parties, and I could not advise them to resist the bill filed against them by the City; they had not the means to resist it.

625. In what description of trade were they engaged?—They were general corn-factors and dealers.

626. Do you know whether this claim is enforced upon parties who live out of the metropolis, but within the jurisdiction of the City, in this respect?—I believe it is, in some cases. I have known some instances where it has been.

627. It appears that the claim extends to all sorts of corn and grain, to certain species of fruit and vegetables, and to all sorts of merchandises landed in the port of London or on the shore of the Thames, at a considerable distance above and below the City of London?—Yes.

628. Do you happen to know whether that claim is generally enforced?—I believe it is, wherever it is worth the while of the City,—where there is a sufficient quantity to make it pay for them to send their porters.

629. The claim extends all the way from Staines to Yantlet Creek?—It does.

630. You said that Messrs. Combe and Delafield hold their premises on the north side of the river under a lease from the Duchy of Lancaster. Was any point raised in the course of these suits as to any peculiar right of the Duchy?—Yes; it was within the limits of the duchy. I had the evidence of the Secretary of the Duchy, with the view, if we could,

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to escape by that means, but I am afraid it is not sufficient. We raised that point; but I do not think the Duchy have the privilege, although we attempted to make it out.

631. But possibly the case of Messrs. Combe and Delafield might differ upon that ground from the cases of other persons?—It might. Although we took that ground, I believe it was considered that it would not avail us as a defence.

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JOHN GELLIBRAND HUBBARD, Esquire, having been sworn, was examined as follows:—

632. You are the Governor of the Bank of England?—I am.

633. You have been for a long time a merchant in the City of London?—Yes; 25 years.

634. Do you reside in the City?—No.

635. You never have resided in the City?—No.

636. But you have carried on the business of a merchant a long time?—Yes.

637. Have you ever had any connexion with the corporation of the City of London?—As a merchant, the only connexion I have had with the corporation has been on the arrival of grain ships, which I have arriving almost every year; having to apply at the Mansion House for the Lord Mayor's order to the sworn meters to measure the cargo. That is the sole connexion I have had with them.

638. Have you any reason to complain of the system of the City of London with regard to the metage of corn?—No; I have no reason to complain. This order costs 5s. 6d. A fee is paid at the Mansion House of 5s. 6d. It is very little inconvenience sending there for it; and that is the only subject I can mention with respect to the corporation; otherwise I have had no knowledge of their existence.

639. But with regard to the service of these meters in measuring the corn, either as to their charges, or as to the manner in which they perform this service, you have no cause of complaint?—No. I have had no means of comparison. I do not know whether any other persons could have done it better; but I have never had occasion to be dissatisfied.

640. Do you consider the charge is moderate?—I have no means of comparison. I have no means of ascertaining what it ought to be, having made no comparison with anybody else's charges. I never analysed it to see what the labour really cost, and therefore what ought to be paid. I have rather assumed that what had been going on so long under that system was not a very aggravated charge.

641. You have no option as to the porters and meters you employ?—I can hardly follow the operation, beyond that order which I obtain from the Mansion House. I know that the meters measure the cargo. I know very little about it. As a merchant that is really the only thing I know of the corporation.

642. You have probably not turned your attention much to the constitution of the corporation?—No; I know nothing of it.

643. Is it not the case that the leading merchants in the City of London have for a very long time shown an indisposition to connect themselves with the corporation, or to accept corporate offices?—I can only state what my own experience has been of the matter. I was once invited to take an alderman's gown, which I have no doubt was intended as a compliment, but I declined it. My reason for so doing was, that had I accepted the office of alderman I should have been obliged to go through what I observed an alderman generally had to go through. I observed that he had in his capacity of alderman to attend a great many civic feasts, which would not have suited my constitution; and that he had also to administer justice at the Guildhall and at the Mansion House; and it occurred to me, that in order to undertake the sacred task of administering justice it required a man either qualified for it by education, or capable of devoting his time to the acquisition of the knowledge necessary to fit him for the discharge of the office; and I felt that it would be incompatible with my vocations to go through that preparation, and that I should shrink from the possibility either of giving an unjust decision, or administering justice imperfectly myself, and still more of having to leave the decision to a clerk, who may be a most competent person himself, but whose decisions I should be personally apparently responsible for; and that alone would have prevented my taking the office.

644. Do you believe that if the corporation of the City of London were brought to a closer degree of resemblance to the corporations of Liverpool and other great cities and towns in the country, there would be a disposition on the part of the leading merchants occasionally to accept of municipal offices in the City; for instance, to fill the place of lord mayor?—I know so little of Liverpool or of any other great town that I can hardly compare them with London in this matter. I can only say, that seeing what would be required for the office, if accepted, in the City of London, I came to the conclusion that it was utterly impossible for me to take it here. What it might be at Liverpool I am not prepared to say, for I do not know what it involves.

645. Supposing it were not necessary to be an alderman in order to become Lord Mayor, do you think that in that case the leading merchants would be averse to accepting the office of chief magistrate, as a matter of public duty, for a year, if it did not oblige them to go through the preliminary duties of aldermen?—I hardly know what the Lord Mayor would have to do, if he had not been first of all an alderman. If it was merely to provide for a single year, and if it was an office peculiarly connected with the discharge of a great

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public trust or duty, that might be a reason for taking it; for instance, the post I hold now is one which I think nobody would take voluntarily: it does not tempt by emolument or patronage; and it is only assumed by those to whom it presents itself as a duty connected with their previous service in the Bank direction. If it could be possible to put the office of Lord Mayor upon a higher footing, so as to make it appear that one's duty required it to be accepted, it would then assume a totally different character; but I hardly know what would be the nature of the office of Lord Mayor in that case. If it were merely to make a splendid exhibition for the year, I should think it most disagreeable.

646. You think that the amount of pageantry which now surrounds the office would be by no means an inducement to a first-rate merchant to accept the office?—It would be anything but attractive; the very reverse.

647. During your connexion with the City you have no doubt become generally conversant with the constitution of the Corporation, and the manner in which it is administered? Have you formed any opinion as to any defects which may exist, or any mode of remedying them?—I am sorry I must demur to the premises of the question. I know nothing about the corporation. I am not intimately acquainted with any member of the corporation, except one alderman, who has served the office of Lord Mayor, and is also a member of the direction of the Bank of England, Alderman Thompson. Besides him, I hardly know a single member of the corporation. I have not been so situated as to learn anything of their constitution, nor has anything occurred to interest me in it.

648. You have not formed any opinion upon the subject?—No.

649. With respect to Liverpool and other great towns, you are probably aware that previously to the Municipal Reform Act the mayor and the aldermen used to exercise magisterial functions, but that has been removed from them by the Municipal Reform Act? Can you state whether you have perceived in any of those corporations any difference in that respect since the passing of that Act, as compared with the state of things before that Act?—No, I cannot.

John Dillon, Esq.

JOHN DILLON, Esq., having been sworn, was examined as follows:—

650. You are a merchant in the City of London?—I am.

651. What branch of trade do you carry on?—I am partner in the firm of Morrison, Dillon, and Company, wholesale warehousemen in the City of London.

652. Do you reside in the City of London?—I do not sleep in the City of London. I have been engaged in business there since the year 1818.

653. Did you ever reside there?—For a great many years I did.

654. Are you connected with the Common Council?—I am not.

655. Were you ever connected with it?—Never.

656. Have you given your attention to the subject of the present system on which the corporation of the City of London is conducted?—I am much less acquainted with the details of the subject than I was some years ago. Twenty years since, in the year 1833, a Commission was issued upon the subject of the corporation, which visited the City of London. At that time a committee of freemen was appointed to inquire into the abuses of the corporation, or the supposed abuses, with a view to communicate with the Commissioners. That committee appointed me their chairman; and I hold in my hand the report we then made upon the subject (*producing the same*). I see that amongst the members of that committee, consisting of 28 gentlemen, was one who is now one of the Members of Parliament for the borough of Lambeth, Mr. Williams; also Mr. Travers, deceased, the father of the present Mr. Travers; Mr. Pritchard, the high bailiff of the borough of Southwark; Mr. Pearson, the present City solicitor; also one gentleman (Mr. Alderman Wire), who has been recently elected sheriff of the county of Middlesex and the City of London. I mention that to show the competency of the parties to make that inquiry. At that time I certainly took more interest than I have done since in the subject, as many of the grievances of which we then complained have been remedied. Besides that, I look at the subject now from a different point of view. Some very large and important questions have since arisen; the question of police and various sanitary questions have extended the inquiry; and if you were now to make the existing corporation of the City of London as perfect as man could make it, you would be compelled to extend it beyond the present area, and beyond the present limits of the City of London.

657. What is the ground upon which you arrive at that conclusion?—The necessity of uniformity of plan with regard to police, for instance; that the duties or power of the police officer should not cease at Temple Bar. With regard to sewerage (taking that by way of illustration), there is the necessity of some uniform and large plan, and the preventing conflicting jurisdictions.

658. Would it not be possible to devise some plan which should provide for a uniform system both of police and sewerage for the whole of the metropolis, without altogether abolishing the municipal system of the City of London?—I think it quite possible. If I were asked whether I would propose the immediate and total abolition of the corporation of the City of London, I should answer, decidedly not. The present corporation has

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arisen from old times and old institutions; it has grown up very much mixed with all the manners and institutions of the City of London, and it retains many obsolete, some useless, and some objectionable customs; but I should think it very far indeed from desirable suddenly and violently to destroy it. I would recommend the abolition of some customs and the reform of some institutions; and that you should endeavour to frame a more perfect system, by constituting as corporations Finsbury, Marylebone, Lambeth, the borough of Southwark, and so on; and that, having formed a series of corporations, you may hereafter, by means of boards to superintend the sewerage and the police, &c., without danger establish a more perfect system.

659. What are the predominant evils of the present system, in your opinion?—One of the most important matters to look to is the mode of making freemen in the City of London. Some short time since, within our own memories, persons were admitted to the freedom of the City upon the payment not only of a large sum in the way of fees to the City, but the admission to the freedom was also embarrassed by the necessity of a previous admission to the freedom, and I believe also to the livery, of some one of the trading companies. The admission to the freedom of the City was therefore at that time a matter of very great expense. That expense has now been reduced in two ways; in the first place, by the reduction of the fees paid to the City officers; and in the second, by the necessity being removed of being first a freeman of a company. The latter reduction was, I believe, allowed by an Ordinance of the Court of Aldermen and Common Council in the year 1835. But a very anomalous state of things has arisen and still exists as to the parties obtaining the freedom. It would appear that in early times the corporation of the City of London had an inkling of what we know now to be a great truth, that commerce prospered best by freedom; and whilst they exacted large fines generally on the admission of traders to the freedom, they exempted the larger wholesale merchants and traders ("foreigners" as they called them) from those fines upon admission.

660. Do you believe that that difference was made upon grounds of public policy? Do not you think it was much more likely to be for this reason, that the strong could break through, while the weak were stopped in the meshes of the net?—I have no reason to believe that; but it may have been so. The fact, however, is, that they have exempted the large merchants and wholesale houses; a state of things of a very anomalous kind has thus arisen. In the first place, we had a number of persons trading in the City of London who were not able to pay the fines. Some years since I was a member of a jury—an old institution in the City called, not inappropriately, the "Annoyance Jury,"—whose business it was to inquire into weights and measures, and to find out persons who had not taken up their freedom. Most of those, of course, were of the poorer class of persons. I remember one case which I took upon myself to represent to the Court of Aldermen, and which I got exempted from the visitation of the law. A poor woman was called upon to pay fees amounting to 14*l.*, whose whole returns from her business in a small shop amounted only to 52*l.* in the year. Whilst, on the one hand, the poor are thus necessarily exempted, because they cannot pay, the richer merchants and wholesale traders are also exempted, because by the law or custom of the City they are not called upon to pay. This has been a cause of much dispute and litigation. Three or four thousand actions were recently commenced, or threatened, and the reason given was that the existing law or custom was so oppressive and so unequal that the parties proceeding hoped to obtain its repeal by threatening to enforce it against the poorer traders. Now I apprehend that an immediate and easy remedy for this state of things would be that the freedom should be granted as a right—not as a privilege; that every person who lived or traded in the City should by that fact become a citizen, or be free of the City, as it is called; and that no fine should be exacted, except a small fine for the mere purposes of registration.

661. You mean quite a nominal fine?—Yes; not for the purpose of revenue.

662. If it were a mere nominal sum, sufficient to defray the expenses of registration, would not it be in effect pretty nearly the same thing as doing away with the freedom altogether, and adopting burgesses, as in other corporations?—Yes.

663. Do you see any advantage in maintaining a connexion between the freedom of companies and the freedom of the City?—I see none whatever. The connexion is an antiquated one, formed under circumstances which have long since passed away, and any relationship which still remains between the trading companies and the corporation of London should be at once dissevered and put an end to.

664. Do you happen to be a member of any trading company?—Yes.

665. Of which?—The Founders' Company.

666. Are you at all acquainted with the feeling which prevails in that company, or in any of the companies, with respect to their connexion with the corporation of the City?—The feelings and opinions upon those subjects are so various that I could not classify them so as to tell you any general feeling upon the subject.

667. Is it your belief that there is a prevailing wish on the part of the companies to maintain a connexion with the City freedom?—I should think there was; but that is more a matter of surmise than knowledge. Most of the persons who are members of the City companies are also free of the City. They act in both capacities, and would retain their rights and interests in both,

668. Do not some of the companies at present insist upon their right to compel persons exercising the trade of which that company bears the name to take up the

freedom of that company?—I am told that they do; but I am not well informed upon that matter.

669. Are you aware whether any action has been brought, in which that point has been brought to determination?—I have heard of such actions, but I do not know of any particular case in which that has happened.

670. Will you pass to the next point?—A good deal has been said about City honours, and the reluctance which eminent merchants and bankers of the City of London feel to accepting such honours; and I have heard that reluctance given as an argument in favour of an abolition, or a total alteration of the Corporation of the City of London. I must admit that the Corporation of the City of London has many defects; that many things, which were originally right, have, in the lapse of time, become wrong; but I doubt whether there is any ground for the conclusion, sought to be founded upon the assertion that merchants and bankers of the City of London do not, for that reason, seek for City honours. It is easy to laugh at City honours. I have myself joined in the laugh, and have avoided them when, by the kindness of my friends and neighbours, they have been almost forced upon me; but I think that there has been some exaggeration on this subject. Take some of our richest bankers and most eminent merchants; if they look back for a generation or two, they will find that their fathers or grandfathers were aldermen and Lord Mayors; and as to a large class of our merchants, though they may object to the Corporation of the City of London, with respect to its offices, and other matters, yet it should be remembered that they amassed their fortunes, and gained their present eminence under this very system of which they complain. But, what is perhaps more important, I see reason to believe that the contempt which has been thrown upon City honours, has often been an excuse rather than a reason for neglecting them. So far as I have seen of the habits of the merchants and bankers of the City of London, whatever alteration you may make in the corporation, there will still be a reluctance to undertake municipal duties. I cannot pretend to explain the reason, but that is the fact. There is almost a national character in London merchants, which leads them to devote their leisure time, and direct their ambition to other objects. Thus, in the case of a chamber of commerce, I have witnessed several attempts unsuccessfully made to form such a chamber in London. The example of Liverpool has been quoted in support of the establishment of such a tribunal for the purposes of commerce. Whether however it may arise from the extent of the trade of the City of London,—the various and conflicting interests of its merchants, and their having other tastes and other objects of ambition in Parliament and elsewhere, I cannot tell,—but the fact is certain, that there is, in these matters, an essential difference between the commercial bodies of London and other ports and cities; so that if you were to reform the City Corporation, and to clear away all the nonsense and foolery of the Lord Mayor's show, you would not thereby, as I believe, create an inclination on the part of the merchants of the City of London to take part in the management of municipal affairs.

671. Was it not much more the habit, a generation or two back, for the principal bankers and merchants to reside in the City, than it is at present?—It was.

672. Do you think that may have had some influence in causing the difference to which you have referred?—I think it is very likely to have had a very great influence.

673. Is it not natural that persons should feel more interest about the municipal offices of a place where they reside than they will feel if their residence is quite unconnected with their place of business?—It is so natural, that I am myself under the influence of that very feeling. I still carry on business in London, but I am quite conscious that I do not take that interest in its municipal affairs that I did when I slept and lived there myself.

674. Is there any other point to which you wish to call our attention?—A few words as to the constituencies. I believe that there are at present three large constituent bodies in the City of London. I should suggest their being reduced, for the purposes of simplicity, and for other political and municipal purposes, to one only. The constituency under the Reform Act has worked a considerable difference in the constitution of the City of London, and removed many objections.

675. You mean the constituency formed for the purpose of voting for members of Parliament?—Yes. The qualification of that is the 10*l.* householder. I can see no objection to that constituency, except that in London, as elsewhere, it has been saddled with the freemen or liverymen, who, whether resident or not, still vote under the Reform Act; which leads to most, if not all, the abuses or corruptions, if there be corruption, in the elections of the City of London.

676. In order to vote for members of Parliament, they must reside within seven miles; is it not so?—Yes, I believe it is so; they are governed by the general law that they must reside within seven miles. But still they, as liverymen, have not necessarily any interest in the Municipal Corporation, or the welfare or the rights of the City. They need not be engaged in business; they need not live within the City. That is the first constituency in the City of London. The second is the old constituency of the Common Hall. That is entirely composed, I believe, of the liverymen of the trading companies; and amongst those trading companies is one called the Waterman's Company, whose votes are commonly known by the name of "Long-shore men," and to whom is attributed (whether truly or not I do not know) the corruptions of many of the City elections. The third

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constituency is a less objectionable one; it is a ward constituency for the election of aldermen and of local officers. That consists of the resident householders, being freemen. There is no longer any necessity for the voters being freemen or liverymen of the companies. In place of the two first of these constituencies, I would suggest the propriety of establishing one common constituency for all the elections of the City of London.

677. You were understood to say that you saw no reason for keeping up the present connexion between the companies and the freedom of the City?—I can see none.

678 Therefore the general constituency you would propose would be wholly independent of the companies?—Entirely independent of them.

679. Do you think there is any advantage in having any of the officers of the City of London elected by the large constituency, and not either by the Court of Aldermen or by the Common Council?—That is a question of general policy about which I cannot give an opinion.

680. At present some of the officers are elected by the Court of Aldermen, some by the Court of Common Council, some by the large constituency at Common Hall: is not that so?—That is so.

681. Do you see any ground in public policy for that distinction?—Although I very much incline to a liberal policy in such matters, I can imagine some offices which had better be confined to the appointment of an active and limited body.

682. You mean judicial offices?—Judicial offices and some others.

683. Take for instance the office of chamberlain, who is the treasurer of the City, and discharges for the City the same sort of business that the Board of Treasury discharges for the country at large. Do you see any reason why he should be elected by a large constituency at Common Hall?—I think it better that he should.

684. On what ground would you wish that he should be elected by a large constituency?—The objection to any form of election is the chance of its being corrupt or misapplied, and I suspect that the office of chamberlain is one which it would be better not to give into the hands of a few. I have not, however, considered the subject, and the Commissioners must take my remarks for what they are worth.

685. Will you state your reason for making the distinction?—The fear of its being given for corrupt or undue motives, and from mere favouritism instead of fitness for office.

686. Do you think an office which is given away either by the Court of Aldermen or by the Court of Common Council is more likely to be given by favour and from corrupt motives, than when it is bestowed by an election in Common Hall?—I do.

687. Is it your belief that contested elections in Common Hall are in general free from corruption?—In the first place, the contested elections in Common Hall are extremely few. The office of Lord Mayor, which is the chief election there carried on, has become almost a matter of rotation among the aldermen.

688. When there is a fear of a contested election, the uncontested election is likely to be decided by what would probably be the result of a contest; is not it?—Yes.

689. If, therefore, contested elections in Common Hall are not free from objection, it is likely that those elections, which are matters of arrangement in order to avoid such contests, will not be settled upon very satisfactory grounds?—The constituency in Common Hall, I take it, is so large at present, and I would make it larger by the admission of a greater number of freemen, that corruption must be extremely difficult.

690. Would you alter the limits of the wards?—Perhaps yes; but that must be taken in connexion with another subject. The principal public duties which the wards perform is the election of aldermen. Every alderman, by a law passed I think as late as the reign of George the 2nd, is a magistrate and justice of the peace, and he is not only a justice of the peace for and in that ward, but for the whole City, and being a justice of the peace under that Act, he is elected such, in fact, for life. Cases have occurred within my own knowledge in which a constituency of 50 or 100 persons in some of the smaller wards have appointed a man to be as they thought their alderman, they neither knowing nor caring about the circumstance of his thereby becoming a justice of the peace. That I think a very injudicious and very unbecoming way of appointing a magistrate or justice of the peace.

691. Some of the wards have charities connected with them as wards, have they not?—I am not aware that they have.

692. You do not know whether there would be any difficulty in the re-distribution of those charities in any new arrangement of the wards?—I am not aware.

693. Is there any advantage in retaining the division into wards at all in your opinion?—I have not considered that subject.

694. The City is but a small area, is not it?—Yes.

695. What would you consider to be the advantage of dividing and mapping out this small area into certain precincts for electoral purposes?—Perhaps the best answer to that question is, that the object was self-government, and the appointment, by the residents of a particular spot, of their own officers.

696. But they appoint officers who act for the whole City, do not they; the alderman of a ward acts for the whole City, not only for his own ward?—They are, in fact, delegates—representing the wards in a court called the Court of Aldermen; but it is I believe only as a justice of the peace that an alderman becomes an officer in respect to the whole City of London.

697. The Court of Aldermen acts for the whole City of London?—Yes, in its collective capacity.

698. Does it occur to you that there is any good reason for maintaining a division into wards in so small a district as the City of London?—I see no reason for it.

699. Do you see any reason why it should not be abolished?—Only that I think that local government is a very desirable thing.

700. Have you ever particularly considered the case of the borough of Southwark?—I know nothing of the details, but I believe that it stands in an inconsistent and incon gruous position.

701. You have not considered the subject enough to be able to express any opinion to the Commission as to how the case should be dealt with?—No.

702. Do you consider it desirable that the aldermen should continue to discharge the duties of justices of the peace?—Upon the whole, my opinion is in favour of a stipendiary magistracy.

703. In that case you would appoint barristers of a certain standing, and pay them salaries for discharging magisterial duties in the City?—Upon the whole I think that would be the better plan.

704. In that case the Lord Mayor and aldermen would be relieved from their magisterial duties?—Yes.

705. You have expressed an opinion that the connexion between the companies and the Corporation of the City of London ought to cease?—Yes.

706. If that were carried out completely, would not it of itself involve the total destruction of the Court of Common Hall?—As at present existing, yes.

707. The Court of Common Hall consists of the liverymen, which of course involves their being free of some company. If the connexion between the Corporation of London, therefore, were at once dissevered, there would be an end of the Common Hall?—An end of the Common Hall as at present constituted, but it would become a Common Hall formed of freemen of the City, instead of liverymen of the companies.

708. Will you pass to the next point on which you wish to make any remarks to the Commission?—I have already stated an opinion that it would be desirable that a complete severance should be made between the trading companies and the Corporation of the City of London. How these companies should be dealt with when separated from the corporation is not, I conclude, a part of the inquiry before this Commission. It was one great grievance against the companies some years ago, that whilst claiming to be private corporations (so much so that I believe they resisted the inquiries of the Commission then issued), they, in fact engrossed every public function in the City, the only mode of obtaining the freedom of the City then being through their halls. As far as the qualification of voting for members of Parliament goes, that evil was remedied by the Reform Act; and as to ward elections, it has been done away with by an ordinance of the corporation; but the interference of the companies in City matters still exists in full force in the Common Hall, and in the election therein of corporate officers—that I suggest should be entirely abolished.

709. If it were abolished, would there be any other connexion between the trading companies and the corporation?—I am aware of none, except that I have a general impression that they are joint trustees for many purposes—I believe for some large properties. The Royal Exchange is held under some kind of joint trusteeship between the Corporation of London and one or more of the City companies. There is a connexion which I do not profess to understand between the Corporation of London and the companies, with regard to their Irish estates. These might have many matters of account between them, but no question of public principle. With regard to the funds and the accounts of the City of London, they certainly require revision. With some knowledge of accounts I have often examined their blue books, and, to use a common expression, "I can make neither head nor tail of them." I have not yet found the man who is able to tell me, though I have very often asked persons who ought to be competent to do so, what is the amount of the revenues of the Corporation of the City of London. Their accounts should certainly be stated and audited more particularly and more clearly than they have hitherto been.

710. Has any complaint been made in any public manner to the officers of the City of London as to the mode in which their accounts are kept and published?—The subject was frequently discussed some time ago at Common Halls. Objections have been raised to the manner in which the auditors were appointed, and to the manner in which the accounts were laid before those auditors.

711. To what class do the auditors belong; are they independent persons competent to investigate the accounts of the City?—My general impression is, that they are incompetent persons; but that is an impression derived from past times. I do not recollect the names of any of the recent auditors.

712. Is it your belief that the system according to which the City accounts are kept and published, admits of great improvement?—It is. I believe the accounts have become complicated from the natural operation of events. Their funds have arisen from different sources, and have been left at different times, and under different trusts, and particularly many of them have been either created or are controlled by Acts of Parliament. I have heard members of the corporation say, "You have no right to inquire into these funds,

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the trusts being imposed upon us by Act of Parliament;" but those acts being obtained by themselves, or by their influence, and to suit their own views, afford no reason to justify them in not submitting the accounts to public investigation.

713. Is there any further statement which you are desirous of making to the Commissioners?—I approach the suggestion of remedies with a great deal of hesitation; it is much easier to pull down than to build up. The first suggestion which would occur to every mind looking to the Corporation of the City of London in connexion with the map of London, would be the propriety of extending the area of its jurisdiction. To that, however, it occurs to me there are some very grave objections. If the corporation were so extended as to include the whole of the 2,000,000 of inhabitants, it would be a very large and a very powerful institution. I fear it might, in the hands of the Government, be destructive of the liberties of the people; or it might, in the hands of the people, be injurious and dangerous to the Government. Besides, to the mere extension of the Corporation of the City of London to the whole area and extent of the metropolis, which has been frequently suggested and talked of in the City, there would be an objection of another kind. The inhabitants of the metropolis are very various in their pursuits, their habits, and what they require from a corporation. A municipal government which would suit Thames Street and Cheapside, would not be very fit to provide for the wants of the inhabitants of Belgravia and Grosvenor Square. The citizens of Marylebone and Finsbury also would have wants of their own. It would certainly not be desirable suddenly or violently to destroy the Corporation of the City of London. It is much mixed up with the wants and the habits of the people; and I would suggest that corporations might be given to the surrounding boroughs, even without their applying for them, and that the experiment might be tried, say for three or five years, of the operation of such corporations.

714. Do you mean that they should be obliged to become corporations whether they wished it or not?—Yes; it being for the public good, and not merely for their exclusive benefit. From such four or five corporations, you might appoint boards, either by some federal union between themselves, or some other means to be devised, and those boards might separately take—perhaps one the police; another the lighting and the sewerage, &c.; another perhaps might have in charge the conservancy of the Thames, including the port and commerce, and regulations for the trade of the City of London. You might thus gradually take from the Corporation of the City of London some of their present powers and privileges, and so exercise them as not to produce any very sudden or injurious effect. I have suggested the extension, not the extinction of corporate rights. Having a very high opinion of the value of our vestry institutions and our municipal and corporate institutions, and thinking that they have largely operated in improving the people, and that the Corporation of London particularly has materially contributed, with all its defects and all its abuses, towards promoting the prosperity and interests of the people,—it would be with considerable hesitation that I should recommend anything that might take the power of self-government from the citizens and inhabitants of London, and place the administration of their affairs, by centralization, directly in the hands of the Government.

715. Could not the joint action of different parts of the metropolis be provided for on those subjects on which that joint action is desirable, without obliging those different districts to adopt the whole of the machinery of a corporation unless they desired it?—I should be happy if that could be so, but I do not see how it would be possible.

716. Confining yourself now to the City of London, properly so called, you are of opinion that it would not be desirable, as some have wished, to abolish municipal institutions there, but to remodel and improve them?—I am of that opinion.

717. Can you state to the Commission the outlines of any plan which has occurred to you by which those institutions could be so remodelled?—No further than I have already done. As to the freedom of the City, the constituencies of the City, the trading companies, and the funds, I have already stated all I desire to state.

718. Are there any other alterations which appear to you necessary?—Not immediately.

719. According to the plan which you have sketched out, the City would remain with its present limits as a corporation?—Yes.

720. You would further propose that the rest of the metropolis should be partitioned out among several municipal bodies; that there should be a municipality of Finsbury, a municipality of Marylebone, and a municipality of Westminster, and of Southwark, and of Lambeth?—Yes.

721. You also expressed an opinion that there were certain objects of municipal regulation which it was desirable to place under separate boards, the jurisdiction of which should extend over the whole of the metropolis. Do you think it desirable that the police should extend over the whole of the metropolis, and not, as at present, be divided between the Metropolitan Police and the City Police?—I certainly do so think.

722. Do you think it desirable that the sewerage of the metropolis should be placed under a single authority, and not, as at present be divided between the Board of Sewers at the northern part of the Thames, with the exception of the City, and another Board of Sewers for the City?—I certainly think so.

723. What would you say with respect to lighting and paving; would you make them matters of parochial regulation or municipal regulation, or would you place the lighting and paving of the whole of the metropolis under one board?—I am afraid I am leaving the proposed corporations but little to do; but seeing the inconvenience to the public of

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breaking open the streets in various places at the same time, I think it desirable that they should be placed under the supervision of one body.

724. What arrangements would you propose in respect to the supply of water? At present the supply of water is divided among several independent companies; would you take it out of the hands of the companies and distribute it among the municipalities, or would you place it under one board?—I confess I see no reason for taking it out of the hands of private individuals or companies.

725. You would leave the supply of water as at present in the hands of companies?—Yes.

726. You have also expressed an opinion that the administration of justice in the City by the magistrates should be transferred to stipendiary officers appointed by the Crown?—Yes.

727. Assuming those measures to be carried into effect, what functions of a municipal nature would remain for the corporation of the City, and for the other corporations of the metropolis?—I believe very few; the view I have taken may perhaps tend to the same result, but that result would be more safely and gradually obtained.

728. Is not the corporation of the City of London in possession of a very large income, which is independent of rates or local taxation?—I believe it is.

729. Do not you consider it a matter of great importance, with a view to corporation reform, that the good administration of that large income should be provided for?—Yes; I do.

730. Does it occur to you that it is a legitimate object of corporation reform in the City of London, that endeavours should be used to apply the income of the Corporation to as beneficial objects of a public nature as possible?—I think so; but that should be done under public control, and not by the Government.

731. This income being peculiarly the property of the City, ought not that control to be exclusively exercised by the corporation itself?—I think it should; and I should have gone further, and made some suggestions as to the future appropriation of a large portion of the funds of the trading companies also, but that I understand those funds not to be within the scope of the present Commission.

732. Do you think that the property of the City ought to be applied to objects which are exclusively connected with the present area of the City, or that they could be legitimately applied in part to purposes which are useful to the metropolis at large?—I do not think they can be fairly applied to objects out of the City. They might of course contribute to common objects.

733. Do you think it possible to find, within the limits of the City, objects of public utility to which the whole of the income of the City should be applied?—I certainly do.

734. Can you give the Commissioners an idea of the nature of such objects?—Widening the streets would be a very material object, and improving the port and public buildings.

735. Has any considerable part of the revenue of the City been applied to purposes of that sort?—I really do not know.

736. You have stated that your own business is that of a warehouseman. Have you had any experience of the privileges of the City with respect to porters and meters?—None whatever. We deal entirely in what are called dry goods, and have no business connexion that I am aware of with the corporation as to dues.

737. Where are your warehouses situated?—In the ward of Cripplegate.

738. You are not required to employ the sworn porters of the City?—We never have employed them.

739. Have you any reason to complain of the trade regulations of the City, as far as your business is concerned?—None.

740. Is there anything further which you wish to state to the Commissioners?—Nothing further.

Adjourned to-morrow at 12 o'clock.

Friday, 11*th November* 1853.

THE RIGHT HON. HENRY LABOUCHERE, M. P., IN THE CHAIR.

A. Pulling, Esq.

11th Nov. 1853.

ALEXANDER PULLING, Esq., having been sworn, was examined as follows:—

741. The Commissioners are anxious to have the benefit of your evidence upon the subject which has been referred to them, because they are aware that you have given very special attention to it. You are the author of a treatise on the Laws and Usages of the Corporation of London?—I am. Perhaps I may be allowed to say, before giving evidence upon the present occasion, that I have been reluctant to attend except under the compulsory process of this Commission, because I felt that having been engaged in several City cases, the imputation might be made that I had disclosed matters which had come to my knowledge in a professional capacity. I am sure the Commissioners will always allow me to refuse to answer questions which I think are infringements upon my professional privilege. With this reservation I shall be most happy to give every information in my power.

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742. The Commissioners are quite willing to receive your evidence under the restrictions and limitations you have yourself placed upon it.—I may say that I have paid very considerable attention to the subject for a great many years. I have written upon the subject, and it has been my fortune since I have been called to the bar to be engaged in a great many cases relating to the City of London. I have been engaged in matters affecting the constitution of the corporation, the rights and franchises of the corporation, and the construction of their charters and byelaws, and particularly the customs of the City of London.

743. Have you turned your attention to the state of the corporation of London not merely as a lawyer, but more generally in regard to any defects which may exist in the present system, or any remedies which it might be desirable to apply to those defects?—My attention has been more directed certainly to the law and constitution of the corporation of London, and to the existing legal franchises of the corporation, than to the moral or political view of the question. I have not attended to the matter as a reformer but as a lawyer, and perhaps merely as a lawyer. In the course of my professional experience I have noticed defects in the working of the present system, and those defects I will with all respect point out to the Commissioners, but my views as a reformer would perhaps be of little value.

744. Will you have the goodness, in the first instance, to give the Commissioners any statement respecting the corporation of London which you may think desirable with regard to its relation to the state?—There is no doubt the more one looks to the early charters of the City of London and the history of the corporation, the more one sees that this corporation stood in early times in a peculiar position towards the state, a position in which it is impossible at the present day it could stand. The corporation of London, or rather the body politic of the citizens of London, in early times stood in a very important position in reference to the state. It has been a question whether in the time of the Anglo-Saxons it was not in a great degree independent of the Crown. It had palatinate powers, and it had formerly very extensive powers, which appeared to render it independent of the Crown. The only remains which we have now of the power which existed in ancient times with regard to the corporation of London and its influence with the state, are to be found in the ceremonies occurring at the coronation, and those which attend the sitting of the members for the City of London in Parliament, and the presentation of petitions. We know with regard to the choice of the Sovereign and the accession to the Crown in ancient times, the corporation of London had a more than moral influence. It had a very powerful influence in deciding upon the choice of the Sovereign. We have been told by historians that some kings have lost their crown by having opposed the City of London, and others have gained a crown by the favour of the citizens. We know in the time of the wars between York and Lancaster, great influence was exercised by the city in the choice of a sovereign. We find, and here I refer to records which exist upon the subject, that the Anglo-Saxon kings conferred with the whole body of the citizens of London as to the government of the empire. We have in the laws of Athelstan, a sort of solemn compact between the Crown and the reeves, who were then the governors of London, as if the governors of the chief city were agreeing with the Crown as to the regulation of the state—that distinctly appears in a record of an Anglo-Saxon law set out in Wilkins' Leges Saxonicæ. We have a great many instances of the same kind in early times. Then after the accession of the Norman sovereigns, we find William the Conqueror in his very first year confirming the whole of the franchises and customs of London as they had existed from remote ages—confirming them at once in general terms, without specifying what the customs were, but declaring that the citizens of London should be law-worthy, as they were in the time of Edward the Confessor, admitting the existence of certain peculiar laws in the City of London at a previous period. Whether those rights of the citizens had been derived from their position when they were one of the free cities under the Roman system of colonization it is impossible perhaps at this remote period to say, but it is quite clear that the charter of the Conqueror did confirm customs then very ancient of the citizens of London. We have then charters from William the Conqueror down to the time of Richard the Second, which continually confirm the customs of London. In two or three instances those customs were confirmed by Parliament, that is to say, a charter granted by the Crown was sanctioned by both Houses of Parliament. We have a remarkable instance of that in Magna Charta, chapter 9, which confirms the customs of London. We have also a celebrated confirmation upon the accession of Richard the Second. It is a charter in 1st Richard the Second, which appears upon the Rolls of Parliament, and it expressly confirms the whole of the customs of London as they had previously existed. Upon those occasions the City of London appear to have paid very considerable sums to the Crown for the confirmation of their charters—they purchased, in fact, certain rights from the Crown. We know that independently of the sums which they positively paid to the Crown, the corporation of London were in the habit of lending very considerable sums to the Crown for state purposes, and when levies were made upon the country towards the expenses of the state government, we know before the Conquest so large a proportion as 11,000*l.* out of 83,000*l.* levied upon the whole kingdom was paid by the City of London.

745. Was that paid by the City of London as a corporation, or by individual merchants?—I shall presently suggest to the Commissioners, although I call the City of

London the corporation of London, that it did not exist as a corporation till long after the time I am now speaking of. The money was lent by the body politic of the City of London then existing.

746. Out of a common fund?—The loans were made out of a common fund, but the levies, I expect, were not; they were made, I imagine, from the whole body of the citizens. There is no doubt that the loans were made by the citizens assembled in their political assembly, whatever it was—their folkmote, or whatever other assembly they had. The only relic which now remains of this great influence which they had in the state is in certain ceremonies which attend my Lord Mayor.

747. Did not the political influence of the City last to a much later date than you have descended to?—I cannot attribute to the corporation of London any direct influence in the state after the accession of Henry the Seventh.

748. Was not a great influence exercised by the City during the Civil War?—A great moral influence was exercised, but they had no legal influence.

749. Did not their legal privileges enable them to give an asylum to the five members, and did not Parliament sometimes adjourn to the City in order to avail themselves of the privileges of the corporation?—There was, certainly, an advantage to be obtained from the right which a person had to protection within the City of London, and so far, great influence would be enjoyed by the corporation, but I do not infer from that that the corporation of London had any constitutional influence in the government of the state.

750. It had a very direct political influence upon the conduct of the supreme government, had it not, through its privileges?—Through its privileges it had a great moral influence.

751. Was not it something more than a moral influence?—It did not form a part of the machinery of the government, as it had done in ancient times. We know that down to much later period than the time of the Civil Wars, the City of London continued to enjoy great political influence, and possibly it does enjoy some more than ordinary political influence now. But I do not find, from any records of the corporation, that the City have any greater voice in the movements of the state than any other corporation. The ceremonies to which I have alluded are very unimportant. First of all, the Lord Mayor is a member of the Privy Council.

752. Is the Lord Mayor a member of the Privy Council on any other occasion than one, namely, when the Privy Council assembles upon the demise of the Crown?—Whether the Lord Mayor is admitted on other occasions, I do not know; but it has always been contended that the Lord Mayor is a member of the Privy Council.

753. Do you apprehend that the Lord Mayor would be summoned to any meeting of the Privy Council for any other purpose than that which has been mentioned?—I apprehend in ancient times he was. Upon a coronation, the Lord Mayor receives a certain golden tankard. The Lord Mayor claims also to act as chief butler. That claim was insisted upon in ancient times, as a great city privilege. In the time of Richard the First, and at the coronation of four or five sovereigns after Richard the First, certainly up to the time of Henry the Fourth, the City insisted upon this right as a great City right.

754. Has the right of appearing as chief butler at the coronation fallen into desuetude, or is it still asserted?—It is still asserted. I do not know practically whether the Lord Mayor took any part at the last coronation.

755. This right, probably, is not exercised at the coronation, unless there is a coronation banquet?—Not unless there is a coronation banquet.

756. The last coronation banquet being at the coronation of George the Fourth?—Yes.

757. Do you know if the Lord Mayor acted as chief butler upon that occasion?—I think the Lord Mayor did. I am not very conversant with the festive ceremonies of the coronation.

758. Is there any record from which it appears how the Lord Mayor came to be considered as a privy councillor?—There is a very considerable difficulty about the origin of the Lord Mayor acting as privy councillor.

759. Is he ever sworn in?—I do not think he is. With respect to the ceremonies, as we are aware, at the proclamation of a Sovereign, the Lord Mayor has insisted upon his right to exclude every stranger from admission into the City, he being at Temple Bar to receive the announcement of the accession of the new Sovereign. There are, also, ceremonies which take place in the Houses of Parliament.

760. Is not a formal communication always made by the Secretary of State to the Lord Mayor, when either the Sovereign or any member of the royal family dies?—Upon all great occasions, I believe, the Home Secretary or the Prime Minister communicates with the Lord Mayor. Upon the illness even of the Sovereign, a communication is made to the Lord Mayor, as it is upon all great state occasions. It does not appear to me that, except as a mere matter of ceremony, the corporation of London has any legal influence in the government of the State, more than any other corporation in the country.

761. Are there any observations which you wish to address to the Commission, in regard to the relation of the corporation of London to the trade of the metropolis?—Yes. With regard to the trade of the metropolis, the early charters of London show that the corporation, which at that time was composed of all the citizens of London, all the citizens of London being merchants or traders, had then the exclusive and entire control of the trade of London. There is a law of Ethelred, with regard to the customs to be paid by foreign

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merchants, and there is there a provision that foreign merchants should not forestall the markets from the burghers of London. That is set forth in Anderson's History of Commerce under the reign of Ethelred the 2d. That record shows that in those days the corporation of London had very considerable influence over the the trade of the kingdom, and had the entire influence over the trade of London. I will not attempt to go back to an earlier period, because every member of the Commission knows what Tacitus says of the trader of London; how, at a much earlier period, London was the resort of merchants from all parts of the world. This influence that the City of London had over the trade of London was made the subject of several charters, and ultimately of an Act of Parliament, which appears upon the Rolls of Parliament in the time of Richard the 2d, expressly giving power to the citizens of London to exclude foreigners from selling or buying of any other foreigner any merchandise within the limits of the City. Those exclusive privileges,—those rights to monopolise the trade of London in favour of the citizens and the members of the body politic, or the corporation existing at that time,—appear to have been the principal objects of the laws then in force in the City with regard to trade. The City was composed of every resident there; every resident was compelled to be free; and the majority of the residents being traders, there was no conflict between the citizens of London and the merchants, for the merchants were the citizens. The City of London was a peculiarly commercial body, composed of all the resident merchants there; and the contest then was, not between English-born merchants, who resided there, but with alien merchants,—with foreigners who resorted there, and were compelled, by certain laws, to sell their goods within a very limited period. This custom of excluding foreigners was supported by a number of the laws and customs of the City. One custom was, the seizing foreign-bought and foreign-sold goods. If a freeman of London protected goods belonging to a non-freeman, those goods could be seized; and that is always stated to be the custom of the City of London, called the custom of foreign-bought and foreign-sold. The custom, also, of excluding strangers, those who were not free, from the City, existed, as it has always been contended, long anterior to any of the charters or laws to which I have referred. It is set forth in Waggoner's case, in 8th Coke, as the immemorial custom of the City of London. There is a very elaborate judgment, which is partially referred to in the previous Report upon the corporation of London, which I have here in print; the judgment of Sir Orlando Bridgman. A question arose upon the subject of traders in London, and Sir Orlando Bridgman speaks in the most glowing terms of the power of the corporation of London over the trade of the City and Port of London. He says, in his judgment in Hutchins v. Player, "The same reason there is "for restraint of persons, as places for public buying and selling, and times within which "they should buy and sell, and trades with which they should meddle, and with which they "should not meddle as,—that a dyer should be no clothier, nor a butcher a tallow-chandler, "—without the aid of and before the statute of 5 Elizabeth. So the carmen, draymen, "porters, cobblers, musicians, exchange brokers, retailing brokers, farriers, watermen, and "generally all other trades in the City, have had their regulations and restrictions from the "Common Council and Court of Aldermen, and so generally men of all other trades and "employments in the City, till they have been admitted to become brotherhoods, and after-"wards to obtain charters, with powers to choose governors and officers for regulation of "their own mysteries, subject nevertheless to the mayor and aldermen, &c.; and these "restrictions have been as great as in our own case." This judgment is full of observations about the extent of the powers of the corporation of London over the trade of the metropolis; and Sir Orlando Bridgman specifies a number of instances in which the corporation have exercised power over trade. They appear to have had within the City almost as extensive a power over trade as the supreme legislature; a power which was more often exercised, and more directly exercised, than by the supreme legislature itself. They regulated the brokers, as they do at the present day. They regulated the companies and guilds of every trade set up in London. Every trade, at one period or other, in the course of time, became a brotherhood, and those brotherhoods or guilds were under the immediate governance of the corporation of London. The corporation at large could control the admission of individuals to the livery, and make general trade regulations. This connexion of the corporation with the trade of London, as it existed in the custom of exclusive trading, and the custom of regulating the trades or mysteries, has rather fallen into desuetude.

762. What meaning do you attach to the term exclusive trading? What do you consider was the nature of the privilege which the citizen merchant of London possessed when he was said to have the privilege of exclusive trade?—It is set forth in Waggoner's case, as regulated by the charter of Richard the 2d, "that no foreigner do sell or buy of any other foreigner any merchandise within the liberties of the said City, upon pain of forfeiting the same." All dealings between persons who were not freemen of the City were prohibited.

763. That is to say, a foreigner might no doubt purchase from a citizen, but he might not sell to him?—He might not sell to him.

764. All selling upon the part of a foreigner was absolutely prohibited?—It was absolutely prohibited, except in the public markets of the City of London, and within forty days of his coming within the City. He had a right to remain for forty days within the City, to sell his wares, and then he must depart.

765. At that time you think a foreigner could have sold his goods in the open markets of the City, without being a freeman?—Yes.

766. What do you understand to be meant by the public markets?—We know, with respect to the City of London, the whole of the City was a market overt, and there was the difficulty; but the way in which the foreigner was restricted was by the internal regulations of the corporation, which fixed upon certain spots for the goods to be sold, and certain days for the markets to be held on. For example, there was a market at Blackwell Hall for cloth, and markets in various places for various goods. We know, from the names of streets, how markets were confined to particular streets. Those markets were regulated, not only as to their place, but as to their time. Sir Orlando Bridgman mentions in his judgment that the corporation regulated the places where they were to be held, and the times. The great subject of trade was cloth, which was sold at the Cloth Fair, which was in the neighbourhood of the St. Bartholomew's, where the merchants came, and were obliged to leave in a certain time. There were officers of the corporation continually on the watch to give them a hint to go when they had sold their goods.

767. Are you aware whether the laws and regulations of the City of London were more or less liberal towards foreigners than those of other mercantile towns at the same period?—They certainly were less liberal than those of other mercantile towns of England; for we have several Acts of Parliament, in the time of Henry IV. particularly, and, I think, also in the time of Edward III., giving merchants a right to come and go, for the purpose of trading, generally throughout the kingdom, there being special clauses introduced to save the customs of the City of London.

768. With regard to foreign merchants, in the ordinary sense of the word, that is, aliens, has not it always been the disposition of the City of London to encourage the resort of foreign merchants?—It cannot be said that it was always the case, for Acts of Parliament prohibiting aliens from remaining a certain time were passed by the express prayer of the corporation of the City of London.

769. You are not aware whether, with regard to foreigners, the disposition of the City of London was more or less liberal than that of the citizens of other commercial cities on the continent at the same period?—I cannot undertake to say whether the policy of the City of London was more or less liberal than that of continental towns, but it was certainly less liberal than that of the borough towns in England; for they had special laws, giving them exclusive rights, at their express prayer.

770. At present there is no cloth fair, is there, in the City of London?—There is not.

771. Formerly a merchant who was not a citizen, whether he was an Englishman or an alien, could have sold cloth in the City of London without being a freeman, provided he sold it at the cloth fair?—Yes.

772. If a person now were to wish to sell cloth in the City, could he do so without being a freeman of the City?—Whether he could legally do so is a very great question; but practically the corporation have ceased to enforce their rights against wholesale dealers at all.

773. Supposing he were a retail dealer?—Supposing he were a retail dealer, he could not.

774. Then a retail dealer in cloth would now be in a worse position in the City than he would have been at the time of the existence of the cloth fair?—Yes.

775. Can an alien become a freeman of the City?—He cannot.

776. Then, in point of fact, an alien could not set up as a retail shopkeeper in the City of London?—He could not, as a matter of right.

777. Is it the case now that no alien is permitted to exercise any retail trade within the City?—He could be excluded if the law were enforced against him. An alien could be admitted to the freedom by the express act of the common council.

778. Do you know, as a matter of fact, whether there are aliens who are shopkeepers in the City of London?—No doubt there are a great many.

779. Is their being so winked at?—I conclude it is winked at; and that, inasmuch as an alien could not have the same facility of obtaining his freedom as an Englishman, the wardmote inquest would pass him by, or, if he were returned, no proceedings would be taken against him.

780. Does he obtain his freedom in the ordinary way, or by a special act of the common council?—I believe by a special act of the common council.

781. In that case would he pay more for obtaining his freedom than if he obtained it in the ordinary way?—I do not know what the fees are. It has been a very rare proceeding. Practically, at this day, the only regulations which are enforced as to exclusive trade are against retail dealers and against brokers and publicans. There are some retail dealers, as the Commissioners are aware, who are protected by special statutes as to sailors and soldiers and their children. Being myself the son of an old officer, I have the privilege of setting up a retail shop in London, if I like. All those whose fathers have been in certain wars during a certain period have that privilege, as also the soldiers and sailors themselves, and their wives and children. These Acts of Parliament passed at the conclusion of the peace.

782. Did the Acts of Parliament of which you speak refer solely to the City of London?—No; they referred at the time to the whole of the corporations of England

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which had exclusive trade privileges. But those trade privileges, in other cases, have been repealed by the Municipal Corporations Act, so that now they only exist in the corporation of London.

783. Will you have the goodness to state to the Commissioners what is the exact extent of the trade privileges now claimed by the City of London, and what is the extent of the privileges which they actually exercise?—It is difficult to separate those two things. They can hardly be said to claim that which they do not enforce. They do not really claim any privilege, except against retail dealers and brokers and publicans. No person can be a broker within the City unless he is free, and is admitted by the Court of the Lord Mayor and Aldermen. No one can set up as a retail dealer except he is free of the City; and no one can open a public house without taking up his freedom.

784. Are not the claims of the corporation, with regard to metage and porterage, trade privileges?—Yes; those I will refer to immediately.

785. The trade privileges to which you have referred, existed in other corporations besides that of London before the Municipal Reform Act?—Yes.

786. Did they rest upon the same ground, as being conferred by charter?—Those rights could not exist by charter. The right of exclusive trading, inasmuch as it is opposed to the common law, could not be conferred by charter; it could only rest upon immemorial custom or Act of Parliament.

787. Did the rights of those other corporations rest upon immemorial custom?—They were assumed to rest upon immemorial custom.

788. They were abolished by statute?—Yes.

789. Therefore it would be possible for the Legislature to deal with those customs in the City of London as they have dealt with them in other corporations?—Precisely so. And I may say, to the credit of the corporation of London, that in a bill which was brought before Parliament the session before last, which I had the honour of opposing, they did propose to abolish those customs.

790. Is it your belief that there is no custom in restraint of trade in the City of London which may be considered as dormant, and which is not enforced by the City?—I believe the custom of excluding all dealers, wholesale or retail, and the custom of seizing foreign-bought and foreign-sold goods exist in law at the present time.

791. Then it would be true to say there are legal customs which the City may claim as such which they do not enforce?—Yes. Then also the corporation regulate brokers. The regulation of brokers is by virtue of an immemorial custom which is recognised in some of the earliest charters and some of the earliest laws relating to the City of London. There is a law called the Statute of the City of London, in Edward the First's time, and that law speaks of it as an ancient custom that no one should act as a broker in the City of London except he should be admitted in a corporate assembly by the choice of the trades or mysteries in which he practised. That custom, thus conferred by statute, has been confirmed by a variety of statutes, till an Act of the 57th of George the Third, which increased the amount payable by a broker upon his taking up his freedom, and the annual sum payable by him, which are received by the corporation under the name of brokers' rents.

792. Is that a public Act?—It is a local Act. A statute of Anne, a statute of William and Mary, and four or five other statutes relate to this regulation of brokers, though all enforce the same law originating in the custom that the City authorities should regulate all brokers between buyer and seller in the City of London; and the Court of Aldermen, in whom the power is now vested, requires the broker to enter into a bond for his good behaviour and to pay the brokers' rent. He is also to observe certain byelaws which are made by the Court of Aldermen for the regulation of brokers. The Court of Aldermen, while they are a legislative body regulating the brokers, are also a judicial tribunal to which the offences of brokers are referred, and they sit as a court to hear complaints against brokers. There was a case which was reported in some of the daily papers a few days ago of a complaint made against a broker upon the Stock Exchange who had committed some frauds. The corporation of London took up the case, but I do not think that they are very often called upon to exercise those powers. As far as my personal experience goes, they appear to me not to exercise their powers, unless in a very clear case indeed. For example, I was engaged some time ago in a dispute which occurred in the leather trade as to some charges made by a broker. There was no charge of misconduct against the broker, but there was a system of charging which was objected to by the sellers. Very considerable expense was incurred in order to have the question properly tried. I recommended the case to be brought before the Court of Aldermen, and certainly the result of that appeal impressed me with anything but a favourable opinion of the Court of Aldermen as a judicial body in deciding matters of any importance. I believe a large number of merchants who were engaged in that case were very much dissatisfied with the result; in fact, the Court of Aldermen came to no conclusion whatever.

793. How many aldermen sat?—About twelve or fourteen. There was very considerable confusion.

794. Was the Lord Mayor in the chair?—The Lord Mayor was in the chair.

795. But they came to no decision?—No.

796. Was the question put to the vote?—The room was cleared, and the question was

put to the vote, and the result was, after an adjourned meeting, that the Court of Aldermen would not interfere.

797. Did they pronounce no adjudication upon the question?—No.

798. Was it a judicial question?—Yes, as to the construction of their own byelaws.

799. Was the result of the case that they declined the jurisdiction, and did not adjudicate?—I cannot say what the ground of the decision was. All I can say is that the Court of Aldermen refused to exercise the jurisdiction they had.

800. Was any other remedy open to the parties?—An action to try the question.

801. Was it in the nature of a civil proceeding; were there a plaintiff and a defendant, a distinct issue being raised?—The application was made under the byelaws of the Court of Aldermen which regulate brokers, and which prevent brokers from receiving commission from both buyer and seller. The selling broker upon this occasion claimed a commission from the buyer at the public sale, as well as from the seller. It was a fair and, I believe, an honourable dispute between the brokers as a class and the buyers as a class, and it was in a good spirit referred to the Court of Aldermen.

802. Did it come before the Court of Aldermen as arbitrators, or as exercising a sort of patriarchal jurisdiction?—It came before them as a tribunal exercising jurisdiction over brokers.

803. In what form did the question come before them?—In the nature of a complaint of the infringement of one of the bye-laws.

804. It was rather an application for redress than an issue joined?—Yes.

805. In that case, therefore, they might with propriety have declined to give redress?—I do not charge the Court of Aldermen with any impropriety in the matter; but I think that in cases of that kind, and in all cases where difficulties arise, the jurisdiction of the Court of Aldermen is of little use. That was one of the cases which showed that the Court of Aldermen did not feel themselves competent to decide a matter, as to which the Legislature had conferred upon them jurisdiction.

806. Do you suppose they felt that they had an interest in the question?—I have no reason to impute to them misconduct in any way, or a belief that they were interested. It certainly was an instance where the Court of Aldermen had power, and did not exercise it. With regard to the regulation of the river Thames, which is immediately connected with the trade of London, the corporation are invested by very early statutes and charters with the conservancy and regulation of the Thames. The conservancy of the Thames in ancient times appears to have consisted principally in the regulation of the fish, and there are very few of them left in the stream of the Thames near London at the present time. For the exercise of those powers, which were conferred by early charters, the corporation of London had an officer called the water bailiff, whose power and authority still continue.

807. Does it appear clearly that the original purpose of the conservancy of the Thames was principally limited to the preservation of the fish?—The preservation of the fish, and also the removal of the weirs which impeded the navigation up the river.

808. Below the bridges, had they nothing to do with the protection of the river against the accumulation of shoals and other impediments of that nature in the channel?—I am not aware of any record which exists of the corporation of London having in early times kept clear the great stream of the Thames below what is now London Bridge.

809. Are there not other parties—the Admiralty and the Crown—who have claims with regard to the river?—A case is now pending with regard to the claim of the Crown to the government of the Thames. It is the case of The Attorney-General versus The Corporation of London, and is now pending in the Court of Chancery. The question is the right of the corporation to the conservancy of the Thames.

810. Does that suit involve a dispute of the right of the Corporation to anything like the conservancy of the Thames?—It does. That question is still pending.

811. Is the question in that case as to the conservancy of the Thames, or as to the right to the soil between high and low-water mark?—I have nothing to do professionally with the case, and I cannot be positive; but I think it involves the right to the conservancy as well. Certainly one of the questions is as to the bed and soil of the Thames. There is a charter of Henry the Sixth, which is said to grant the right to the bed and soil of the Thames. That charter was afterwards repealed; at all events, the right to the soil of the Thames, which is supposed to form one of the rights of the City, is in dispute. The right to the preservation of rivers appears to have been conferred, in the case of other rivers, upon particular officers, called "Conservators." The Act of Richard the Second, referring to the conservancy of the Thames, gives the Mayor of London the same power over the conservancy of the Thames which those officers had in other rivers. With regard to the port of London and the river Thames, as connected with the trade of London, the rights of the corporation at a very early period were confined to the exaction of tolls. They, no doubt, expended money on the erection and keeping up of quays, and wharfs, and landing-places. I do not know in what other way the corporation expended money to preserve the port of London. They were also entitled to certain tolls. The Crown had a right to certain tolls on landing goods, in the nature of petty customs, at Queenhithe and other landing-places, and those were granted by the Crown to the City in consideration of a sum of money, There were tolls taken at Queenhithe where corn was landed, and also tolls at other places; those tolls attached upon corn, and fruit, and roots

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used as food. And upon the accession of James I. he granted a charter to the City of London, in which he gave them the right to what was called the metage of all corn, and fruit, and roots edible (extending to potatoes, a very large article of importation into London), brought within the limits of the port of London.

812. That would include both banks of the Thames?—Yes, as is contended by the City; but the question is in issue upon that point. That was a grant from the Crown, but not a grant by Parliament. I am now speaking of the charter of James. That same charter also granted to the corporation the metage of coal. Sea-coal was an article of new importation, and not a subject of immemorial custom. The corporation, having the grant of the right to measure the coal as it was landed, in order to measure it, it was necessary to carry it to be measured; and it was hence that the corporation of London, without any express grant of the porterage of either corn or coal, but with that general power which they had to regulate labour and trade within the bounds of the City of London, erected the fellowship of porters called the corn porters and the salt porters. The corn porters had particular things which they might carry; and the salt porters carried salt, which was then an important branch of trade, and so on. The metage of corn and the metage of coal were regulated by the City porters insisting upon the right to carry it and taking it to the meter to be measured, in order to ascertain the amount of the duty which the City might claim for the labour of measuring. So that there was the carrying it to be measured, and when it was measured the City claimed the right to be paid for measuring it. There was no immediate advantage in the measuring to the owners of the coal or corn; but the City claimed that duty, and the duty was supposed to be good (as it was held to be in the case of other grants) as a port custom, in consideration of certain repairs done to the port by the corporation.

813. You stated that the extent of those privileges was now in dispute?—Yes.

814. To what case do you refer particularly?—I am speaking of the limits within which the meters may exact the City payments. The particular case I refer to is the case of Combe versus the Corporation of London.

815. In that case, other points are in dispute besides the extent of the jurisdiction, are they not?—Yes; there is a bill of discovery, and a denial of the right altogether.

816. In all those cases the metage is compulsory?—The metage is compulsory.

817. So that if a person landing coal or corn or any other article falling within the grant, objects to its being measured, the City insist upon measuring it, in order that they may have their fee?—They do.

818. Has that right been constantly exercised?—I believe it has been constantly exercised ever since the charter of James.

819. Do you happen to know the territorial limits within which the claim extends?—The claim is made within the port of London.

820. What are the bounds of the port?—The bounds of the port of London are Yantlet Creek in the county of Kent, and Staines in the county of Middlesex.

821. That would include both banks of the river, taking Staines as the highest point and Yantlet Creek as the lowest point?—Yes.

822. Do you happen to know the number of miles?—No.

823. Do you believe that the privilege is enforced in the county of Kent?—I believe there are places in the county of Kent where it is enforced, but I know there are places in the county of Kent where it is resisted. I should be touching upon professional privilege if I alluded any further to the case in which I have been myself engaged upon that subject.

824. Is that a right of much value to the corporation?—The metage is of very considerable value; it produces a large revenue.

825. Is it a right to which the public submit willingly or reluctantly?—All the public, except such wealthy men as Messrs. Combe, Delafield, and Company, who can carry the case to the House of Lords, submit to this claim.

826. Do they submit willingly or reluctantly?—I am not able to say. I should think they grudged the payment very much.

827. The charges which the City make are much larger than would be paid supposing the privilege did not exist?—They are.

828. Are the meters a close corporation?—The meters form a fellowship which is not incorporated; they are admitted to form an associated body of men under certain regulations.

829. Can any one who wishes to be a meter become so as a matter of right?—Certainly not; it is a valuable office.

830. Can he become so if he chooses to pay the entrance fee?—No; the men enter first as labourers under the name of porters, they then obtain a certain rank. There are two or three hundred members of the fellowship, many of whom are in a very poverty-stricken state. They rise from one step to another till they become corn porters, which is a higher grade than that of ordinary labourers. From that they may become shifters—a shifter being a very important officer indeed, deriving a very large revenue from his share of the metage.

831. There is a double advantage derived from that privilege, one by the persons who are meters, and another by the City?—Decidedly there is a double advantage.

832. Do you know what the entrance fee of a labourer desiring to be admitted to this fellowship is?—I do not know; it is not large in the first instance, but they pay an

annual sum out of their wages. There is a very large sum accumulated by the fellowship, and there have been many disputes of late.

833. Do they pay that sum to the corporation?—No, to the fellowship. There is a fellowship with certain funds. It is a corporate institution, but it is also in the nature of a friendly society.

834. In point of fact, this institution of the fellowship you speak of is a subject of valuable patronage to the corporation?—Yes, so far as regards the metage, but not so as regards the fellowship porters.

835. With whom does that patronage rest?—With the corn and finance committee of the corporation of London.

836. They are common councilmen and aldermen?—They are common councilmen and aldermen. The Commissioners will understand me, that the fellowship to which I alluded is the fellowship of porters; the meters and sifters are connected with the porterage, and they act in unison with them. Connected with this metage is the porterage of corn. In order to take it to be measured, it is necessary to convey it, and the corporation claiming the right to regulate all labour within the City, have made laws which profess to extend beyond the limits of the City, and to be co-extensive with the metage. The consequence is, that the fellowship porters who are attached to the metage, claim to exercise their powers out of the limits of the City of London proper, but within the limits of the port of London. The fellowship porters are by the byelaws of the corporation invested with the monopoly of labour throughout the whole of the port of London: that claim has been resisted.

837. You stated that the claim to the superintendence of the porterage was derived by implication from the general power of controlling the trade of the City?—That is so.

838. The power of the metage is derived from the grant of the Crown, and extends much beyond the limits of the City?—Certainly.

839. It would follow, therefore, that the power over the porterage is limited to the City, strictly so called, and is not co-extensive with the power of metage?—That is the case; but the corporation of London, by the byelaws that were passed upwards of one hundred years ago, have made the mistake of conferring upon the fellowship porters a monopoly of labour co-extensive with the metage, and further than they can legally extend it, and the fellowship porters insist upon their rights now.

840. Is that claim now abandoned by the corporation?—It is not abandoned. I have myself been engaged in a dispute with them with regard to one of the dock companies on the Surrey side.

841. Does not the present state of the privileges of the City of London generate a great deal of litigation?—I was almost going to say that I was happy to find that it does engender litigation. Looking, however, without the narrow view of a lawyer upon the subject, I must say it does engender a vast deal of litigation. And when I call the attention of the Commissioners to the fact that there are within the limits of the metropolis 700 local Acts of Parliament; that there are very nearly 100 charters, and nearly as many customs, which can be called up from their slumbers to experimentalize with by any adventurous attorney or solicitor within the limits of the metropolis; the Commissioners can readily see how injurious is this system of obsolete customs and local conflicting laws being allowed to remain as at present.

842. Would not it be very important even for the interests of the corporation itself, always excepting the lawyers attached to the corporation, that the nature of its claims should be ascertained and simplified and rendered more distinct?—Most decidedly. One of the principal points to which I should wish to direct the attention of the Commissioners is the subject of the consolidaton of the useful laws and customs of the City, as well as of the rest of the metropolis, and the entire abolition of those which the corporation have thought proper not to enforce.

843. Of course to the community at large the vexation and expense caused by the litigation to which you have referred must be very considerable likewise?—It must.

844. What means have the public at present of gaining information as to the grounds upon which the City claim their privileges?—I do not know that they have any other means of obtaining information, except by consulting a lawyer, who would refer to the old books, or those which had been produced in modern times, or the Commissioners' report, or some other record of the law.

845. Have not the City certain charters and records and other documents upon which they ground claims, but which are inaccessible to the public?—To my personal knowledge the charters of the City of London themselves are not accessible to the public. I applied to the present town clerk for the inspection of the charters, with the view of giving an authentic version of them to the public in connexion with the book which I published. In the most courteous way possible Mr. Serjeant Merewether told me he was compelled to refuse; that he was not at liberty to give them to me.

846. In a short account of the case of the corporation of London versus Combe, the Commissioners were informed that the defendants, the house of Combe, Delafield and Company filed a bill of discovery to obtain information as to the grounds upon which the City made their claim with respect to porterage and metage, the right to which is in issu in that case. The City filed an answer to that bill, which was not considered satisfactory Exception was taken to that answer, and a second answer was filed. Exception was

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again taken to that second answer, and a third answer was put in. It was represented to the Commissioners that the defendants in that case, upon whom a large pecuniary claim was made on behalf of the City, were unable to obtain any satisfactory information as to the ground upon which the claim was made. Is that a state of things of which you have had any experience?—I certainly have found very great difficulty in obtaining access to records of the corporation to authenticate any custom or any charter, popular copies of which have been already before the public, and the contents of which the profession suppose themselves to be familiar with.

847. In the case referred to, the corporation came into court to assert a right which they say extends to the whole port of London on both sides of the Thames from Yantleet Creek to Staines. They are asked by the defendants to show the legal grounds upon which the claim is made. They refuse to give what is considered by the defendants a satisfactory answer. It is necessary to take exceptions twice over to their answers, and upon that point they have gone by appeal to the House of Lords. Does that describe a state of things with respect to the knowledge of the legal privileges of the City which appears to you at all desirable?—Certainly not.

848. We know by much experience that, however public legislation may be, disputes will arise as to the application of laws to a complicated state of facts; but does not an additional cause of litigation here exist, because the public are unable to ascertain the nature of the very laws or legal regulations upon which the claim is based?—Most certainly, and I propose to address myself to that point presently, as one of the most serious evils which appear to me to arise from the present state of things in the City of London. There are a great variety of conflicting laws, a great number of franchises claimed by the City of London and not enforced, and a great number of customs which are in the nature of local laws in the City of London, which are equally binding with the common law itself, but which have been so perfectly secluded from public notice that even the legislature is not aware of them. Gentlemen who draw Acts of Parliament are not aware of them, and great inconvenience frequently arises in consequence.

849. This is the case of a right which the City seek to enforce by expensive litigation. Do you think it reasonable that they should withhold a knowledge of the charters or whatever the legal grounds may be upon which the claim is made?—Certainly not.

850. Is it the usual practice in litigation of that sort to drive the defendant to a bill of discovery to obtain such information?—It was, until the passing of the Evidence Act, I am sorry to say too much the case, that people in possession of old rights generally kept their adversaries in the dark—at all events it was the custom of the legal profession to do so.

851. Would the City of London consider itself in the same position as the lord of a manor or proprietor of the toll of a bridge, and regard its charters in the light of title deeds?—I believe that is the view which the officers of the corporation of London are instructed to take at the present time—that they are not to expose the records of the corporation, although upon public matters, to the public view.

852. Practically would they treat them in the same way in which a private proprietor would treat the title deeds to his estate?—Practically they do so.

853. Is it upon that ground that they are resisting that discovery?—It is upon that ground. As the Commissioners will well see if it were not Combe, Delafield and Co. but some poor corn merchant, he would have been ruined before the first bill of discovery could have been brought to a close. The alehouses in the City are now so generally regulated by the general Act of Parliament that the few regulations of the City require but a very short comment at my hands; it is sufficient for me to say that the Licensing Act secures the privileges of the City—one of the privileges being that the members of the Vintners' Company are entitled to carry on business as publicans—I think it was commented on in the Report of the previous Commissioners, that very often the members of the Vintners' Company who carry on the business of public houses, are not the very best class of publicans. I believe occasionally brothels have been kept by members of the Vintners' Company, and dancing houses—a notorious place called "H's" I believe was kept by a vintner.

854. Are the members of the Vintners' Company who have the regulation of these houses, of necessity vintners?—No, the Vintners' Company exercises very little control over its members in regard to their trade, provided they pay their quarterage.

855. Is not it the case that in process of time the persons who become members of different companies in London have nothing to do with the trade the name of which the particular companies bear?—Nothing at all.

856. Can a man who is a member of the Cooks' Company, for instance, exercise any trade in London?—Yes, he may turn over to another company. There are some of the companies who enforce their rights, and there are certain acts of Common Council which require persons who are admitted to the freedom to be admitted through particular companies. The Butchers and some half-dozen of the smaller companies have the protection of acts of the Common Council requiring people of these trades to be admitted through them; but otherwise the rule is as stated in the question.

857. You stated that the Evidence Act gave facilities for obtaining information from the City of London as to the charters: what has been the operation of that Act in that respect?—The Evidence Act which was passed two sessions ago, gives a power to a court of common law of granting an inspection.

858. Does not the City of London claim the right, that paramount effect should be given to its usages, unless they are specifically repealed in an Act of Parliament?—It does, and I particularly wish to draw the attention of the Commissioners to that point.

859. Would the Evidence Act therefore afford any remedy to the inconvenience complained of in the case of litigation against the City of London?—The great evil which arises from those customs and usages of the City of London being placed in the position in which they stand by so many confirmatory Acts of Parliament is, that there is always a doubt whether they continue to exist or not, and whether they shall avail against a public general Act of Parliament. I shall presently call the attention of the Commissioners to a list of cases, where the legislature in its wisdom has thought proper to introduce certain general and comprehensive reforms loudly called for, in the general administration of the law in which questions may arise and indeed have been raised—whether the City of London is comprehended in those reforms.

860. Suppose Messrs. Combe, Delafield, and Company were to attempt to obtain an inspection of the charters of the City by means of an order of a judge at chambers, would they not be opposed on the ground that the City were not specifically named in the Evidence Act?—I assume that that might be a possible consequence.

861. Therefore the Evidence Act might only give rise to further litigation?—Yes, with regard to the companies I think I ought to address a word or two to the Commission. The companies do not exercise any power over trade, except in the few small instances to which I have referred; but the corporation at large have a power over the companies, and as I conceive, they might insist if they were so disposed, upon the companies being composed only of members of the trade. They have still great power over the companies or guilds, and members of the corporation in general, and they may oversee the regulations of the companies as to their trade.

862. Will you have the goodness to pass to the next point on which you wish to address any observations to the Commission?—With regard to the regulation of the metropolis, the corporation of London at this time have very little power beyond the limits of the City. A great many of the charters of the livery companies extend to a certain distance round London, some 7 miles and some 21 miles. In the case of the Tobacco Pipe Makers they extend all over England. Thus indirectly the corporation of London have some small powers beyond the limits of the City. With regard to the port of London also, which extends farther than the limits of the City, they have a certain power, otherwise their power out of the City is almost nominal.

863. They have a control over some of the Irish corporations, have not they?—That is in respect of their Irish estates, which are private property. The City, under the authority of certain charters, elect the sheriff of Middlesex. We know that the sheriffs formerly had very extensive powers; they were the principal conservators of the peace, and it is very possible that the objects of those charters was to give the corporation of the City of London an extensive power over the whole of Middlesex, in which county the City was locally situated. They had, by some other charters, power to arrest thieves who escaped out of the City into the suburbs, and it would appear that the City were invested with those powers, for the purpose of extending their police jurisdiction as the City increased in extent. To prevent the suburbs exceeding the limits of the municipal government, at a more recent period, viz., in the time of Elizabeth and James, Acts of Parliament were passed prohibiting new buildings in the neighbourhood of London, and, as matter of antiquarian curiosity, sometimes those statutes are dragged out of their obscurity, to show the absurdity of legislation at that time. The object clearly was to give the municipality of London a jurisdiction over the whole of the metropolis. In Westminster there was a special Act of Parliament passed in the 27th of Elizabeth, which gave to the Dean and Chapter of Westminster a power to exercise a sort of police authority, to punish certain persons, (among others prostitutes,) and to exercise a similar authority over the parishes of Westminster, which the corporation of London had within the limits of the City. That authority still continues. There is a high bailiff of Westminster, and certain forms are gone through, but in consequence of the establishment of the new police and the various Acts which regulate Westminster, the power of the Dean and Chapter has sunk into disuse.

864. The connexion of the City with Southwark is very peculiar, is it not?—It is very peculiar. The first instance of their having power in Southwark, was on the occasion of a grant from Edward III.; he granted the whole of Southwark to the City. Previous to that time, Southwark had a distinct charter of incorporation. I suppose the system of local government failed within Southwark, and Edward III. granted to the City of London the government of Southwark. The charter of Edward III. merely had the effect of enabling the City to receive certain dues in Southwark, and they also searched for thieves and felons there; but Southwark was not incorporated as part of the City of London till a long time afterwards; Edward IV. granted another charter to them, and in Edward VI.'s time the City obtained a complete grant of the whole of Southwark. Those grants appear to place the whole of Southwark within the limits of the corporate authority of the City of London. Practically, however, it is not so. The charter of Edward VI. gave to the City the power to annex Southwark to London. An Act of Common Council was passed soon afterwards, declaring that the borough of Southwark should be constituted a distinct ward of the City, and it was called the ward

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of Bridge Without. At that time on London Bridge there existed some houses. The charter to which I have referred, having granted to the corporation the government of Southwark, and it having been constituted a distinct ward, common councilmen and aldermen were chosen for a short period for that ward; but in the course of time the practice sank into disuse, and Bridge Ward was confined to the houses at the Bridge foot, as it was called, the corporation of London only recognized the persons who lived at the Bridge foot, on the Southwark side, as members of the Bridge Ward Without. The result was, that when the houses were pulled down, there remained no constituency; the practice of returning common councilmen fell into disuse; and, by virtue of various acts and bye-laws of the City, the senior alderman, for the time being, was made the alderman of the ward of Bridge Without, receiving a certain sum for the onerous duties he performed.

865. What do you suppose to have been the reason why Southwark was never incorporated with the City?—Possibly, like other City questions, a difficulty might have arisen as to the extent of the operation of this charter annexing Southwark to the City of London. Inasmuch as many charters and laws in the City of London previously to that time were confirmed by statute, and differed from the general law, this charter of Edward VI., which was a mere charter from the Crown, would not completely incorporate Southwark within the City franchises, but only make it part of the municipal government for certain purposes.

866. Did the City at any time evince a desire to complete the assimilation by applying for an Act of Parliament?—Never, that I am aware of. There was an application made to them from some of the inhabitants of Southwark in 1836, I think, which was supported by a sort of committee within the borough of Southwark. It was an application to be either connected with the corporation of London, or that the corporation of London would be pleased to abandon all claims upon them, and allow them to obtain a charter for themselves. The City of London maturely considered the question for a long time, but they made no report on the subject.

867. Have you yourself formed any opinion as to the mode in which it would be desirable to deal with this part of the case?—I think the best plan with regard to Southwark, as with regard to all the other metropolitan boroughs, would be to incorporate it separately.

868. Do you apprehend that there would be any great difficulty experienced with regard to property or otherwise, in severing Southwark from the City of London?—No difficulty whatever.

869. The City of London has property connected with Southwark, has it not?—It has landed property in Southwark, but that would not be disturbed any more than the property of private owners. They have also certain franchises, such as the right of holding a court; but I should think, speaking now merely from memory, that the franchises of the City of London within Southwark are not remunerative to the City.

870. If it were thought expedient upon public grounds to sever Southwark from the City of London, do you apprehend there would be any practical difficulties in that course?—I apprehend not.

871. You state that the franchises of the City in Southwark are not remunerative to the corporation: do you think that may have been the reason why there was no great desire in former times on the part of the corporation, to bring Southwark effectually within the limits of the corporation?—I think it was probably the case. The Commissioners will see, that if Southwark had really formed one of the wards of the City, the four or five common councilmen who might have been returned for the ward of Bridge Without, where the inhabitants have no interest in the hereditary revenues of the City of London, would still have a voice in the common council of the City, in voting away those revenues. The City, therefore, would have considerable interest in not allowing the inhabitants of Southwark to participate in the franchises.

872. Two or three centuries ago, Southwark was a much poorer place, in comparison with the City of London, than it is at present, was it not?—Certainly.

873. Do not you think it likely that that was a strong motive to prevent the City taking any effective means for incorporating Southwark within their boundary?—That might have been another reason.

874. Do not you think that is more likely to have been the reason than the legal difficulty which you have pointed out?—Yes. The legal difficulty could have been overcome by an Act of Parliament, and as the City obtained many Acts of Parliament in each session, they might have obtained one for that purpose.

875. Was there ever a period when the common councilmen who represented Southwark were chosen by the inhabitants of Southwark?—Yes; there were common councilmen and an alderman chosen by the inhabitants of the ward of Bridge Without.

876. Will you now proceed to make any statement you may desire to offer to the Commission upon the constitution of the corporation?—The corporation of London is different from any other corporation in this kingdom. It has no governing charter, and no Act of Parliament which really defines what its constitution is. It has no constitutional charter at all. The early charters, and some of the early statutes, simply declare that the citizens of London, as a body, should have all their ancient customs; but there is nothing said about what the citizens were, whether they were a corporation, or in what way they formed a body politic.

877. Did the corporation of the City of London materially differ in this respect from the corporations of other towns in the kingdom?—It did; because the greater number of the corporations which existed before the Municipal Corporation Act, were really created by charter. There are some instances, but they are few, of corporations having existed by prescription. Generally speaking they were either created by charter, or so remodelled by charter that there was a governing charter, declaring what the corporation consisted of. I cannot undertake to say whether there were not instances of corporations without any governing charters at all; but they were very few, if there were any. In the case of the City of London, there are charters which run from William the Conqueror, certainly down to Edward IV., in which the corporation of London, or the body politic, or whatever it is, is described in every variety of way. There is a charter of William the Conqueror, which is to the port reeve and burgesses. The Anglo-Saxon law which preceded it—the law of Athelstan—speaks of the bishops and reeves in London met in their free guilds and confers certain rights. In Magna Charta it is said "the City of London" shall have all its ancient privileges. It is not mentioned as a corporation, but only as "the City of London." Then come a number of charters from Henry I. up to John, in which the words are "citizens of London." One of John's charters calls them "the barons of London." I should mention that the merchants of London had certain Anglo-Saxon privileges; of being raised to the rank of thanes on having made a certain number of voyages. A subsequent charter also speaks of the corporation at large, as "the mayor and commonalty," the title of mayor being used first in the time of Henry III.

878. Is the office spoken of as early as the time of John?—Yes, but it is possible that the title of mayor, which was a French term, might have been merely descriptive of an officer who had existed for a long time before, for instance, the port reeve mentioned in the charter of William the Conqueror might really have been the mayor. In the reign of Henry III. they are mentioned as "the mayor and commonalty," and in some instances as "the mayor and honest men." At the present time the City of London in pleading their privileges call themselves "the mayor and commonalty and citizens of London," they always set up that they are the mayor, commonalty, and citizens of London; they plead that they are a corporation which has existed from time immemorial, by several names of incorporation, and that they now are an incorporation by the name of "the mayor, commonalty, and citizens of London." This name will appear to the Commissioners to be of more importance, if they will consider the extensive powers of internal legislation which the citizens have.

879. Is there any charter which says there shall be a mayor, aldermen, and common council of the City of London, having certain powers?—There is no charter or Act of Parliament which expressly says so; but there are charters which have conferred upon the corporation powers which can only be exercised by the common council, and powers which can only be exercised by the mayor, aldermen, and common council.

880. There are charters and statutes recognizing those bodies, but none constituting or creating them?—Exactly so. It is always laid down that it is essential to a municipal corporation that it should have a head; the mayor therefore may be considered an integral part of the corporation. Whether the Court of Aldermen is an integral part of the corporation, or whether the various courts in which the affairs of the corporation are now conducted, form integral parts of the corporation of London, may possibly be matters of great legal doubt. I see it is observed by some lawyers, by Mr. Kidd among others, that they do not form an integral part of the corporation of London.

881. To how early a date can you trace the title of alderman?—I am not certain; but I think to the time of Henry II. There are various statutes which give powers to the common council which can only be exercised by the mayor, aldermen, and commonalty; therefore it is quite clear that the constitution of the corporation cannot be altered except by an express Act of Parliament, which would repeal the whole of those laws. The constitution of the corporation consisting of the citizens of London assembled in their various courts, having various governors, the lord mayor, and aldermen; there are certain laws which regulate the qualifications of citizens to preside in the several courts. One law, which has been certified to the courts of Westminster, is, that before a person can become a citizen of London he must become free of one of the companies; and, in that respect, the companies have always appeared to me to form integral parts of the corporation of London, inasmuch as a person cannot acquire the rank of citizenship without being a member of one of the companies. The companies, therefore, form legally an integral part of the corporation of London. That custom of the City of London is certified to the Court of Queen's Bench I think in an old case as an immemorial custom; which, as the Commissioners remember, being a custom of the City, is confirmed by Act of Parliament, and which, therefore, cannot be altered without an express Act of Parliament. Such being the state of the law, as I conceive, the common council have undertaken to alter it without resorting to the legislature; and, as far back as 1835, there having been a great dispute between the guilds and the City, the common council came to a resolution (they did not pass an act of common council, but they came to a resolution) that persons might be admitted to be free of the City without being free of one of the companies. That was a mere resolution of the court of common council in the year 1835. I have drawn attention in the book which I wrote on the subject, and in opinions which I have since given

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to this circumstance, I do not know what the answer to it is, but there appears to be a difference of opinion as to what the effect of that resolution is.

882. Is not that specifically mentioned in the first volume of Strange's Reports?—Yes, in 1st Strange, 675.

883. Was the effect of that resolution to repeal a usage which had the strength of an Act of Parliament?—It appears to me to be an attempt to repeal it.

884. If a company had sought to enforce its rights against that resolution, would the resolution have been strong enough to prevail against them?—Clearly not. That was one of the grounds on which the bill, the session before last, was opposed, that the corporation of London had grossly violated their duties towards the livery companies, inasmuch as instead of trying to reform the livery companies and receiving them into the body of the corporation, they were annihilating them by admitting strangers to be members of the corporation.

885. Do not the corporation of London claim a right of repealing, by an act of common council, the charters under which they derive their powers?—I conceive they have no such right. I was going to direct the attention of the Commissioners to that power, which is certainly a most extensive power, and which has not existed in the case of any other body, except the corporation of Norwich, who have claimed it under an ancient charter of Richard II. This power in the City of London to reform themselves is by ancient custom. It is mentioned in the charter of Edward III. as a custom: it is not attempted to be conferred by charter, because it is quite clear that a charter could confer no such right. The custom always alleged in pleading is this: "Where any customs "theretofore used and obtained, proved hard or defective, or any matters newly arising "within the City, needed amendment, and no remedy had been previously provided, to "apply and ordain a convenient remedy, as often as it should seem expedient; so that "the same were agreeable to good faith and reason, for the common advantage of the "citizens and other liege subjects sojourning with them, and useful to king and people." That is the custom that is always set forth in pleading where the custom of London is relied on. It certainly is a most extensive power, and it has been contended that one of the powers of the corporation of London is the power of re-constituting itself in a manner different from any other corporation. As the Commissioners are aware, that peculiarity in the corporation of London is pointed out in the report of the last Commission as one reason why it should be left to the corporation of London to reform itself without a resort to the legislature. Independently of the charters which affect the constitution of the corporation, and of the statutes which affect them, it is possible that those extensive powers of internal legislation may enable the corporation of London to do that which it is the object of this Commission to inquire into. It is possible that the corporation may have that power of internal reform, which belongs also to the legislature, but they have not exercised it, and difficulties no doubt would arise in their exercise of it; for, as I have already observed by a great number of charters and Acts of Parliament, powers are conferred only upon the mayor, aldermen, and common council, in common council assembled, and they are dependent entirely upon the assumption of the duration of the present state of things in the City. Probably that is the reason why, whenever an attempt has been made in the common council to put those powers in force, and carry out measures of reform, it has always been met by that objection on the part of the legal advisers of the corporation. You may have power to remould the corporation; but the corporation, under its new constitution, would be divested of a great number of those valuable powers which the legislature have given to it under its old constitution. We know, before these statutes were in force, this power of internal legislation was extensively exercised. It was only by virtue of an act of common council that the court of common council, as it now exists, was first called into existence: it was the act of the general body of citizens under their ancient right of remoulding their own constitution, which called into existence the court of common council of the City. They assembled at a general meeting or folkmote, and constituted themselves a court.

886. Your meaning is, that the common council, as at present constituted, was created at a general meeting of the citizens?—Yes. The court of common council have very extensive powers indeed; they made a change in the office of alderman before the City Elections Act was passed, by regulating the right to vote at certain elections.

887. Do you conceive that the authority of the common council, with the aldermen sitting in it, is supreme; is there any act within the competency of the corporation which could not be done by the common council?—Certainly not. I am not aware of any act within the power of the corporation of London which could not be performed in common council, except the elections which take place in common hall.

888. No act of legislation or administration?—No act of legislation or administration. The common council are all-powerful for the purposes of the corporation, except in matters which have been taken out of their jurisdiction by Act of Parliament, and in certain elections, and in the exercise of judicial authority. The livery are therefore connected with the corporation; and it appears to me, in the exercise of the power of reconstituting themselves, the corporation have not yet severed the connexion between themselves and the livery. It appears to me accordingly, that the companies of London do form an integral part of the corporation.

889. Does it appear to you that because a person, by belonging to a company, thereby

becomes a freeman of the City of London, you can with correctness say, that the company itself is included in the corporation?—Yes; the return in Wannell's case went quite to that extent. The chamberlain returned, to a mandamus to admit an apprentice, that London has time out of mind been a corporation, and consists of several societies, guilds, and fraternities, and freemen of the City, and that no person could be a freeman of the City till he was free of one of those fraternities. That was a return by a high officer of the corporation, showing what at that period was the constitution of the corporation, and that guilds and fraternities formed integral parts of the corporation. If that was the custom, and it appears to me that there can be no doubt it was so, nothing short, at all events, of an act of common council, I should imagine an act of the legislature itself, can destroy the custom.

890. Do you object to the step taken by the common council of admitting freemen not members of some company, because it was illegal or because you think it inexpedient in itself?—I am not prepared to discuss the question of expediency at this moment. As to the illegality of it, I have no doubt at all. It was this question of illegality, as well as the question of expediency, that induced the companies, upon the occasion of the bill being brought in in the year before last, to oppose the corporation of London. Although I had the honour of being engaged for the companies upon that occasion, I have upon other occasions acted also against the companies; and, therefore, I have no personal feeling one way or the other. It was a mere question of law that was raised so far as I was concerned. That consideration seemed to weigh with the committee, and more particularly when witnesses of the corporation of London, who were called to support the preamble of the bill, which declared that it was expedient to reform the corporation, came forward to state that the management of its funds, and all its affairs, was little short of perfection. I must say, I hardly expected that the bill would pass; and, accordingly, we were successful in throwing it out. The witnesses of the corporation thought that the funds were admirably administered; that the constitution of the corporation, as then existing, met with the approval of every one; and that the aldermen and common councilmen, and the officers generally, gave great satisfaction. Upon those grounds, I believe, as well as upon the ground that the livery companies, who opposed, had not received notice, the committee reported against the bill, that the preamble was not proved, and the bill was lost. The object of that bill was to repeal an Act of 1849, which was also a private Act, and an Act of George I., called "The City Elections Act." Those were the only two Acts which were supposed to cripple the common council in the exercise of that internal power of self-reform which they claim, and I suppose rightly claim. The Act of George I. gave the livery companies the exclusive right of election at Guildhall in the choice of chamberlain, of mayor, and of sheriffs; it gave to freemen householders, paying certain rates, the choice in the wards of ward officers, the aldermen, and the common councilmen.

891. Was that distinction first introduced by the Act of George I.?—There were a great many acts of common council upon the point, and there were conflicting byelaws. The corporation was in very considerable confusion when that Act was introduced, and perhaps it got into a worse confusion after it was passed. There were inconveniences with regard to the payment of rates, and so on, under the Act of George I. and the Act of 1849, which was a private Act, got rid of those objections, and gave to householders, who were freemen, the right to vote. Then the City bill, to which I have referred, extended to giving the livery a power of electing in conjunction with the householders, and it gave the householders the monopoly of voting in ward elections.

892. That bill proposed to retain the votes of the livery for certain purposes?—For certain purposes. One of the customs with regard to elections I will refer to. The Court of Aldermen claim a very extensive power over elections. There was a case which came before the Court of Queen's Bench, the case of the Queen *v.* Johnson, where this custom was set forth. The case went afterwards to the House of Lords—it was "A custom of "London that when the inhabitants of any ward shall three times elect, and return to "the Court of Mayor and Aldermen, the same person to be alderman, who shall be by "the said court, according to another custom of the said City, adjudged on such three "returns not to be a fit person to support the dignity, and discharge the duties of the said "office, the mayor and aldermen may elect, and admit, a fit person, being a freeman, out "of the whole body of citizens, to be alderman of such ward." That was held to be a valid custom. This certainly is a very extensive power in the Court of Aldermen. Upon that occasion it was exercised in regard to Mr. Scales, who aspired to the honour of being an alderman of London. The aldermen had a great objection to Mr. Scales—I heard that he was originally in trade as a butcher—he was objected to as an improper person to be an alderman. The Court of Aldermen, when he had been three times returned, three times objected to him, and then they claimed that he having been returned three times, and rejected three times, they had the right to exercise the franchise themselves; that custom was held good.

893. Did their objection to Mr. Scales proceed upon the ground of his unfitness, or was it in the nature of a veto upon the election on the ground of some irregularity in the conduct of the election?—My impression is that no reasons were given at all; it was a veto by the court; that is, a power on the part of the Court of Aldermen, which appears to me to be highly objectionable. It appears to me to amount to a veto on the part of the cor-

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poration upon the acts of the rest; and, considering that the election creates an office for life, it is a very serious matter indeed.

894. Will you now proceed to state what occurs to you upon the order and government of the corporation?—With regard to the order and government of the corporation, I have said already that the mayor is the head of all the courts within the City—independently of the rank and dignity which attaches to his office, he is the head of the corporation—and that is in perfect consonance with the principle of the law of corporations, that corporations should have a head, and that the Lord Mayor, for the time being, should be the president. The Lord Mayor is appointed by virtue of those early charters to which I have referred; but there is nothing said about any qualification for the office of Lord Mayor. The barons of London are to elect *de se ipsis*. There was some contest whether "barons of London" did not mean aldermen, and therefore whether the aldermen should elect. But that has not been insisted on in modern times, though, indirectly, the same result has been produced. The general body of liverymen assembled at Guildhall having the right to elect, the choice is limited to the aldermen who are next in succession; the recorder gives the names of the two senior aldermen, and in fact the livery elect them, and hardly do anything else. They have the power of rejecting the senior alderman and electing the next; but, generally speaking, the officer of the corporation reads over the names, and they elect the senior. On some occasions, as in the case of Mr. Alderman Harmer, they have made an exception, and also in the case of Mr. Alderman Thomas Wood. But, generally speaking, the livery, although they are very riotous upon the occasion, do nothing more than confirm what has been the understanding for a long period, that the next alderman should be Lord Mayor, so that the electing power is not exercised.

895. In fact the Court of Aldermen present, and the livery institute?—It is not strictly so, for the livery have vindicated their right to go out of the order of seniority; but, practically speaking, that is generally the course of proceeding.

896. Do you conceive that, legally, the power of the livery is limited to the choice of an alderman as Lord Mayor?—The custom certainly has been that none but aldermen shall be elected. It is very difficult offhand to give an answer to the question; but I think doubts may exist whether the livery might not go out of the Court of Aldermen, and choose a gentleman not an alderman.

897. You think they might choose a common councilman?—Yes.

898. Do you think that they might go beyond the common council, and choose anybody else?—I think they might go to the citizens of London.

899. The question is whether a constant practice amounts to a legal and binding usage?—If it is a constant practice, it will amount to a legal and binding usage.

900. Has there been any practice to the contrary?—Not within the time of memory. The custom has been for the Lord Mayor to be an alderman; and there are acts of common council which have settled that he must have been a sheriff. Those are only acts of common council.

901. An act of common council may be repealed, of course?—Yes, it may.

902. Do you think it would be desirable that the choice of the constituent body should be extended, and that they should be able to choose anybody as lord mayor of London who is a citizen of London?—I should be exceedingly glad, personally, to see the time when the most eminent merchant in London, though he had only taken up his freedom the day before, should be eligible to become Lord Mayor of London. I can see no evil which could arise from it, and I think it would be expedient.

903. Do you think that that would have a tendency to diminish the consequence of the office of alderman?—I think it would.

904. Probably you think there would be no harm in that?—I do not see any great evil that would arise from the diminution of the dignity of the office of alderman. The Lord Mayor is a most essential officer in the corporation; he could scarcely be dispensed with; order could not be kept in any way without him. With regard to the aldermen, the same observations do not apply. I do not think that the office of alderman is popular at the present time, nor do I think that many of the powers which they exercise in the municipal government of London are essential to the well-being of the corporation or the good government of the City. I think many of their powers might be taken away; for instance, the aldermen of London are practically elected for life. Questions have been raised, upon the construction of the early statutes, whether still the office of alderman is not an annual one; but this is only an instance of the doubts and difficulties which continually arise in construing what the laws and customs of London are; and, practically, the office of alderman has for many years been considered to be conferred for life. Gentlemen, being elected for life, and not being dependent upon the votes and influence of their constituents, form a separate court in the corporation of London, called the Court of Aldermen. In that court they claim the right to consider all questions which are brought before the Court of Common Council. There is no law which prevents the Court of Common Council from entertaining questions which have not been brought before the Court of Aldermen; but there is a law compelling the officers of the corporation to submit all questions to the Court of Aldermen. Practically, the Court of Aldermen is always held before the Court of Common Council.

905. Practically, no question can be brought before the common council without the assent of the aldermen?—Practically, it is so. It would not be compulsory upon the Court of Common Council to regard the deliberations of the Court of Aldermen; but, inasmuch as it is compulsory upon the officers, it would be at their peril if they disobeyed.

906. It has become the common practice?—It has. The business upon the paper for the Court of Common Council is submitted to the Court of Aldermen the day before.

907. Do you know what the nature of the business transacted by the Court of Aldermen is?—In the first instance, they read over the business which is to be brought before the Court of Common Council the next day. Observations are, no doubt, made upon it; but I presume those observations are more often made when the public are excluded.

908. Is it their practice to sit with open or with closed doors?—With open doors; but they claim the right of excluding the public, and they repeatedly do so.

909. How often does the court sit?—I think about once in a fortnight, or once in three weeks. They always sit before the Court of Common Council. Sometimes they sit only once a month. The Court of Aldermen, also, hold special meetings when they require to exercise their judicial functions.

910. Have they any exclusive power, independently of their right to be apprised of questions which come before the Court of Common Council?—They have the power to order prosecutions. In what I shall say about the Court of Aldermen presently, I shall urge that it appears to me that that is an objectionable power. The Court of Aldermen elect various officers of the corporation—among others, the Recorder, who is the highest officer; and they have the power to order payments of money out of the City purse. They have the power to vote pensions; and instances are given of pensions which have been voted of which I am very incompetent to speak. Some of them appear very proper, and some, perhaps, the contrary. With regard to their power to order prosecutions, I think that power is a great evil. It does not necessarily involve any corruption on the part of the Court of Aldermen, but I think it is a constitutional defect.

911. Do they claim an unlimited power of granting pensions?—I do not know that they do.

912. Without entering into the propriety or impropriety of their grants of money, do you know what the limit of their power of granting money from the City funds may be?—There is a resolution of the Court of Common Council which declares that no sum exceeding a certain amount shall be voted without their consent.

913. Within the limit so fixed by the Court of Common Council, can the Court of Aldermen exercise a discretion as to votes of money?—With regard to votes of money for prosecutions, they can. The Court of Aldermen have rarely granted pensions except for some public reason—one public reason being that the pensioner has been in some way connected with the corporation. Some of them are granted to ladies who are widows of deceased aldermen who have been in difficulties.

914. Suppose a vote of money were taken for promoting a private bill or opposing a private bill in Parliament, would that vote be made by the Court of Aldermen or by the Court of Common Council?—By the Court of Common Council. The remembrancer could only act by petition, and that would come before Parliament under the common seal.

915. The common seal can only be affixed by a vote of the common council?—That is so. Practically the real abuse is in the power to grant money for prosecutions.

916. What inducement have the Court of Aldermen to interfere in respect to the institution of prosecutions?—There is the inducement that the aldermen individually are magistrates of the City of London, and are therefore sometimes exposed to a number of actions. I know in my own professional experience cases have come before me where an alderman has taken a very warm view of a certain matter, and has entangled himself in litigation. Applications have been made to the Court of Queen's Bench, and some expensive proceedings have been taken. With a stroke of his pen he gives an order to the City solicitor to defend or carry on those proceedings in the Court of Queen's Bench. The Court of Aldermen, it is said, are the executive who exercise paternal care over the morals of the citizens of London; and therefore when any great crime has been committed, and the parties are too poor to prosecute, the Court of Aldermen are the most efficient body to direct proceedings to be taken.

917. Therefore they discharge the functions of a public prosecutor out of the City funds?—No doubt they do; but I am bound to say this, that although I give great credit to the Court of Aldermen in some instances for taking up prosecutions, the principle is bad, and in the majority of cases I do not think I should be justified in designating the Court of Aldermen as a public prosecutor. They do not take up cases as a public prosecutor would, but they choose their cases, and they sometimes have prosecuted people for political offences where they have taken a violent view in one direction or another.

918. Do you think the influence of the committing magistrate weighs with his colleagues in directing prosecutions?—I think it does in some cases. I have no douht the aldermen who are very frequently thrown together, are very much influenced by one another. I think the system of directing prosecutions in that way is a very objectionable system.

919. Can you state what number of prosecutions has been directed by the Court of Aldermen of late years?—No; I can give the Commissioners no notion.

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920. Supposing the power of the Court of Aldermen to direct prosecutions were abolished, and persons were left in the City to do as they do in the rest of the metropolis, namely, manage their own prosecutions, upon what fund would the cost of the prosecution fall?—It would first come upon the rates, and then come upon the Home Office.

921. Is there any rate in the nature of a county rate in the City?—They have not had a rate in the nature of a county rate for a long time; but there are consolidated rates.

922. The prosecutor would, in fact, be reimbursed under a different system, would he not?—Not to the same extent.

923 Do they now pay the entire costs?—They take the burthen off the hands of the prosecutor, appointing both attorney and counsel.

924. They do it in the same way that the Government would do it?—Yes; I shall presently suggest, among the remedies I shall propose, that there should be a public prosecutor appointed in every case in the metropolis as well as in the country at large. With respect to the sheriffs, their power within the City is hardly more than ceremonial. They have to return the writs, and so on, but it is hardly more than ceremonial. In the county of Middlesex it is hardly more than ceremonial.

925. Have not they a power with respect to the jury panel?—That is all done by their officers. The jury are returned by the secondaries, who are paid officers of the City of London. They are permanent officers, and have no connexion in any way with the sheriffs. In the county of Middlesex the under sheriffs are permanent officers also. An under sheriff indeed is appointed by each sheriff, who receives certain fees; but they do not practically perform any duties that I am aware of.

926. It has been stated as an abuse that some of the sheriffs' officers make a profit out of the fees received from persons attending trials at the Old Bailey?—I am not acquainted with the fact. I have only heard of it. The Court of Common Council is the great council of the city, and they have extensive legislative powers, which I have referred to. They have entire power over the funds of the corporation, with the single exception of the aldermen voting money, about which there has been considerable dispute. To constitute the Court of Common Council it is necessary that the Lord Mayor or his *locum tenens* and two aldermen should be present. Disputes have arisen with respect to the number of aldermen required to be present. At one time it was contended that a majority of the aldermen ought to be present at the common council. I have in my hand a book of pamphlets of which one-third is taken up by counsel's opinions upon this moot point. In this legislative power, and the power of voting funds, the Court of Common Council is controlled by the Lord Mayor and aldermen. The Lord Mayor has the power of dissolving the court by taking up the mace. The common council being a very numerous body, when questions of great interest arise, more particularly affecting reform, great confusion has prevailed. There are 250 members, and the court is crowded; a great many gentlemen are sometimes speaking at the same time, and when the business becomes troublesome, the Lord Mayor takes up his mace and decides the question by leaving the court. That is an evil, no doubt, which requires some correction.

927. What is the effect of his taking up his mace; is the court adjourned to the next day, or is it indefinitely adjourned?—It is indefinitely adjourned; the proceedings are at an end, and have to be commenced again.

928. What are the forms necessary for the meeting of the Court of Common Council; by whom is the court summoned?—One of the attorneys of the Mayor's Court is the person who issues the precept. He takes it to the Lord Mayor; but the days for the meeting of the common council are fixed. One of the attorneys of the Lord Mayor's Court obtains the precept; that is given to an officer who knows the directions of all the members of the common council, and he takes the notices round.

929. Is there anything which renders it necessary that the Court of Common Council should meet?—The days for the meeting of the courts of the corporation are fixed in the month of December, and the common council meet upon those days as a matter of course.

930. Are there any votes of money, or any other business, necessary to be transacted, which render it indispensable that the Court of Common Council should be occasionally summoned; would it be in the power of the Lord Mayor to prevent the Court of Common Council meeting at all?—No; if the Lord Mayor were wilfully to abuse his power in that way, I apprehend a mandamus from the Court of Queen's Bench would set him right. There are many powers that the Court of Common Council have. With respect to the power of voting away money, they have the management of all the funds of the corporation of London, the hereditary revenues, the tolls, and the city lands. There are various duties devolving upon them, such as watching bills in Parliament, and duties connected with the port and navigation. There are a great many committees appointed at the different courts of the common council for those purposes, which are nearly always at work. With the exception that the Court of Common Council is liable to be dissolved by the Lord Mayor taking up the mace, and that a certain number of aldermen are necessary to constitute the court; the common council themselves have very unlimited power, and are very free and uncontrolled in the exercise of their discretion. They are a very numerous body. It appears to me that they are much too numerous, and that a smaller number would be very desirable.

931. Does the Lord Mayor take the chair at all meetings of the common council?—He takes the chair at every meeting.

932. Does he act as speaker of the assembly; does he put questions to the vote?—He does.

933. Does he decide points of order?—He does.

934. You stated that the powers of the Court of Common Council were unlimited within the functions of the corporation. Do you conceive, with respect to grants of money, there is any object which might appear to conduce to the general welfare of the City which would not be within their jurisdiction?—I am not aware at this moment of any control over the corporation which the Court of Common Council may not exercise.

935. If any purpose may be conceived which may be considered as coming within the scope of the powers of the corporation of London, do you think that the Court of Common Council could make a grant of money for that purpose?—Yes.

936. If that be the case, must not they have more extensive power over their funds than other corporations enjoy?—They have more extensive power over their funds than other corporations enjoy. The control of corporations generally over their funds by the Municipal Corporations Act is limited.

937. Have they an unlimited power of charging their property?—They have; I know of no limit.

938. You are aware, by the Municipal Corporations Act, that power is limited, and that the consent of the Treasury is required?—Yes.

939. Can they alienate their property?—They can; in fact they have unlimited power over their property.

940. Is there any definition, either by usage or in a charter, of the powers of the common council: supposing a proposal is made for some measure to be adopted by the corporation, and there is a question whether it is within the power of the common council: is there any means of deciding that question?—If it is a mere exercise of corporation powers, I conceive that they would rest upon the customs of the City, which confer an unlimited power upon the common council. There are a great many powers which are derived by statute, which can only be exercised by the Lord Mayor, aldermen and common council.

941. Has any member of the common council the right of making a motion without the previous consent of the Court of Aldermen?—Yes; the Court of Aldermen have no power, as I conceive, to limit the Court of Common Council in bringing forward a motion. The court is quite independent of the Court of Aldermen, only the Court of Aldermen make the officers of the corporation give them notice of the business to be done.

942. What is the nature of the limit which the previous consent of the Court of Aldermen imposes upon the Court of Common Council?—It imposes no limit at all.

943. In practice, any member of the Court of Common Council brings forward any motion he thinks fit?—Having given proper notice.

944. The only effect of the previous deliberation of the Court of Aldermen is, that they form an opinion upon the questions of which notice has been given in the Court of Common Council?—Yes; it is for their own information, and not as controlling the Court of Common Council.

945. They merely deliberate beforehand upon the business which is to be brought forward in the Court of Common Council, exercising no veto upon the questions which are to be brought forward?—Quite so.

946. Will you now make such observations as you may think desirable upon the livery and the common hall?—The livery are the higher class of members of the companies, who have the power of meeting in the common hall, or the general assembly at the Guildhall, for the election of the lord mayor, sheriffs, and chamberlain. The livery is the name which was originally applied to the whole of the citizens of London. It was the garb that the citizens wore; every free citizen had a right to wear this livery. Mention is made of processions of the citizens in their liveries to meet the sovereign. The name appears to have been first used when the statutes of liveries, which prevented noblemen having a great number of retainers, made an exception in favour of the guilds of London wearing their own liveries.

947. These statutes were in Henry VII.'s time, were not they?—I think in the time of Edward IV. there were statutes of livery, and in the time of Richard III. That livery was the particular clothing which designated a citizen. They had particular emblems to represent their particular guilds. In the course of time the hall-motes of the companies were composed of the higher class of citizens, and they only were entitled to wear the livery or clothing of the company. At this time, the livery are not all the members of the companies, but only those who are called upon by the masters and wardens of the companies to take upon themselves the livery. Some of the great companies, the Goldsmiths', the Merchant Tailors', and the more aristocratic companies, who reckon noblemen among their members, have imposed the payment of large sums upon taking up the livery; so much so, that it is very rarely the case that you find an actual working goldsmith who is a member of the Goldsmiths' company, wealthy as the goldsmiths are. Among the Merchant Tailors', I should think there must be very few tailors who are members of the livery. So it is the case with nearly all the companies, that the livery is composed of the more aristocratic part of the body. But among the small companies the livery forms a much more numerous body. The expense of being called to the livery, which in the higher companies is 1,000*l.* and sometimes more, in the

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smaller companies is reduced almost to nothing, they being desirous of obtaining members for the sake of the small fees which are paid.

948. Are the livery the governing body of the companies?—The masters and wardens are the governing body, with a small body called the court.

949. Are they usually elected by the livery, or by the freemen generally?—By the livery; practically the freemen have no voice in the affairs of the company.

950. Have they any share in the property?—They are entitled to participate in the charities. The freemen of most of the companies have very little voice in the management.

951. Have all the companies liverymen?—There are some companies without a livery; there are some which exist without a charter from the Crown, which have never been admitted to the freedom of the City. The Watermen's Company is not admitted as a free company; so the Fellowship of Carmen, and the Fellowship of Porters, are not City companies, and there are some companies of a higher class which have not a livery.

952. Are there any other observations which you wish to make, as to the Court of Common Hall?—The Court of Common Hall is now a very numerously attended court, being composed of persons who have been members of livery companies, not only the more wealthy members of the higher companies, but a number of the members of the lower companies who have given up trade, and left London, and who live sometimes at a very great distance from London. They are not easily identified; they come in great crowds to the Guildhall, and they are not regulated by such efficient rules as are necessary to preserve order. They assemble in great numbers, and by means of the confusion which arises, there are also introduced other persons who are not liveryman, who are admitted in consequence of the want of proper regulations to the Guildhall, and very often pass as liverymen, and create the confusion and uproar of which we so continually hear at the City elections. Among the liverymen there are, no doubt, some who never appear near London, belonging to the lower companies. There are some who have been compelled to become free, in order to be fellowship porters or watermen, and having taken up their freedom, they think it just as well to take up their livery. It has been said, upon elections for sheriffs and so on, they do get a sum of money for voting; and also it has been said, in the corrupt times now passed away, they had something for voting for members of Parliament. There were some hundreds who were to be bought in that way. It has always appeared to me that the corporation of London having the power to regulate their corporate assemblies, might have remedied those inconveniences, but they have not done so.

953. Do you think that those inconveniences might have been remedied by an act of common council?—Yes; by proper regulation, I think the Court of Common Council might have done all that the legislature has done; I do not see that there is anything to prevent the votes being taken in a proper manner.

954. Will you proceed to state anything which occurs to you with respect to the officers of the corporation?—It appears to me that the officers of the corporation of London are very numerous. There are among them gentlemen of very great intelligence indeed, and very great worth; but, looking to the position of the corporation of London as regards the rest of the metropolis, forming as it does so small a part of the whole of the metropolis, it appears to me that the City of London is very highly officered.

955, You think the officers have been multiplied without necessity?—It does appear to me that there are an immense number of officers. Respecting the inconveniences which arise from such a number of officers, when we look at the different paving boards, at the boards of sewers, and at the different jurisdictions which prevail throughout the metropolis,—the conflict of power between the different officers is a very serious matter indeed. It is said that throughtout the metropolis there are upwards of one hundred different boards, for local purposes.

956. Are not many of those officers to whom you refer unpaid?—Not any of those to whom I refer. I refer to none but paid officers. The corporation of London, which is the largest of those bodies in the metropolis, has almost for every purpose, and every department of municipal government, four or five classes of officers; for instance, in the legal department they have the Recorder and the Common Serjeant, who are considered to be the counsel of the corporation—the Recorder to record customs, and the Common Serjeant to be their champion in the courts at Westminster. From the duties which have been thrust upon those officers, who now most ably perform them, their ancient and legitimate duties of Recorder and Common Serjeant are practically disused. The Recorder, although a most efficient criminal judge, is never seen in the courts at Westminster except occasionally, as for example, when the Lord Mayor comes in state, or when he has to certify the customs of London. The Recorder, instead of being the counsel acting for the corporation in Westminster Hall, rarely shows his face there—his judicial duties take up the whole of his time. Those judicial duties, I need not say, have been thrust upon him by Act of Parliament, and are unconnected with the municipal government of the corporation of London.

957. Are not the duties of the Recorder of the City of London very analogous to the duties of the Recorders of other towns in the country?—If they are analogous, they so greatly exceed the duties of the Recorder of any other corporation, that there can be no practical resemblance between them. The duties may be the same, but the judicial functions of the Recorder so completely absorb his time, that he has no time for anything else.

958. Has not the Recorder of London the power of certifying the customs of the City orally, and not in writing?—He has.

959. Is not that a peculiar privilege?—It is.

960. Is that a privilege which is convenient in the administration of justice?—I cannot see, although one views a custom of that sort with some veneration, that any great advantage is derived from it.

961. It appears to have been derived from an unlettered age?—It does appear to me to be derived from a time when writing was not generally adopted in our courts, and experienced witnesses were called upon to say upon oath, what they knew of the law and custom of the place, just as I now appear before this board.

962. Practically, now the Recorder forms his opinion of the privileges of the City from books, and he then goes down to Westminster and delivers his opinion orally?—Yes.

963. Would there be an objection to require him to deliver it in writing?—He delivers the record in writing. Practically, the effect is this—when an issue is raised, upon a custom of London, the court in which the issue is raised leave it to the Recorder to certify the custom, and if the Recorder makes up his mind what the custom is, and it is acquiesced in, it is a cheap and expeditious way of deciding a matter, which otherwise could only be tried by a jury. If both parties agree that the Recorder's certificate is a correct one, it is a cheap and expeditious way of determining the question. The Recorder, upon the certiorari being delivered to him, looks into the records of the corporation, and having consulted with the other officers of the corporation, he makes up his mind what return to make, and he then goes through the ceremony in the court at Westminster of returning the customs of London, and handing in his certificate. Of late years, it has been the practice to appear before the Recorder by counsel or by attorney, and argue the question before him. Expenses, of course, are thereby incurred, and some considerable delay takes place. But when the Recorder has delivered his certificate, if there should be a doubt upon the point, and the parties are not satisfied with it, and there are great doubts upon every custom of London, the mode of trial is against the Lord Mayor and aldermen, for a false return to the certiorari; that must be tried by a jury, as in ordinary cases.

964. Has there been any instance of that kind?—I do not know that there has been an instance of it, but I know that it has been laid down in Westminster, that that is the only mode of trying it. The Common Serjeant is also an officer of the corporation; both the Common Serjeant and the Recorder are connected with the corporation, not only as judicial officers at the Old Bailey and in the management of the corporate courts, for the Recorder sits as judge, and the Common Serjeant sits as a sort of master in chancery, but the Common Serjeant is the counsel of the corporation. I believe he has a brief in compensation cases, which are tried before the lord mayor's court. His time, however, as well as that of the Recorder, is taken up in the performance of judicial duties. The old peculiar duties of the Recorder of London and of the Common Serjeant, are almost sunk into disuse, and they are very rarely exercised.

965. The judicial duties of both these officers are conferred by Act of Parliament, are they not?—They are confirmed by Act of Parliament. Those of the Recorder exist by ancient custom, and I think those of the Common Serjeant too. Then there are other judicial officers. To the sheriff's court they have one judge, and they have power to appoint two. The judge of the sheriff's court acts as a commissioner at the Old Bailey. His judicial duties have been prescribed by a recent Act of Parliament—the Small Debts Act, which gives in the City the same power as is given to the judges of the county courts. Then there is the City solicitor, for the common law business, and for the prosecutions of the corporation. There is the Remembrancer, for the parliamentary business of the corporation. There is the Comptroller, for the conveyancing part of the business; therefore, there are three solicitors. Then there is also the town clerk, who is now not a solicitor, who used to be the solicitor of the corporation also; so that there are four gentlemen representing the corporation in a legal capacity as solicitors.

966. What are the duties of the town clerk?—The town clerk attends all the corporate meetings; he has the custody of the records; he has to take care of the whole routine business of the corporation, such as attending the various committees which are incessantly meeting.

967. Does he attend the general Court of Aldermen and the Court of Common Council?—Yes; and the committees too.

968. He must be the most active officer of the corporation?—Officially he is so.

969. He must follow the whole of the business of the corporation?—He must follow the whole of the court business of the corporation; but he has nothing to do with the management of the property, nor with proceedings in Parliament, nor has he to do with prosecutions, nor with the conveyancing part of the business.

970. What are the duties of the Remembrancer?—He has to watch all the bills that come before Parliament; he has to oppose every bill which is supposed injuriously to affect the corporation of London; and to promote every bill which the corporation of London themselves bring before Parliament. He is in fact the parliamentary agent of the corporation.

971. Is he a barrister?—No; a solicitor.

972. Do other corporations exercise a similar power of constantly watching the pro-

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ceedings of Parliament by a special officer?—I believe there is no corporation in England which has an officer for the purpose.

973. Would it be a legal application of the funds of a corporation, under the general Municipal Act, to apply them to the promotion of a private bill before Parliament, or in opposition to it?—I think not.

974. Supposing, for instance, a railway were contemplated in the neighbourhood of Liverpool, or Norwich, do you conceive it would be in the power of the corporation of Liverpool or Norwich to apply a portion of their funds to opposing that bill before Parliament?—I should say not.

975. Still, if there were a bill directly affecting any corporation, would it be improper in that corporation to employ its funds in taking a part in opposing that bill?—If it affected the corporation I think it would not.

976. Supposing it affected the property of the corporation, would it be illegal in that corporation to defend what they conceive to be their rights out of their corporate funds?—Certainly not, if it affected the property of the corporation.

977. If the borough were only indirectly affected, for instance, by the construction of a canal, or a road, or a railway in the neighbourhood, do you think it would be a legal application of the funds to oppose such a bill?—I imagine that the corporation would have the power to oppose any bill which they might reasonably suppose to affect themselves or their property. I do not think that parliamentary expenses can be put upon a different footing to legal expenses in defending an action, and undoubtedly they would be at liberty to bring or defend an action.

978. I am supposing the case of proposed new legislation: for instance, supposing there were a project for making a new railway or canal ten or twenty miles from a town which did not touch the property, but indirectly affected the interests of the town: do you think it would be a legal application of the funds of that town, being a borough, to oppose the bill before Parliament?—It must depend upon the question, whether the rights of property of the corporation were involved or not.

979. Will you proceed with your statement in reference to the other officers of the corporation?—There are a great many officers whose names are given in that report. I do not think I ought to take up your time by enumerating them. It appears to me that there are too many officers in the corporation for the management of the mere local affairs of the corporation as it at present exists. I do believe that the officers are many of them extremely efficient persons; and I believe that if their duties were extended over a larger area, they would be very fit persons to fulfil those duties; but for the management of the small area of the City of London I think there is too large a staff of officers.

980. Upon the whole, do you think the corporation of London has appointed incompetent or improper persons to offices of trust?—I have seen great efficiency among the officers of the corporation.

981. Do you think that their patronage has been exercised as well as patronage generally is?—I have no means of my own knowledge of answering that question, and I would rather decline it.

982. Do you believe that the unnecessary multiplication of officers in the City of London has been owing rather to the accidental manner in which their powers have been aggregated, and to the want of system and regularity in the construction of the machinery; or do you think it has been done designedly, with a view of providing places of emolument for persons who may be acceptable to those who confer the appointments?—I think, most decidedly, that any evils which now exist in the official establishment of the corporation have arisen from the want of system in legislating for altered circumstances, and not from any corruption on the part of the corporation, or any wish to multiply the number of officers.

983. You mean that the whole system is too complicated, and consequently requires a greater number of persons to conduct it than would be necessary if proper simplification were introduced into it?—I think so.

Adjourned to Tuesday next, at 12 o'clock.

Tuesday, 15*th November* 1853.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

J. R. Mills, Esq.
15th Nov. 1853.

JOHN REMINGTON MILLS, Esq., having been sworn, was examined as follows:—

984. What connexion have you had with the City of London?—I have been a freeman and a liveryman since 1822.

985. Do you live in the City?—No. I reside now, and have for the last five years, at Englefield Green, in Surrey.

986. Before that did you reside in the City?—I only lived there a few months, and I carried on business in Milk Street, Cheapside, for twenty-one years.

987. What was the nature of your business?—Silk manufacturer.

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988. Are there any points with regard to the corporation of London which you are desirous of making any observations upon?—I only wish to call your attention to the manner in which the corporation of London abuses the privileges of electing the sheriffs of London and Middlesex by the livery.

989. Will you proceed to state anything that you wish to offer to us upon that head?—I perhaps may be allowed to state that I retired from business in the City of London altogether in the year 1840, still being a liveryman, and entitled to vote at elections of members of Parliament, because I resided at Stamford Hill, within seven miles; and while I resided at Stamford Hill I received notice from Mr. Beddome, the town crier and serjeant-at-arms, that the Lord Mayor, Alderman Gibbs, in the year 1845 had nominated me to be sheriff. The practice I understood to be, that the Lord Mayor nominates a certain number of persons every year for that purpose, and they are put upon a list. That was done entirely without my knowledge and without my consent; it was his own spontaneous act, without any communication with me; but I did not take any notice of it; I did not pay the fine to which I might then have been liable, 400*l.*, because I considered there were always gentlemen, aldermen or others, who were seeking civic offices, and would be willing to serve the shrievalty. However, in March 1848, I removed entirely from Middlesex to Englefield Green, Surrey. I lost there the right of voting for members of Parliament. I think I am justified in saying that by the practice of the privy council in the case of sheriffs, no gentleman, even if he is qualified by property, is required to serve the office of sheriff in a county in which he is not resident.

990. That is not universally so; and when you speak of the privy council having to do with it, which is a notion very generally entertained, that is not correct, but it is done by a special council, under a special Act of Parliament?—I only stated that as an opinion; but however, in June 1848, I received information from Mr. Beddome that I had been elected sheriff. Perhaps you will just allow me to read an extract from the *Times* refering to this election in 1848. It is a report of the transaction of that day:—"On Saturday, a common hall was held for the election of sheriffs. The assemblage of liverymen was unusually small, the office of shrievalty having stirred up no man's ambition in the present excited and unpromising times. On the contrary, all applications to gentlemen to serve have, it is said, failed; and the two who were elected will, according to the general opinion, rather submit to the severe penalties annexed to a refusal, than enter upon the duties of the office." "Deputy Selson stood forward for the purpose of requesting that the meeting would not call upon Alderman Finnis to serve until next year, on account of the recent election of that gentleman to the office of alderman. The livery very readily excused Alderman Finnis and Alderman Lawrence upon the ground of their late appointment to the magistracy of the City of London. There were several names of high commercial eminence then put up; but as if by previous arrangement, scarcely a hand was held up until the names of Mr. C. P. Bousfield, citizen and weaver, and Mr. J. R. Mills, citizen and fishmonger, were raised upon the board; and then every one raised his hand and his voice too, and the two unconscious citizens were elected amidst loud applause and laughter." Now, as that statement supposes, I had nothing to do with it. It was quite independent of me and quite unknown to me, and it clearly shows, I think, that there had been some previous contrivance as to the parties who should be so elected. I should say that by an act of the common council which I have in my hand, the aldermen are required to be put up first.

991. Was your colleague an unwilling recipient of this honour as well as yourself?—Equally so, and he also paid the fine. This is the act of the common council in the year 1748, which says, "That every alderman of the City who shall not have actually served the same office," that is, the office of sheriff, "shall, according to his seniority in the said Court of Lord Mayor and Aldermen, and before any commoner of this City, be publicly put in nomination for the said office." That shows that the intention was that the aldermen should be first put in nomination.

992. But nomination is one thing, and election is another?—Yes; it does not require that the livery should elect an alderman; but it says, that an alderman shall always be put up first, evidently with the intention that he shall serve if elected. Certainly, a gentleman who undertakes the office of alderman, must know that the shrievalty is indispensable to his being Lord Mayor, for he cannot be Lord Mayor till he has served the shrievalty. Now, I maintain that that being the enactment by the act of common council, it was not competent to those aldermen to say, "It is not convenient to me to serve, and you go and choose somebody else;" but that having been chosen alderman, with that act of the common council in force, he ought to have submitted to the requirements of that act of the common council.

993. Do you mean that what was done was illegal, or that it was improper and inexpedient?—I mean to say the aldermen ought not to have applied to be excused because they were elected aldermen under this act of the common council in force placing them in that position, and requiring them to be nominated first to the livery. They were so nominated, and excused themselves. But what I particularly call your attention to is this,—that after Mr. Bousfield and myself had refused to give bond to serve the office, other parties were elected, who did the same, and paid the fines; and the parties who actually served were Alderman Finnis, (who was on the list before me, and ought to have been elected instead of me,) and Mr. Goodhart; those two were elected, and served as sheriffs. So that if Alderman Finnis had been elected, instead of me, I should have

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escaped the fine. I think that the report in the *Times* newspaper shows that there must have been some contrivance used to induce the livery to pass by that gentleman and to elect me.

994. Supposing there were no system of fines imposed upon those who refused to serve the office of sheriff, do you believe that competent persons would be readily found to serve that office?—It is evident, from a paper I shall lay before you, that they have had no difficulty for several years in finding competent persons.

995. Do you think that those competent persons were at all induced by the fear of the fine to serve the office, or that there were other motives that would have induced them to serve the office of sheriff, if there had been no apprehension of fine?—Undoubtedly there are always persons—at least, there always have been between the years 1829 and 1848, with two exceptions—persons anxious to serve civic offices; and the introduction to civic offices in London is, in many instances, by means of the shrievalty. You will find that several persons who have held civic offices received their introduction to the City through the shrievalty. They began with that. They were then introduced to the Court of Aldermen. They went about and dined at the different companies, and so became known to the citizens; and when an alderman's gown became vacant, they were brought forward and invited to take it. Therefore all persons looking up for the higher offices in the City are willing to begin with the shrievalty, which is an indispensable office if they ever obtain the highest civic offices; and, consequently, many take the shrievalty, in the first instance, as an introduction to the other, instead of having it imposed upon them afterwards.

996. What do you believe to be the great objection on the part of those who refuse to serve the office which induces them rather to pay the fine?—Because of the disturbance to their domestic comfort, and the nuisances connected with it.

997. Do you think it is to be ascribed to the circumstances which you have just mentioned, or is it not rather the expense attendant upon the office which forms the objection?—Of course they look at the expense attending it; but I believe the great inducement to parties to pay the fine is to get rid of all connexion with the City, and of all the trouble of it.

998. Is not the fine paid for non-service of the office less than the ordinary expense of the office?—That I am not competent to say, because, not having served the office, I do not know what the ordinary expense is.

999. Did you make no inquiry as to what the probable expense would be?—I never made any inquiry, because my removal to my present residence was on account of Mrs. Mills' health. My medical man said, "Mrs. Mills cannot live at Stamford Hill; you must take her to a dry soil and to better air;" and that was the reason of my leaving London. It was not with me a question of expense, but it was a question of Mrs. Mills' health, which absolutely required me to live at a distance from London, and therefore I could not be there in the evening. Though I cannot fully develop the plan which has been adopted, I can state generally the system which has been carried on. Parties who wished to be under-sheriff, and to get the emoluments of the under-shrievalty, have had an object in inducing their friends to become sheriff, in order that they might get the under-shrievalty. And if you choose to call for a return of the parties who have served the office of under-sheriff for the last twenty or thirty years, you will find the same names occurring very frequently. It has been the policy of a gentleman in the City, a solicitor wishing to get into practice, to get the appointment of under-sheriff, by inducing one of his own friends to serve the shrievalty, paying also some portion of the sheriff's expenses.

1000. Do you believe that there has been a practice of making appointments of sheriffs, not with the *bonâ fide* intention of their serving, but for the purpose of inducing the persons so elected to pay the fine?—I think a return which the House of Commons ordered, and which I hold in my hand, proves that distinctly. If you will take the trouble to look over it, you will find that in 1804 thirteen gentlemen were fined.

1001. But, coming down to a later period, do you believe that that has recently been the practice?—No; I think that in modern times they have found persons willing to serve the shrievalty for the sake of some ulterior object.

1002. Do you think that the practice of which you have spoken has diminished?—Yes, it has diminished in the twenty years previous to 1848; but they have revived it again to some extent lately.

1003. I understand you to say that, of late years, persons have not been nominated by the Lord Mayors for the shrievalty for the sake of getting money from them by their refusing to serve?—I think there have been parties desirous to be under-sheriffs who have induced their friends to stand forward to be sheriffs; so that there has been no opportunity of putting forward other persons, because those who were willing to serve have made every effort to induce a sufficient attendance of the livery to vote in their favour. The list of nominees provided by the Lord Mayor is not exclusive. Any liveryman at a common hall for electing sheriff may propose any liveryman he pleases.

1004. But before those persons who were willing to serve were nominated, might they not have nominated half-a-dozen others who they knew were not willing to serve, for the sake of getting the fines from them?—That might have been done; but the parties who wanted to be sheriffs employed corrupt means to secure their election. There are persons called "longshore-men," men connected with the wharfs and the river, who are very well

known in the City elections to be persons open to corruption. If you wanted to be sheriff, or to obtain any City office elected to by the livery, you would put yourself in communication with the agent of those parties, and, for some previously agreed pecuniary inducement, he would bring up two or three hundred of those people to the Guildhall who would be sure to carry the election.

1005. The question is this—whether, if there was an intention on the part of the City now to use the election of sheriffs for extortionate purposes, it would not be possible, notwithstanding the arrangement with regard to the under-sheriffs which you have mentioned, to put up persons with regard to whom it was known beforehand that they would refuse to take the office, and afterwards to elect persons who were willing to serve?—I have no doubt that that may have been done, because they have generally two or three aldermen in reserve; so that at any time, when they find it difficult to fill up the office from the list of persons nominated, they have only to recur to the aldermen whom they can require to serve.

1006. But you were understood to state that the practice of having *malâ fide* elections of sheriffs, for the purpose of exacting fines, has been disused?—It was disused up to 1848. Since that it has been renewed; and a friend of mine, Mr. Peto, the member for Norwich, was nominated and actually elected without his concurrence, and other gentlemen also.

1007. Did he pay the fine?—No; he pleaded privilege of Parliament, and they were very sorry to be obliged to forego the fine.

1008. What was the date of that election?—1849 or 1850, I believe. If you had this return, which was made to the House of Commons, continued, and you were pleased to order also a list of the under-sheriffs for the same period, you would see that the under-sheriffs have been playing into their own hands, being very often the same persons for two or three years, or for alternate years, just as circumstances favoured such arrangement. If you look at this return, you will find that in the years 1814 and 1815 the fines amounted to 16,000*l.*; and it has been often said that that money was wanted to pay the expense of the entertainments to George IV., the Emperor of Russia, and the King of Prussia, after the peace. As to that I cannot say more than common report. I should also call your attention to that part of the act of common council which authorizes the parties serving the shrievalty, after persons have paid the fine, to receive 100*l.* out of that fine; so that Alderman Finnis, by playing his cards in the way that he did, was entitled to 100*l.* out of my fine towards his own expenses.

1009. Does that 100*l.* appear in the return?—No; it does not, because the return stops in 1848, and he would not get it till after his term of office, ending Michaelmas, 1849. This fact appears in the return as to previous sheriffs.

1010. Does this return show the gross sums paid, or does it show the sums after the deductions?—It shows the whole sum, and the deductions also. The gross sum is 66,000*l.* in half a century, or 64,000*l.* in thirty years, to 1829 inclusive. My father paid the fine for not serving in 1813. My brother was nominated, but after being on the list for five years, his name was struck off and he was not elected, happily for himself

1011. Some of the payments appear to be 413*l.* 6*s.* 8*d.*, and some 613*l.* 6*s.* 8*d.* What is the reason of the difference?—The reason is, that the parties who pay the fine immediately after they are nominated are charged only 400*l.*, but if they are elected it is 600*l.*

1012. Is there any other point to which you desire to call the attention of the Commissioners?—I have nothing particular to say upon any other point, except just to call your attention to the fact, that in the return as made to the House of Commons, they were required to insert the residences of the parties who were so nominated and elected, because that would have shown that they chose persons residing at a distance from London, in order that they might get the fine. The note to that is by the chamberlain. He gives this answer: "There is not any record in the chamberlain's books of the addresses of the parties having made the above payments." Now, that may be quite true, but yet it is quite evasive, because the practice is, when any party is nominated by the Lord Mayor, for the town crier to wait upon him personally; and therefore in some one of the offices of the City there must be a record of the addresses of the parties. The town crier came to me; his expenses of course are paid by the corporation, and therefore, though the chamberlain's office did not contain the addresses of the parties, yet they must be in some one of the offices of the City, and of course in making the return they could have supplied that part of the order if they had chosen.

1013. Do you think that if a gentleman resident in Northumberland were elected, the officer of the City would go to Northumberland to inform him of his election?—Yes. He came to me at Englefield Green to communicate to me that I was elected. It is part of his business. I knew a case of a relation of mine in Oxfordshire, to whom he went for the same purpose. That was a very singular case; that was the case of Mr. William Wilson, who was a freeman of the City and a liveryman of the Weavers' Company, but not a liveryman of the City, because the Weavers' Company is an older corporation than the City corporation. They nominated him for sheriff, and the town crier went down to inform him of the fact, and he told the town crier that he had had his journey for nothing; for he was not eligible, as he was not a liveryman of the City. So that the town crier's office could certainly furnish the addresses if necessary.

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1014. What is the object of sending the town crier to deliver the notice in person?—I suppose it is preparatory to an action against the parties if they refused to pay the fine.

1015. In order to be able to prove personal service?—I suppose so. I do not know of any other reason. There is another point to which I wish to call your attention, and that is the appropriation of the fines. Up to the year 1830 they were paid over to the general funds of the City to be applied to the general expenditure. But it seems from note E to the before-mentioned return, "That on the 10th of December 1830, the Court of Common Council resolved that in future all fines to be recovered or received from persons nominated or chosen to fill the office of sheriff, after payment thereout to the next sheriffs of the sum to which they might become entitled, should form a fund in the hands of the chamberlain, to accumulate at interest, and to be applicable from time to time under the orders and directions of the said court, in aid of objects of public improvement and utility, or of a charitable nature, within the City of London." Now, this always seemed to me to be trying to put a plausible face upon the extortion which they practised, by saying that it was for purposes of public improvements and charity. But so little concerned were they about it, that they received the fine of Sir Charles Price in 1835, and they had not appropriated that fine to any charitable purpose, or to any purpose whatever, till this return was moved for in 1848. It was in the interim between the order being served upon them to make the return and the making of the return, that they had invested the money, as appears upon the face of note E.

1016. Do you understand that a fund, such as is directed in the ordinance of the common council, has been created, or that no such fund has been formed?—I believe it has been subsequently created, as they state, and that these funds were transferred to a separate account for the establishment of a proposed school for the maintenance and education of necessitous orphans of freemen of London, and that they have now established such school at Brixton.

1017. You state that some of the fines have not been carried immediately to the funds?—That appears from their own return, which shows that the fine paid by Sir Charles Price in 1835, was not carried to that fund till 1848, after the order for making the return was issued.

1018. Is that the only instance in which the fine was not carried to the fund?—Yes; but there was only one other fine that they have received within the period.

1019. Is there any other point connected with the corporation that you wish to state?—I hope that if the livery are to continue to exercise their franchise, as to electing sheriffs, there will be some appeal established by which parties who have a right to relief, may obtain it on appeal to one of the chiefs of the law courts, either the Chief Justice of the Queen's Bench, or the Chief Justice of the Common Pleas, or the Chief Baron, so that by an appeal to them the parties might have the same relief which they would have before the Privy Council. It appears to me monstrously unjust that there should be no power of appealing for relief. Besides, I think that if a person is to lose his parliamentary elective franchise by removing seven miles from the City of London, he ought to be exempted from the disagreeable duties in which he might otherwise be involved, and that they ought to be restricted to persons who live within a certain distance of London, seven miles for instance.

1020. But this is a question relating to municipal franchise?—I put the two conjointly. If a person may not exercise the parliamentary franchise because he resides seven miles from the City of London, I think he ought to be exempted from the onerous duties of such citizenship.

1021. Then you would be of opinion that a liveryman who resides more than seven miles from the City of London should have no voice in the affairs of the City?—He has not now.

1022. He has not, with regard to parliamentary elections, but has not he with regard to municipal elections?—The only municipal elections are of the lord mayor and the sheriffs.

1023. And the chamberlain?—Yes.

1024. You are of opinion that all charges and obligations, whatever they are, should go hand in hand with the privileges?—Certainly.

1025. You would relieve a citizen who resides more than seven miles from the metropolis of the obligation of bearing those charges, and you would also deprive him of those privileges?—Certainly; the liverymen in independent circumstances would be very willing to give them up. In the case of liverymen in needy circumstances these privileges have been abused to purposes of corruption, at the expense of candidates for the offices to which the livery have the power of election.

1026. Prior to the Reform Act, was it necessary that a liveryman, in order to vote for members of Parliament for the City, should be resident within a certain distance of the City?—No.

1027. Then the Reform Act operated to cut down the right of the liverymen in that respect?—Certainly, it restricted it.

1028. Leaving the municipal elections as they were before?—Yes, and leaving the burthen of the offices as it was before.

Appendix to Evidence of J. R. Mills, Esq.

A Return of all Monies paid to the Chamberlain of the City of London, by Persons either nominated or elected to the Office of Sheriff of London and Middlesex; with the Date, Cause, and Amount of each Payment, and the Names and Addresses [Note (A.)] of the respective Payers, from the 1st day of January 1800 to the present Time; stating also the Amount received in each Year, the Sum Total, and the Purposes to which the Money was applied by the Corporation of London.

Date.	Name of Person Paying.	Cause of Payment.	Amount of Payments. Sums in each Year.	Amount of Payments. Total in each Year.	Purposes to which the Money was applied. Payments to Sheriffs out of Fines. — [*See* Note (B.)]	Payments to Chaplains out of Fines. — [*See* Note (C.)]	Fines Returned. — [*See* Note (D.)]	Application of Balances.	Payments out of City's Cash for Salaries, &c. of Sheriffs.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.
1800	Thomas Roberts	On being nominated, to be excused from nomination and service	413 6 8					The balances, after deduction of the sums paid, remained to the credit of the City's cash, and are applied to the purposes to which the general funds of the Corporation are applicable, out of which funds are payable to the assignees of the Crown and others certain rents, amounting to 365*l.* per annum, and allowances to the Sheriffs. The sums so paid are stated in the adjoining column.	
	Charles Edward Wilsonn	The same	413 6 8						
	Jesse Russell	The same	413 6 8						
	William Russell	The same	413 6 8						
				1,653 6 8	200 1 0	53 6 8	- - -		747 6 10
1801	George Brown	The same	413 6 8						
	Joseph Warner	The same	413 6 8						
	Edward Gale Boldero	The same	413 6 8						
				1,240 0 0	400 2 0	40 0 0	- - -		737 6 8
1802	William Thwaytes	The same	413 6 8						
	Charles Pratt	The same	413 6 8						
				826 13 4	200 1 0	26 13 4	- - -		747 6 10
1803	Edward Smith	The same	413 6 8						
	Edward Forster	The same	413 6 8						
	Samuel Hayes	The same	413 6 8						
	Henry King	The same	413 6 8						
	James Gascoigne	The same	413 6 8						
	Thomas Coles	The same	413 6 8						
				2,480 0 0	- - -	80 0 0	- - -		393 13 4
1804	Francis Gosling	The same	413 6 8						
	William Lushington	The same	413 6 8						
	Edward Kemble	The same	413 6 8						
	William Mellish	The same	413 6 8						
	William Merle	The same	413 6 8						
	John Barchard	The same	413 6 8						
	William Parry	The same	413 6 8						
	John Lagier La Motte	The same	413 6 8						
	Thomas Griffith	Having been elected, and not giving bond	613 6 8						
	James Oldham Oldham	The same	613 6 8						
	Thomas Parry	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council, mentioned in Note (B.)	613 6 8						
	Charles Coles	The same	613 6 8						
	John Bleaden [*Mem.* 200*l.* returned]	The same	613 6 8						
				6,373 6 8	- - -	173 6 8	*200 0 0		1,768 6 8
1805	William Pinchback	On being nominated, to be excused from nomination and service	413 6 8						
	James Trimbey	The same	413 6 8						
				826 13 4	200 0 0	26 13 4	- - -		737 6 8
1806	Edmund Darby	The same	413 6 8						
	Thomas Fish	The same	413 6 8						
	George Sibley	The same	413 6 8						
	Thomas Valentine Cook	The same	413 6 8						
	David Pyke Watts	The same	413 6 8						
	John M'Taggart	The same	413 6 8						
	William Coles	The same	413 6 8						
	John Gray	The same	413 6 8						
	William Rowlatt	The same	413 6 8						
	Sir John Arundell, Knt.	The same	413 6 8						
	John Butts	The same	413 6 8						
	Richard Mountford	The same	413 6 8						
	John Brickwood	The same	413 6 8						
	Robert Slade	The same	413 6 8						
	Thomas Baskerfield	The same	413 6 8						
	William Marriott	The same	413 6 8						
	George Wiltshire	The same	413 6 8						
	John Calvert Clarke	The same	413 6 8						
	Phillip Rundle	The same	413 6 8						
	George Hibbert	Having been elected, and not giving bond	613 6 8						
	William Wood Watson	The same	613 6 8						
	James Woodbridge	The same	613 6 8						
	Thomas Bish	The same	613 6 8						
				10,306 13 4	400 0 0	306 13 4	- - -		747 6 8

* Returned to John Bleaden.

Appendix to Evidence of J. R. Mills, Esq.—*continued.*

Date.	Name of Person Paying.	Cause of Payment.	Amount of Payments. Sums in each Year.	Amount of Payments. Total in each Year.	Purposes to which the Money was applied. Payments to Sheriffs out of Fines.	Payments to Chaplains out of Fines.	Fines Returned.	Application of Balances.	Payments out of City's Cash for Salaries, &c. of Sheriffs.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.
1807	Francis Newbury	On being nominated, to be excused from nomination and service	413 6 8					The balances, after deduction of the sums paid, remained to the credit of the City's cash, and are applied for the purposes to which the general funds of the corporation are applicable, out of which funds are payable to the assignees of the Crown and others certain rents, amounting to 365*l.* per annum, and allowances to the Sheriffs. The sums so paid are stated in the adjoining column.	
	Sir Thomas Coxhead, Bart.	The same	413 6 8						
	Charles Brooke	The same	413 6 8						
	Solomon Hougham	The same	413 6 8						
				1,653 6 8	- - -	53 6 8	- - -		737 6 8
1808	Thomas Whipham	The same	413 6 8						
	Martin Pearkes	The same	413 6 8						
	Thomas Poynder	The same	413 6 8						
	John Cowley	The same	413 6 8						
				1,653 6 8	400 0 0	53 6 8	- - -		757 6 8
1809	George Wood	The same	413 6 8						
	Harvey Walklate Mortimer	The same	413 6 8						
				826 13 4	200 0 0	26 13 4	- - -		737 6 8
1810	John Fish	The same	413 6 8						
				413 6 8	- - -	13 6 8	- - -		737 6 8
1811	Phillip Antrobus	The same	413 6 8						
	George Fournier	The same	413 6 8						
	Titus Farmer	The same	413 6 8						
	William Newcombe	The same	413 6 8						
				1,653 6 8	100 0 0	53 6 8	- - -		747 6 8
1812	Richard Lee	The same	413 6 8						
	Richard Holland	The same	413 6 8						
				826 13 4	200 0 0	26 13 4	- - -		747 6 8
1813	Samuel Mills	On being nominated, to be excused from nomination and service	413 6 8						
	George Longman	The same	413 6 8						
				826 13 4	200 0 0	26 13 4	- - -		777 6 8
1814	Robert Waller	The same	413 6 8						
	George Blackman	The same	413 6 8						
	John Ayton	The same	413 6 8						
	Thomas Kemble	The same	413 6 8						
	Henry Chawner	The same	413 6 8						
	John Thomas	The same	413 6 8						
	William Cass	The same	413 6 8						
	Francis Paynter	The same	413 6 8						
	James Stiers	The same	413 6 8						
	William Hammond	The same	413 6 8						
	John Gray	The same	413 6 8						
	Christopher Taddy	The same	413 6 8						
	Charles Wright	The same	413 6 8						
	Peter Giles	The same	413 6 8						
	Robert Pedder	The same	413 6 8						
	Richard Sanderson	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council, mentioned in Note(B.)	613 6 8						
				6,813 6 8	200 0 0	213 6 8	- - -		737 6 8
1815	James Whittle	On being nominated, to be excused from nomination and service	413 6 8						
	Thomas Courtney Warner	The same	413 6 8						
	John Ramsbottam	The same	413 6 8						
	James Tyers	The same	413 6 8						
	John Knowlys	The same	413 6 8						
	John Leach	The same	413 6 8						
	Isaac Hensley	The same	413 6 8						
	George Roebuck	The same	413 6 8						
	John Holroyd	The same	413 6 8						
	Charles Cooke [*Mem.* 413*l.* 6*s.* 8*d.* returned in 1815]	The same	413 6 8						
	William Lewis	The same	413 6 8						
	Thomas Foster	The same	413 6 8						
	Thomas Wilson	The same	413 6 8						
	John Gladstone	The same	413 6 8						
	Benjamin Severn	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council, mentioned in Note(B.)	613 6 8						
	Thomas Parker	The same	613 6 8						

Appendix to Evidence of J. R. Mills, Esq.—*continued.*

Date.	Name of Person Paying.	Cause of Payment.	Amount of Payments. Sums in each Year.	Amount of Payments. Total in each Year.	Purposes to which the Money was applied. Payments to Sheriffs out of Fines.	Payments to Chaplains out of Fines.	Fines Returned.	Application of Balances.	Payments out of City's Cash for Salaries, &c. of Sheriffs.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.
1815	John Garratt [*Mem.* 200*l.* returned in 1815, and 400*l.* in 1821, upon his serving the office]	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council, mentioned in Note (B.)	613 6 8					The Balances, after deduction of the sums paid, remained to the credit of the City's Cash, and are applied for the purposes to which the general funds of the Corporation are applicable, out of which funds are payable to the assignees of the Crown and others certain rents, amounting to 365*l.* per annum, and allowances to the Sheriffs. The sums so paid are stated in the adjoining column.	
	William Steer		613 6 8						
	Thomas Abbott Green		613 6 8						
	William Rayer		613 6 8	9,466 13 4	100 0 0	266 13 4	*613 6 8		737 6 8
1816	Arthur Pott	On being nominated, to be excused from nomination and service	413 6 8						
	Felix Ladbrooke	The same	413 6 8						
	John Lett	The same	413 6 8						
	John Key	The same	413 6 8						
	William Booth	The same	413 6 8						
	Peter Templeman	The same	413 6 8	2,480 0 0	200 0 0	80 0 0	- - -		747 6 8
1817	John Craven	The same	413 6 8						
	John Cooke	The same	413 6 8						
	Edward W. Windus	The same	413 6 8						
	Redstone Warner	The same	413 6 8						
	Robert Holden	The same	413 6 8						
	William Heale	The same	413 6 8						
	Francis Nalder	The same	413 6 8						
	Maximilian Kymer	The same	413 6 8						
	Robert Wilson	The same	413 6 8	3,720 0 0	200 0 0	120 0 0	- - -		737 6
1818	John Twemlow	The same	413 6 8						
	John Capel	The same	413 6 8						
	William Smith	The same	413 6 8						
	George Davis	The same	413 6 8						
	William Banbury	The same	413 6 8						
	Thomas Starling Benson	The same	413 6 8						
	William Rhodes	The same	413 6 8						
	Charles Buxton	The same	413 6 8						
	Joseph Todd	The same	413 6 8	3,720 0 0	400 0 0	120 0 0	- - -		747 6 8
1819	William West	The same	413 6 8						
	Thomas Mashiter	The same	413 6 8						
	John Reid	The same	413 6 8						
	John William Buckle	The same	413 6 8						
	William Thompson [*Mem.* 600*l.* returned in 1822, upon his serving the office]	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council mentioned in Note (B.)	613 6 8	2,266 13 4	- - -	66 13 4	- - -		737 6 8
1820	Samuel Brooke	On being nominated, to be excused from nomination and service	413 6 8						
	John Theobald	The same	413 6 8						
	Alexander Copland	The same	413 6 8						
	Joseph Bonser	The same	413 6 8	1,653 6 8	- - -	53 6 8	- - -		737 6 8
1821	Samuel Paynter	The same	413 6 8	413 6 8	200 0 0	13 6 8	† 400 0 0		737 6 8
1822	William Gosling	The same	413 6 8						
	Robert Harry Sparks	The same	413 6 8						
	John Gillyatt Booth	The same	413 6 8	1,240 0 0	300 0 0	40 0 0	‡ 600 0 0		1,037 6 9
1823	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -		737 6 8
1824	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -		737 6 8
1825	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -		737 6 8
1826	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -		747 6 8
1827	Miles Stringer	On being nominated, to be excused from nomination and service	413 6 8						
	Henry Ladbrook	Having been nominated, and not having paid the fine of 400*l.* and 20 marks within the time limited by the Act of Common Council mentioned in Note (B.)	613 6 8	1,026 13 4	- - -	26 13 4	- - -		747 6
1828	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -		393 13

* 413*l.* 6*s.* 8*d.* returned to Charles Cooke, and 200*l.* to John Garratt.

† Returned to John Garratt.

‡ Returned to William Thompson.

Appendix to Evidence of J. R. Mills, Esq.—*continued.*

Date.	Name of Person Paying.	Cause of Payment.	Amount of Payments. Sums in each Year.	Amount of Payments. Total in each Year.	Purposes to which the Money was applied. Payments to Sheriffs out of Fines.	Payments to Chaplains out of Fines.	Fines Returned.	Application of Balances.	Payments out of City's Cash for Salaries, &c. of Sheriffs.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1829	Peter Pope Firth	On being nominated, to be excused from nomination and service	413 6 8	413 6 8	- - -	13 6 8	- - -	- - -	1,081 0 0
1830	- - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	737 6 8
1831	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	For future application of Balances, *see* note (E.)	737 6 8
1832	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	737 6 8
1833	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	737 6 8
1834	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1835	Sir Charles Price, Bart.	On being nominated, to be excused from nomination and service	413 6 8	413 6 8	- - -	13 6 8	- - -	300 0 0 *See* note (E)	747 6 8
1836	Thomas Tegg - -	The same - -	413 6 8	413 6 8	100 0 0	13 6 8	- - -	400 0 0 *See* note (E)	747 6 8
1837	- - - - -	- - - - -	Nil -	Nil - -	—	—	—	—	—
1838	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	1,494 13 4
1839	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1840	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1841	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1842	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1843	- - - -	- - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1844	- - - -	-	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1845	- - - -	- - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1846	- - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1847	- - - - -	- - - - -	Nil -	Nil - -	- - -	- - -	- - -	- - -	747 6 8
1848	Charles Prichett Bousfield - - - John Remington Mills	Having been elected, and not giving bond -	600 0 0 600 0 0	1,200 0 0	- - -	- - -	- - -	1,200 0 0 *See* note (E)	343 13 4
			£	66,800 0 0	4,200 4 0	2,000 0 0	1,813 6 8	1,900 0 0	37,013 0 5

A., There is not any record in the Chamberlain's Books of the addresses of parties having made the above payments.

(B.) In virtue of an Act of Common Council, passed 7th April 1748, in each year wherein two or more persons nominated by the Lord Mayor to the Sheriffalty shall, previous to the 24th June, in any year in which they shall be so nominated, pay to the Chamberlain the sum of 400*l.*, to be exempted and discharged from such nomination, and from serving the office in future, the Chamberlain is, out of the monies so paid to him, to pay to each of the two persons who shall in that year take upon them the office, the sum of 100*l.*, and in the years wherein any one person so nominated shall make that payment, the sum of 50*l.*

(C.) Under Act last quoted, the sum of 20 marks (13*l.* 6*s.* 8*d.*) is payable out of each fine paid to be discharged from nomination, towards the maintenance of the Ministers of the several prisons within the City. The Ministers receive larger amounts annually, from which there is not any deduction made when there are not any fines received.

(D.) By orders of the Court of Common Council, fines or parts of fines have been, in some instances, returned to parties, in consequence of heir subsequently serving the office, or for other reasons.

(E.) On the 10th December 1830, the Court of Common Council resolved, that in future all fines to be recovered or received from persons nominated or chosen to fill the office of Sheriff of the City of London and County of Middlesex, after payment thereout to the next Sheriffs of the sums to which they might become entitled under the Act of Court of Common Council before referred to, should form a fund in the hands of the Chamberlain, to accumulate at interest, to be applicable from time to time, under the orders and directions of the said Court, in aid of objects of public improvement and utility, or of a charitable nature, within the City of London. Under the authority of such Resolution, the sum of 400*l.*, portion of the 413*l.* 6*s.* 8*d.* received from Thomas Tegg, Esq., in the year 1836, was, by order of a Court of Common Council, held 6th August 1838, invested in the Public Funds, the interest thereof to be, and the same has been, from time to time, applied as an exhibition to a Scholar proceeding from the City of London School to one of the Universities. The said sum of 400*l.* was applied in the purchase of 423*l.* 16*s.* 10*d.* 3*l.* per Cent. Consolidated Bank Annuities; and by order of the Coal and Corn and Finance Committee, dated this 6th day of this instant June, made under an authority given to them by the Court of Common Council on the 26th day of May last, and in reference to the said Resolution of the 10th December 1830, the sum of 300*l.*, being the balance of the sum of 400*l.* paid in 1835 by Sir Charles Price, Bart., and the sum of 1,200*l.*, being the amount of the fines paid by Charles Prichett Bousfield, Esq., and John Remington Mills, Esq., who were, on the 24th day of June 1848, elected to serve the office of Sheriff of the City of London and Sheriff of the County of Middlesex, together with interest on the same sums from the days of payment thereof respectively, have been transferred to a separate account for the establishment of a proposed School for the maintenance and education of necessitous Orphans of Freemen of London.

Chamber of London, 12th June 1849. *A. Brown*, Chamberlain.

A Return of all the Monies paid to the Chamberlain of the City of London, by persons nominated or elected Sheriff of London and Middlesex, from the 1st January 1848 to the present time, stating the amount received in each Year, and the purposes to which the Money was applied.

Date.	Name.	Sums Received.	Amount in each year.	To what Purposes applied.	Amounts.
		£ s. d.	£ s. d.		£ s. d.
1848	Charles P. Bousfield - -	600 0 0	- - -	Freemen's Orphan School - - - - - -	600 0 0
	Do. - - -	13 6 8	- - -	Returned to C. B. Bousfield, Esq., received in error -	13 6 8
	John Remington Mills - -	600 0 0	1,213 6 8	Freemen's Orphan School - - - - - -	600 0 0
1849	Nil - - - - -	Nil.	Nil.	Nil - - - - - - - - -	Nil.
1850	Andrew Caldecott - - -	600 0 0	600 0 0	Freemen's Orphan School - - - - -	600 0 0
1851	James Hartley - - -	600 0 0	600 0 0	Freemen's Orphan School - - - - -	600 0 0
1852	George Moore - - - -	400 0 0	- - -	Freemen's Orphan School - - - - -	300 0 0
				Messrs. Carter and Croll, Sheriffs - - -	100 0 0
—	Do. - - - -	13 6 8	- - -	Stands to the credit of City's Cash - - -	13 6 8
—	Thomas Grissell - - -	400 0 0	- - -	Freemen's Orphan School - - - - -	300 0 0
				Messrs. Carter and Croll, Sheriffs - - -	100 0 0
—	Do. - - - -	13 6 8	- - -	Stands to the credit of City's Cash - - -	13 6 8
—	Benjamin Chandler - -	400 0 0	1,226 13 4	Freemen's Orphan School - - - - -	400 0 0

JOHN DISTIN POWLES, Esq., having been sworn, was examined as follows :— *J. D. Powles, Esq.*

15th Nov. 1853.

1029. You are a merchant in the City of London ?—I am.

1030. What is the nature of the trade in which you are chiefly engaged ?—Chiefly the South American trade.

1031. You are a general merchant ?—Yes ; chiefly in the South American trade.

1032. Are you not also deputy chairman of the London Dock Company ?—Secretary.

1033. How long have you held that office ?—Sixteen years.

1034. Are there any points with regard to the manner in which the commercial interests of the City are affected by the corporation, to which you desire to call the attention of the Commissioners ?—The chief point in which the corporation exercises an influence on the commercial interests of the City of London is the case of the navigation of the river, which is entirely entrusted to them. I do not mean to make any complaint against the way in which the river has been cared for and kept in order by them ; but when I look to the constitution of the body under which that charge is placed, being a navigation committee of no less than forty persons, on going through their names I find that they consist of persons whose previous pursuits in life give them no qualification whatever for the discharge of their duties as members of the navigation committee. I have lately had occasion, within the last three or four months, with one or two other gentlemen, to attend that committee on matters of business, and on looking round the room it was impossible, with all due respect for those gentlemen, not to see that they had no qualifications whatever for the duties they had to discharge. But they have a good harbour master, and therefore the business is well done. Now, many years ago the corporation itself brought a bill into the House of Commons for regulating or improving, in some way, the conservancy of the river. It was proposed in the House of Commons that a clause should be inserted in the bill that the Trinity House, and each of the great dock companies, should appoint a member on that navigation committee. As soon as that clause was propounded in the House the corporation withdrew the bill. I think that in that they showed an exceedingly unwise and narrow policy, because, in the first place, there is no emolument attaching to the performance of those duties ; and, in the next place, the body could not but be improved by introducing into it intelligent men who would be put there, either by the Trinity House or by the dock companies.

1035. Is there any patronage attached to those offices, though there is no emolument ? —Undoubtedly ; the appointment of harbour master, and there may be other persons under him.

1036. Do you imagine the patronage to be considerable or not ?—I dare say not ; the harbour master's is a good appointment, I believe ; probably 500*l.* or 600*l.* a year. I have not a word to say against the manner in which that duty is done ; but one can easily imagine that, if the committee consisted of much fewer individuals,—if, instead of being a body of forty, it was a body of eighteen and if it had about six common councilmen, and the rest were elected by such bodies as the Trinity House and the dock companies, —you would have an efficient committee.

1037. Does that committee now consist exclusively of members of the common council ? —Precisely ; that is the defect in all corporation matters, that unless we, the merchants, can take upon ourselves municipal offices, which we have not time to do, we are wholly excluded ; so that at this moment, with the exception of my friend Mr. Alderman Thompson, there is not, I believe, a merchant in the whole body.

1038. Is Mr. Alderman Thompson a member of the navigation committee ?—I believe he is not. I believe none of the aldermen are members ; but the body is so constructed as to exclude mercantile men.

1039. Speaking generally of the mercantile interests of London, as distinguished from the retail trading interests, are they represented in the corporation ?—In no manner whatever. Certainly not.

1040. What are the powers over the navigation of the river which the corporation of the City exercise ?—They have the entire regulation of the mooring of ships, and the manner in which the channel shall be kept clear for the passage of the commerce of the port ; and, in short, everything appertaining to the river is entirely under them.

1041. Does that extend over the whole of the port of London ?—I believe so ; I am not aware of any exception.

1042. Have they any jurisdiction in the docks ?—No ; the truth is, there is nothing for them to do there. We have never come into collision with them in the slightest way. I am bound to say that, for I asked the principal dock master of the London Docks when I was requested to attend here if he had any complaint to make. He said, "I have no complaint whatever to make ; their harbour master and myself have always understood one another, and I have no complaint." But I am speaking of the constitution of the body, which I consider to be very imperfect, and which might usefully be mended.

1043. You say that practically you have not experienced any inconvenience from this state of things ; but that you think it theoretically objectionable ?—They have a good harbour master, but I do not think they have themselves the qualifications to enable

J. D. Powles, Esq.

15th Nov. 1853.

them to judge whether he is so or not. In fact, the whole thing is in the hands of the harbour master.

1044. It appears that there are four harbour masters, the chief of whom has a salary of 500*l.* a year; the second 400*l.*; the third 350*l.*; and the fourth 300*l.* a year; all those salaries are charged upon the tonnage duty fund. What is the amount of the fund?—It is one of the corporation dues.

1045. By whom are those harbour masters appointed?—By the common council; by what is called the navigation committee.

1046. Do you know whether in general they are persons competent to discharge that duty?—I have not a word to say against them. The harbour masters are good.

1047. Does the duty of removing shoals or obstructions in the river, devolve upon this navigation committee?—I have no doubt that if there were any inconvenience complained of, they would direct their harbour master to report to them.

1048. Have you heard of any complaints of inefficient discharge of their duty on the part of the navigation committee?—None whatever; I have no complaint to make against them at all.

1049. Your proposal is to make a compound committee, partly of members of the common council and partly of persons connected with the Trinity House, and other public bodies representing the navigation. You would not take the power entirely out of the hands of the common council, and create some new superintending authority?—I would not take the power out of the hands of the corporation, but I would make it compulsory upon them to admit into that body, persons elected by such commercial bodies as I have indicated; so that, whether we may or may not be members of the common council, we may be represented there. Then the difficulty would be got over of mercantile men not being able to attend to municipal affairs because they might be called into action in cases where they can be of no use.

1050. Do you believe that the mercantile members of the committee being few in number, would have sufficient influence over the non-mercantile members to produce a good administration?—I think the number ought to be so arranged, that they should not be out-voted; but I see no reason to expect that they would not have proper influence in that body, because I am not aware of the slightest improper intention on the part of the body of the common council.

1051. You believe that the men appointed to the post of harbour master have been for the most part, fit men?—Quite so.

1052. Do you think that the amendment proposed to be made in the Act of Parliament to which you have referred, would meet the wants of the case?—Yes, not introducing half-a-dozen men among forty, but I would reduce the navigation committee to eighteen.

1053. Was that part of the amendment proposed in that Act?—The Act did not go to that point; it simply required that the corporation should admit into its committee, whatever the number might be, certain persons nominated by the Trinity House and other bodies. I dare say that persons more conversant with their affairs than I am, will tell you that the notion of 250 common councilmen is altogether out of the question for a working body.

1054. Have you observed whether there is any jealousy of the large mercantile interests of the City on the part of the corporation generally, or the common council in particular?—No; I am not aware of any such feeling. I believe the reason why there are not more merchants amongst them is simply, in the first place, that merchants no longer reside in the City, and therefore their sympathy with the City is more or less diminished; but above all that, the merchants have not time to attend to municipal affairs.

1055. Then to what motive do you attribute the withdrawal of the Bill which you have mentioned on account of the amendment being proposed in it?—The desire on the part of the corporation always has been to retain every privilege and every custom of every kind. They would not allow it to be made compulsory to elect anybody else than common councilmen. Now with respect to the porterage and fellowship dues which are a grievance, they had their origin in a state of times very different from that in which we live. Perhaps there can hardly be a greater absurdity presented to view than this, that a brewer buying his barley down in Norfolk, having it there converted into malt, and then bringing it to his own granary in London, shall be called upon to have it remeasured, it being his own property, which he has no need to re-measure, simply for the purpose of paying dues to the corporation of London.

1056. Do you conceive that the right of metage which was granted to the City of London, was granted to them for the convenience of the public or for their own profit?—I dare say for both.

1057. In the case to which you refer, is not it merely used for the profit of the City; because the wharfinger, says "It is no convenience to me in this instance to have my goods measured, because I know their contents"?—Certainly.

1058. But there might be cases in which it would be convenient to have them measured?—Yes; if they are required to be measured, there is no obligation to it; but to force upon a party an operation which he does not require is unreasonable.

1059. Are you at all acquainted with the operation of the privilege of the City with respect to porterage and metage?—Only that there are certain things which cannot be

done, except by certain porters. There are vintner porters for wines, and other porters for corn and other customs of that kind, by which you are required to submit paying more to those persons than to other persons.

1060. Is it done at the London Docks?—No, we are not interfered with at the docks.

1061. The privilege of the City with regard to porterage and metage is not exercised at the docks?—That kind of business is not much done there.

1062. Are there not importations of corn into the London Docks?—Yes; if corn is delivered at the London Docks, the metage is done by the City, but there is no grievance between them and the dock company.

1063. Do you happen to know what is the difference between the charge made by the fellowship porters for unloading and meting a cargo of corn in the docks, and the charge made by ordinary porters?—No, I am not prepared to state that. I understand from persons in the trade that they pay more. It is quite natural that privileged persons should require to be paid more.

1064. Is there any other point to which you wish to call the attention of the Commissioners?—There is only one thing which might be suggested wherein the corporation might be made useful to the commercial interests of the City. There has long been the want felt of a chamber of commerce in the City of London. I do not mean a tribunal of commerce, which is a law court, but a simple chamber of commerce; so that when persons met with any difficulties in the course of their business, from some custom which is maintained on the part of the City authorities, or from the operation of some law which bears hardly on individuals, or any other grievance of a public nature, they should have a body to go to, who would look into it, and make such representations to the Government, or to any other parties as might be needful, in order to have that particular grievance redressed. That has been talked of I do not know how many times, and many times I have been asked to join in some measure for the purpose; but I have always declined doing so, being quite satisfied that such a thing if got up by private individuals, would go on very well for two or three years, and then would sink for want of subscriptions. Now, here you have all the organization that is wanted. You have a corporation with clerks, offices and funds, and if on the committee of this chamber of commerce there were some half dozen common councilmen, or aldermen fairly representing the City, and about twelve other persons elected from the Bank, the East India and China Association, the West India Association, the Russia Company, and other commercial bodies of that kind, you would have a very effective chamber of commerce, which I believe would be exceedingly useful to the commercial interests, and I should say very important in a national point of view.

1065. Where would be the advantage of connecting such a chamber of commerce with the corporation of London?—The question has been put: how can this corporation, which receives large revenues, be made serviceable to the mercantile body. Some of us have said, "Give us by this means a chamber of commerce. Inasmuch as they take care of various other subjects which are committed to their charge, why should not the interests of this great commercial city be also made part of their care in a way which we can point out so as to be practically useful."

1066. You consider that that would be a mode of utilizing the large revenues of the City?—Certainly. For the purposes of commerce, such a chamber as that, with an efficient and well-paid secretary, would be of very great use to individuals. I have no doubt that by means of such a body, representations would be made to the Government where any inconvenience was suffered in a commercial point of view, and that they would be ready to attend to it. I have no doubt, for instance, that the mass of grievances which have occurred with respect to the Customs, of which we have heard so much during the last two or three years, would never have accumulated to the point to which they did, if there had been such a body in existence; for whenever any man felt that he had a real grievance, he would represent it to the chamber of commerce, saying, "I have met with such an obstruction," and they would look into it in a cool and calm manner, and say, "This is a thing to be remedied," and they would write to the Board of Trade, or whatever the authority might be, and say, "This is a matter deserving of inquiry;" whereas now, when a man meets with a difficulty, he gets out of it as well as he can; but he will not devote time enough to get the cause of the grievance removed, or follow it up with the perseverance often required in Government matters to get a grievance remedied, and so he leaves the pit open for his neighbour to fall into the next month.

1067. Would you propose to give any legal functions to the chamber of commerce beyond that of making representations to the Government?—Not the slightest. It should be simply a representative body.

1068. You would not make it a tribunal in any sense of the word?—Not the slightest, but simply a chamber through which the mercantile body could make communications to the departments of the Government and other public bodies.

1069. Is it your belief that the Bank and the other great bodies to which you have referred, would be willing to unite with a committee of the common council, or any other portion of the municipal body, in order to form a chamber of commerce?—I think that if such a chamber were organized, consisting of the number of eighteen, and you allowed the corporation six members, you would find that each of those other public bodies would most willingly elect members for a chamber.

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1070. You believe that there would be no unwillingness on their part to combine with the corporation for that useful purpose?—Not the slightest.

1071. Do you think that it would in any way tend to induce mercantile men to enter into the corporation itself?—It would not be necessary for that purpose. I do not know how you could induce mercantile men to enter into the details of the business of the corporation: I am sorry they do not.

1072. The general view which seems to prevail amongst the principal mercantile persons in the City of London is, that they have not sufficient time to devote to the proper discharge of the duties of the municipal offices; is not that the case?—That is the feeling I believe universally.

1073. Is there any other point to which you wish to call our attention?—I am not aware of any other.

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JOHN HAWKINS ELLIOTT, Esq., having been sworn, was examined as follows:—

1074. What has been your connexion with the corporation of the City of London?—I have been a member of the Court of Common Council for about five years, and before that time I took great interest in the examination of corporation affairs, having for many years past considered it not so useful a body as it might be.

1075. You are engaged in trade?—I am a wholesale warehouseman in the City.

1076. Do you reside in the City?—I carry on my business in the City, and I also reside in the City.

1077. What are the principal points to which you desire to call the attention of the Commissioners?—The corporation is an ancient institution, and the wants of the metropolis have naturally outgrown it, useful as it no doubt was centuries ago; it now stands an independent knot of authority in the very centre of the metropolis, occupying a small part of it only, and exercising an independent jurisdiction there. It has all the vices of an *imperium in imperio*. If the corporation be good, there is no reason that the other nineteen-twentieths of the metropolis should be denied the privileges which the City district enjoys. If the corporation be bad, there is every reason why the persons who inhabit the central district should not be at a disadvantage as compared with all the rest of the metropolis. The first evil belonging to the corporation, I take to be this: that it has a vast variety of business, and some of the most important kind to transact, which requires specific qualifications—which business is performed by an indiscriminate number of tradesmen like myself, who, I submit, are quite incompetent to grapple with many great and difficult matters entrusted to them. The habits of London are peculiar; they render the management of local affairs—they render in fact self-government almost impossible. Things may be managed by the people, in almost any other city in the kingdom, which cannot be managed in London. In London the most influential and intelligent men come only for a few hours into the City; they come at ten in the morning, and they are away at five or six in the afternoon. They go home; and their sympathies and affections are at some place ten or twelve miles off; they feel no interest in the municipal affairs of the City; so long as they can find their way to their counting-houses, and so long as their property is safe in their own house, they are unconcerned about all else. During the time they are in London their whole attention is given to their business; the hours of their leisure are spent elsewhere. In a country town a man has a great deal of leisure at the place of his business, for that is the place where he resides, hence he has some opportunity to attend to municipal matters, and his services may be useful. Hence the management of a place like London is not at all suited for municipal arrangements.

1078. In short, your objection to the present system is not so much to any abuses in detail as to the whole system?—The objection which I feel is, as I have stated, to the general system, but there are many abuses in detail.

1079. Would you propose to abolish the entire corporation?—The first and foremost evil which I apprehend exists in the City of London, and which is an evil of immense magnitude, consists in the magistracy: which consists of twenty-six aldermen, who are elected by the citizens, without much regard to their qualifications for being magistrates. They are men of trade; their habits and their ideas have all been formed in the counting-house or the shop. When they become magistrates they are not independent of their business; therefore they bring to the magisterial duties neither the time that is requisite, nor the previous intellectual qualifications. Serious evils are constantly occurring in the administration of justice in consequence of incompetent magistrates; great delays take place because they are not at their place of duty when they should be there. A hundred or two hundred persons are kept waiting a quarter of an hour or twenty minutes, or half an hour, in the very middle of the day, because those magistrates are not punctual. It has not unfrequently happened that, in the course of the police business, the magistrates are disturbed by applications, as we infer from appearances, connected with their own private affairs. The great and crying evil of the corporation, I consider, is the Court of Aldermen: composed as it is of twenty-six gentlemen elected for life, and therefore, to a great extent, irresponsible to their fellow-citizens. In addition to the duties which they exercise as magistrates, they are also members of the Court of Common Council; and they

are members of various committees of the court, where they have a preponderating influence: as, for example, a committee which consists of forty-one members will include twelve aldermen; therefore they compose nearly one-third of the members of such committee, who are elected for life. Aldermen's deputies are members of those committees; thus the alderman directly and indirectly, through the influence of his deputy, exercises a great influence in any case where he has any interest. Now a magistrate certainly should not be periodically elected; but a gentleman who exercises the many other functions which the aldermen enjoy should be periodically elected. There is therefore this difficulty, either you must strip the aldermen of all the functions which they exercise, or you must elect them periodically; if you elect them periodically, then you have all the vices which attends the system of a magistrate going back continually to seek the suffrages of his fellow-citizens; constrained to shape his course in a way that shall render him popular among the electors. The first reform I suggest, would be to relieve the corporation of London entirely of its alderman-magistracy. I would appoint two paid police magistrates for the two offices of the City. We should then have the same police-magistracy exercised over the whole metropolis, which now obtains (I believe to the satisfaction of the people) over nineteen-twentieths of it. We should have paid, properly educated, and responsible men day by day discharging the most important duties in society as their daily duty, instead of, as in the City of London, and nowhere else, unpaid, irresponsible, and, as I submit with great respect, uneducated men, professionally uneducated for the peculiar duties they have to perform. This same evil obtains at the quarter sessions, and at the Central Criminal Court. These aldermen take their places at the quarter sessions, but they do not conduct the business, that is conducted by a judge, where the presence of the alderman-magistrate, I submit, is a great impertinence. During the process of a trial these men do not understand what is going on; they do not understand law; they soon get tired of giving attention; you will find them writing letters; you will find them restless, running in and out; and, as I must bear testimony of what I have experienced myself, a man will find very considerable disturbance to his attention, being a juryman, in consequence of the incessant mere personal moving about of persons who have in truth no real function to perform. The same applies to the Central Criminal Court. An alderman who has tried a man at the police court, ought not, even in appearance, to go to the Central Criminal Court, and try him over again. There is nothing that an alderman can do at the Central Criminal Court, I would submit, that is at all useful to the public. I am well informed that they cause considerable delay in the course of business there, in consequence of their frequent absence; it being necessary that an alderman, who is after all a mere dummy, should be there to constitute a court. I hope that this Commission will be enabled to make a very searching inquiry, and to obtain much more information than I can give respecting the administration of justice in the City of London. I would strongly recommend that the aldermen should be relieved entirely of these important duties, which they are not competent to perform.

1080. Would you propose that the two magistrates whom you have spoken of should be appointed by the Crown?—I can imagine no authority sufficiently dignified and sufficiently important to have anything to do with the creation of magistrates but the Crown.

1081. Would you then propose that the police magistrates in the City should be appointed by the Crown, as they are in the rest of the metropolis?—As they are in the other nineteen-twentieths of the metropolis.

1082. From what fund would you propose that they should be paid?—That is a matter which, with your permission, subsequently I will explain.

1083. Will you proceed with your statement?—I, perhaps, may give a striking illustration of the evils that have taken place with regard to the administration of justice in the City by aldermen, and the same system continues, the same evils may take place again. I refer to two instances which took place sometime ago, and by so doing, I am not liable to come into collision with persons who are now active in the City. This thing has happened in consequence of having persons who have other affairs in life, besides magisterial duties to perform, that an alderman has taken his seat to adjudicate upon a case, in which his own partner has pleaded before him, for either plaintiff or defendant.

1084. Does an alderman sit in any case where there are plaintiffs and defendants, cases of civil jurisdiction?—The case I allude to was a dispute about a ship's register.

1085. What was the court in which the case was heard?—It was before the police Court, before a magistrate sitting at the Mansion House.

1086. One of those summary cases in which a magistrate would exercise civil jurisdiction in disputes about small sums?—Yes. But an instance occurred, some few years ago, more astounding than that, when the corporation had jurisdiction in the borough of Southwark. An alderman went, day by day, to dispense justice among his fellow-citizens, himself being in custody; going from prison in the custody of an officer, sitting on the judgment-seat in custody, and going away in the same situation. Now, no notice was taken of this by the corporation. One would not like to say that they approved of such a thing, but such an enormity did not call forth any animadversion. I believe, that and some other wrongs were the cause of the inhabitants of the borough of Southwark being at last entirely relieved from aldermen-magistrates. The aldermen of the City of London do not now sit as police magistrates in the borough of Southwark, as they did formerly,

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but these things may occur again elsewhere. It is true, public opinion may act more strongly than it did some ten or twelve years ago; but while you have the same materials composing the Court of Aldermen, such a scandal may occur again; the administration of justice should be free from suspicion, as well as from any defects which can be established against it. The two police courts of the City are, by the corporation report, carried on at a cost of more than 5,000*l.* a year. The twenty-three paid police magistrates in the metropolis, cost altogether but 45,000*l.* a year. So that actually our neighbours in the surrounding districts of the metropolis have the advantage of paid and professionally educated men, at less cost than the business is conducted for in the City by unpaid gentlemen.

1087. In instituting your comparison, do not you include dissimilar elements; do not you include the salary of the recorder, a person who exercises superior criminal jurisdiction?—No. By the 5,000*l.* which I referred to, the cost of the two police courts of the Mansion House and the Guildhall is defrayed quite independently of anything else. The cases, as well as I can obtain information respecting them, are perfectly parallel. There is a staff of officials kept up in our police courts which are not kept up in other places. The adviser and assessor of the Lord Mayor costs 600*l.* a year. We consider that the magistrates are so incompetent, that we have highly paid gentlemen to assist them as legal advisers. It would be much better that those gentlemen should be at once made magistrates; we should then have competent and efficient men, forming a judgment and giving a decision on important cases. The next point of grievance, I submit, is the police of the City. There is one police obtaining over nineteen twentieths of the metropolis, the total cost of which is not more than 400,000*l.* a year. The City district has a police of its own. This central spot of the metropolis has a police jurisdiction independent of all the rest. It has its own commissioner. It is under the control, more or less, of the police committee of the Court of Aldermen. It is also somewhat controlled, but not much, by a police committee of the Court of Common Council. It is conducted at a cost of more than 40,000*l.* a year. Thirteen years ago an attempt was made to institute a uniform police over the whole of the metropolis. It was then estimated that the police of the City might be well managed for 25,000*l.* a year, in addition to the costs of all the rest of the metropolitan police. The City made a great resistance—they raised a strong cry about their rights and privileges, and the Government gave way upon the condition that they should form their police after the model of the metropolitan police. That they did, but in consequence of having a separate jurisdiction, and from other causes, our police, instead of costing us 25,000*l.* a year, costs more than 40,000*l.* a year. Now, supposing that the metropolitan police commissioners, who would be pretty good judges, might be a little wrong in their calculation, it is but fair to say that the citizens of London lose 10,000*l.* a year by their separate police jurisdiction. During the thirteen years we have had it in operation, the citizens of London have lost no less than 130,000*l.*

1088. Do you believe the police in the City to be efficient at present?—The police is as efficient as a police can be, cut off and separated from the larger metropolitan police. The police should be like an army—it should act uniformly, and absolutely under one head. It is quite clear that two separate authorities must weaken its power, and, as we see, cause an enormous extra cost.

1089. You believe that the separation of the City police from the rest of the metropolitan police makes it more expensive and less efficient?—It makes it more expensive and less efficient. I should therefore propose that the citizens of London be relieved from the management of their police, and that it be incorporated with the metropolitan police.

1090. Will you proceed to the next point of your statement?—The commissioners of sewers are a distinct body in the City. Upon the best examination which I can make I think it would not be desirable to disturb them. They are already subordinate to the metropolitan board of commissioners. In all works in which it is necessary to have an united action, the City commissioners are ready and willing to act with the metropolitan commissioners: we have spent an enormous sum of money in bringing our sewers to a great state of perfection. The City is only about one square mile of area, and we have about fifty miles of sewers. We have paving, which is not rivalled in the world. The commissioners of sewers sitting in the City are close at hand, easily accessible to all the citizens, and although there may be objections, I propose that we should be allowed to retain the management of our own district sewers. Having relieved us of those important functions which I think ought to belong only to the imperial authority, I would submit that for all the rest the City of London should be brought under the jurisdiction of the Municipal Act, which governs all towns and cities. The Municipal Act, which has been found a great improvement upon the old corporation system, is now in active operation in Southampton, Bristol, and all other incorporated towns. Its provisions seem clear and fair; they work, if not perfectly, much better than the old system, and I can conceive no reason why there should not be the same law in the City of London, which obtains every where else except there. This will indicate whence the funds are to come to pay for the police magistrates and all other services. The Municipal Act provides that the estates of corporations shall be applied to municipal services, and when that fund is exhausted, the residue is to be made up by a rate from the inhabitants.

1091. The General Municipal Act makes no provision, does it, for the payment of salaries to magistrates; all the stipendiary magistrates in the country are appointed by

the Crown, and are paid from some general fund?—I think there is a provision in the Municipal Act that stipendiary magistrates may be appointed by the Crown and paid out of the rates, but if not, we have funds in the City sufficient and available. Our Lord Mayor alone costs, on the report of a committee which searched thoroughly into the matter, 25,000*l.* a year. Therefore, stripping the office a little of its enormous costs, we have funds in abundance to pay for any new services we require.

1092. To what committee do you allude?—There was a committee of the common council appointed in the year 1836 to examine into the expense of all the different portions of the establishment. I have looked over the report prepared with great care; it states that the total cost of the lord mayor's office is 25,000*l.* a year, including, of course, the estimated rental of the Mansion House, and the ground on which it stands; the repairs and additions of furniture, and so on, which have been from time to time purchased; but the cost of the two unpaid magistrates of the City at the Mansion House and Guildhall is sufficient to defray the expense of two paid police magistrates. In the metropolis generally each police court costs less than 2,000*l.* a year. Each of our police courts costs 2,500*l.* a year. By the plan I propose, the reform of the corporation would be very simple; and, that we should not clash, I will not say against the prejudices but against the sympathies of the citizens, by extirpating the corporation entirely,—we should deprive it of those important functions it possesses, which I submit with great respect it exercises to the injury of the public. We should allow it to remain still managing enormous funds which perhaps, ill though they may be managed, we could hardly devise any other authority to manage better. Notwithstanding the expense of the corporation, and I may say its extravagance, I think the management of its estates would bear a fair comparison with the management of the national estates by the Woods and Forests.

1093. Would you propose that the magistrates in the City should stand on the same footing as the recorders in municipal boroughs; namely, that they should be appointed by the Crown, and be paid out of the municipal fund?—I would have the recorder and all the other judges appointed and paid precisely as they are in the other municipal towns.

1094. There are very important charitable trusts in the hands of the City, are there not?—There are.

1095. How do you propose to deal with them?—I should leave them to be administered by the corporation, reformed under the new Municipal Act. I apprehend the Municipal Act would supply us with all the requisite authority and all the machinery for the purpose at once. The funds which are available in the City for useful purposes are very considerable indeed. A return has lately been laid before the Court of Common Council, which tells us that we have 151 officers, of various sorts, beginning with the recorder, whose united salaries are 46,000*l.* a year. This would give us 151 officials, whose average salaries are about 300*l.* a year. By a proper management of the affairs of the City, an enormous amount might be saved from those officials, which could be appropriated to buying old bridges, to the building of new ones, and carrying on important metropolitan improvements to a most unbounded extent. It is within the last few weeks only that the corporation have seriously determined upon the purchase of the Southwark bridge, which can be had for 350,000*l.* The traffic of the City is extremely incommoded by the want of proper thoroughfares; and I think that if the corporation had had a true sympathy with the wants of their fellow-citizens, they would years ago have purchased that bridge. They have not yet purchased it, and they have only now seriously considered the propriety of purchasing it. To show that there would be no lack of funds for the purpose of carrying on any of the reformed institutions in the City, I beg to observe that the expenditure of the City of London for 1852 for municipal purposes, leaving out of the question a large sum of money expended for improvements, amounted to a tax of about 5*s.* in the pound. Reckoning the rental of the City as 1,000,000*l.*, the expenditure for municipal purposes for the year 1852 was equal to a tax of 17*l.* per house.

1096. What proportion of that amount do you conceive arises from taxation, and what proportion from the City property?—Of the money so expended about 146,000*l.* was derived from the City rents, tolls, and various sources of City taxation, and about 120,000*l.* was derived from rates; that is, about 266,000*l.* in the whole.

1097. By rates do you mean the coal dues?—No; 146,000*l.* was contributed by rents and various tolls and taxes upon commodities,—taxes in fact upon the trade and commerce of the City; the rest was raised by rates, as in Marylebone.

1098. Can you distinguish between the rents of the City and the produce of all taxes and tolls levied upon the public?—Yes; an examination of their yearly abstract will show that.

1099. Comparing the amount of rates paid in the City with that paid in other parts of the metropolis, Marylebone for instance, can you state to the Commission whether you consider it higher or lower?—Notwithstanding the advantage which the citizens of London ought to derive from their other sources of revenue, the rates paid in the City are quite as high, or a trifle higher, than in Marylebone, which has no extraordinary sources of relief. In 1852 the rates in Marylebone for paving, lighting, sewers, and police were 2*s.* 3*d.* in the pound. The rates raised in the City of London for the same purposes were a trifle more than 2*s.* 3*d.* in the pound.

1100. Are those rates uniform over all the parishes of the City; are there the same rates for lighting and paving all over the City?—Yes; the corporation authorities make a

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rate upon the whole City, and each ward contributes according to its assessed rental so much in the pound.

1101. Is there any parish rate in the City besides the poor's rate?—Yes; there is the church rate and the tithe, and all other parochial expenses, quite independent of the municipal expenses.

1102. Have the citizens of London any advantages of importance with regard to the means of educating their children in endowed schools?—There are charities in the City. There is the City School, which is a very admirable institution for the education of the children of the middle classes. It is not entirely a charity, but conducted out of funds left some years ago, I think, by a citizen of London, which, with the contributions that the children themselves make, enables them to obtain a first-rate education at a very low price. That fund was in abeyance for a great many years; and it would have remained so to this day, misappropriated by the corporation, had the trust not been unearthed by Lord Brougham's Charity Commission.

1103. Are the schools of that description chiefly under the management of the corporation, or under the management of the different livery companies?—This school is in the hands of the corporation. The corporation have just built and brought into action the Freemen's Orphan School.

1104. Are the advantages of that school available for the whole of the City of London?—For the orphans of freemen until the school is full. They are now about electing them.

1105. Do you know what number of pupils the school will contain?—I do not. The corporation, when a particular tax becomes obnoxious, take care to secure the tax for a particular purpose, and oftentimes a very good purpose. There has been a great outcry made about the tax imposed upon the tradesmen of the City, who are not allowed to commence a retail business unless they take up their freedom. The funds derived from that tax go in part to support this Freemen's Orphan School. The large fines wrung from those gentlemen who do not find it convenient to become sheriffs, also go to this fund; therefore an apology is made for those impositions by the good purpose to which they are applied, when the corporation can resist public opinion no longer.

1106. You mean that they apply their other funds to purposes which may not be so generally esteemed proper?—They have other funds that are abundantly available for extravagant expenditure. There is a toll which is exceedingly obnoxious, imposed upon the transit of commodities into the City. No cart can enter the City, unless it is the cart of a freeman, without paying toll. A few years ago the corporation cunningly laid that fast, to the amount of 5,000*l.* a-year, by the Act of Parliament for the Improvement of Holborn Hill; therefore, when complaint is made of the toll, the answer is, "See for what a good purpose it is used, and more than that, it is appropriated by Act of Parliament, we cannot disturb it;" concealing the fact that they themselves quietly obtained the Act of Parliament. There is another great evil I think exists; namely, the power that the corporation have of interfering with parliamentary business to the extent that they do. I cannot see that the people inhabiting the central district of the metropolis should have a power of parliamentary interference, which people inhabiting all the other districts of the metropolis have not.

1107. That is the result of their large funds, is not it, which enables them to watch the progress of bills in Parliament, and to establish a machinery for that purpose which others have not?—They have a remembrancer, whose business and whose privilege it is to attend the House of Commons and inform the corporation, which he must do officially, of anything in any Act of Parliament which is being proposed, which can be considered as hostile to their interests.

1108. In deciding whether a bill is hostile to the interests of the City, does the remembrancer look to the interests of the metropolis at large, or to the exclusive interest of the City?—To the exclusive rights and privileges of the corporation. For example, the public were astounded some time ago by the discovery that the corporation had been suddenly put in the possession of the power of levying a toll upon coals, to a distance of 20 miles in a straight line from St. Paul's. They introduced a clause into an Act of Parliament which nobody knew anything about till it came into operation. There was no public discussion of any kind, but the coal tax was extended by that clause so as to include the town of Hertford and the town of St. Alban's. I think this is a very great grievance, and by stripping the corporation of all its privileges, except such as it would derive from the Municipal Act, we should be relieved from all those inconsistencies and absurdities.

1109. If a bill were pending in Parliament, which was generally beneficial to the metropolis, but was considered by the corporation to interfere with some of their privileges, would the remembrancer use his best efforts for defeating it?—It is not the function of the remembrancer to do that. It is his business to inform the corporation of it, and then they take their own measures.

1110. What would be the practice of the corporation in a case of that kind?—If the corporation objected to it, if they thought it interfered with their rights and privileges, they would see the officers of the Government, they would see the Home Secretary, and they would put all the machinery which they have in operation to defeat that bill. They have a great deal of parliamentary influence; several of their members are members of Parliament; they have apparatus for a great deal of agitation. They can call public meetings, and can advertise in the newspapers, and make a great deal of noise and agitation, rendering them formidable opponents.

1111. How would you propose to deal with the coal dues?—The coal tax has been rather misrepresented with regard to the corporation. The coal tax of 1*s.* 1*d.* a ton yields pretty nearly 200,000*l.* a year; but the corporation have not the control and expenditure of that large sum of money. The corporation only retain for their own use about as much as is yielded by 4*d.* out of the 1*s.* 1*d.*

1112. You mean that the rest is mortgaged for particular purposes?—The rest is expended, I believe, under the control of the Woods and Forests, for improvements beyond the City. New Oxford Street and other large metropolitan improvements have been carried on out of that fund. The fund was found to be so large, that it was very properly said, that a fund contributed to by a tax inflicted on so large a portion of the population, not only of the metropolis, but of the country around, ought not to be entirely spent for the advantage of the City of London, the whole metropolis ought to have a share of it; but as the City had the apparatus for collecting this tax, the arrangement was, that the City should continue to collect the whole of the tax, and that they should pay, out of the 1*s.* 1*d.*, 9*d.* to the Woods and Forests for metropolitan improvements generally. That seemed to be very reasonable and very proper; and, provided the City made a good use of the 63,000*l.* per annum, which is about their share of the coal duties, there is not much to complain of.

1112 a. Is that part of the fund which is applicable to City purposes, exclusively, for a term of years, or is it perpetual?—I believe it is perpetual.

1113. Do you think it would be desirable, ultimately, to abolish that tax?—In a scheme of municipal reform, I would recommend that the coal tax remain for ten years, and that it be expended as it has hitherto been. It is a tax easily collected; it is a tax which does not press hard upon the consumer. I think there is a great evil in making many things excessively cheap. I think, if you have coal exceedingly cheap, you lead not only to the comfortable but also to the luxurious use of it. The more coals there are the more they are luxuriously used. I believe the excessive cheapness of coal has exceedingly increased the smoke and fog of London, and has tended, so far forth, to make it more unhealthy; therefore those who by their luxurious expenditure tend to create such a mass of smoke, ought not to complain of a small tax, which is to be applied to the widening and straightening of streets, and thus do something to mitigate the evil.

1114. Has not it been alleged that London has suffered and been deprived of some important branches of trade in consequence of the greater dearness of coal in London than in other parts of the country?—It has been so alleged, and I really think it is an advantage to London, instead of the contrary. London is very rich; it has an enormous population; it is of unmanageable size; and I think to do anything which has the slightest tendency to increase the number of fire-using and fuligenous handicrafts which exist already would be an evil to London, instead of a good.

1115. You consider the coal tax, therefore, to be a sumptuary law to prevent London becoming too rich and too prosperous?—The coal tax is so small that it does not produce that effect. Coals are now, on the average, exceedingly cheap, and there is a larger quantity of coal now used, in proportion to the population, than ever was used before.

1116. You do not believe that branches of trade have been banished from London in consequence of the greater cost of coals in London as compared with the country districts?—I do not think that that has been, practically, much the case; and, if it has, I think it is an advantage. Leeds and Wolverhampton had better be where they are than be aggregated to a place already at the bed of a sea of smoke of one hundred square miles in extent.

1117. Do you believe that the coal duty operates exclusively as a sumptuary law; does not it restrain the consumption of the poor and necessitous, as well as the superabundant consumption of the wealthy?—The cheaper things are the more extravagantly all classes use them, and particularly the poor.

1118. At the present moment, for instance, is not the price of coal such as to render it very undesirable that it should be increased by any artificial means which can possibly be avoided?—Coals just now are dear; but in reasoning upon these matters we must take the average price of a necessary of life like coals; we must not reason from the prices of one market day. For some years there has been gradually a decline in the price of coal, which may now be bought for 19*s.* or 18*s.* a ton.

1119. Do you consider it a legitimate object of public policy to increase the price of coals in London by any tax which is not necessary for the purpose of raising revenue?—I think as so small a tax as 1*s.* 1*d.* a ton has for a great many years been imposed, and as I propose the proceeds should be entirely appropriated to metropolitan improvements, which are, in my opinion, quite as much sanitary as ornamental, such a source of revenue need not be disturbed. I cannot imagine how we can obtain 200,000*l.* a year so conveniently as by continuing the tax upon coals. I have no personal interest in the matter. I am quite willing to divest the corporation of every source of revenue which is injurious to the public; and I am only vindicating the coal tax because it is used and intended to be used for the benefit of the metropolis generally, as well as of the City.

1120. Do you know what the application of the 75,000*l.*, which is the amount of the coal tax possessed by the City, is?—It does not appear very plain. Without going to the extent of censure of many persons, I wish that the City accounts were more clearly made out. In the cash abstract for the year 1852, they give the product of the coal tax

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and the corn tax, the corn tax being about 10,000*l.* of the sum of 73,000*l.* On the other side, they show, as the appropriation of that 73,000*l.*, 20,000*l.* spent for City improvements; and the rest, I believe, is merged in the ordinary expenditure of the City. It is but fair to say that the corporation are now spending more money for really useful alterations in the City than they have done for many years past. There is an item of 20,000*l.* for public improvements, and lower down there is an item of 19,000*l.* for building lodging-houses for the labouring poor. There is an item of 58,000*l.* for the new metropolitan cattle market. That may be referred to as another grievous instance of corporation prejudice and narrow-mindedness. With immense difficulty the old Smithfield market was at last condemned, the corporation year after year resisting the alteration and when the Court of Common Council divided, out of a body of 230 persons you would not find above eight or ten in the minority for the removal of that market. At last, after we had got rid of the market, the corporation had influence enough to prevent its removal to any further distance than Copenhagen Fields. It is not now in the centre of the metropolis, but it is in the neighbourhood of a closely-peopled district. In the course of a few years it will be completely surrounded with houses. In consequence of corporation influence, prejudice, and stupidity, the metropolis has lost the opportunity of being relieved of a crying nuisance—such an opportunity as, perhaps, may not return for half a century.

1121. You mentioned the corn tax. By the corn tax are the Commissioners to understand the metage tax?—Yes, the metage dues, out of which they derive a profit of about 10,000*l.*

1122. Do you know anything of the operation of the privilege of the City with respect to porterage and metage?—Only, generally, that it creates a monopoly which is to the disadvantage of the trade. Tradesmen are obliged to employ privileged persons, at a greater charge than others would. It is a serious tax upon the commerce of the City, and one which is not endured by people living in other towns. It tends to make the commerce of the City more expensive, and to make Bristol and other towns powerful and successful rivals of London.

1123. In what manner are the functions of the City with respect to the conservancy of the river exercised?—They are in the hands of a committee called the navigation committee. That committee is composed of the ordinary members of the court, with a certain proportion of aldermen—persons that one would suppose to be very incompetent for such duties. Still we have been told by a preceding and practical witness that he has nothing to complain of; and therefore, perhaps, it would not be worth while to disturb an organization which has existed a great many years, if it works well. It seems, in theory, exceedingly absurd that the conservancy of the Thames for about eighty miles of its course should be in the hands of a small knot of City authorities.

1124. How would you propose to deal with the present borough of Southwark?—I would relieve Southwark from the trifling jurisdiction which the City now has over it, and provide for its wants in the same way as those of Marylebone and any other place are provided for. I do not at all see the way clear for the organization of any new municipalities. Much less do I think it expedient to bring the whole of the metropolis under one municipality. As I said before, the habits of the people of London render their due and efficient attention to public local matters quite impossible.

1125. Does not the size of the metropolis defeat one of the main objects of municipal government, which is, acquaintance with the local circumstances of the place?—Very much so.

1126. Would it, in your opinion, be desirable that several municipal bodies should be constituted in the metropolis; for example, that Finsbury, Marylebone, the Tower Hamlets, Westminster, Lambeth, and Southwark should be constituted distinct boroughs for municipal purposes?—I would rather see the practical result of an improved municipality in the City of London; and at the end of five years, having had that experience, we might then see whether it would be expedient to extend the Municipal Act to those various boroughs.

1127. At the present moment it is in the power of those boroughs to apply to be admitted within the Municipal Act, is not it?—Of course they can petition the legislature for any institution which they think may be of advantage to them.

1128. Must not the application be made by the majority of the ratepayers; and is it not a very elaborate and expensive process to obtain that consent?—I am not aware how that may be, but I think, if practically people cared about it, they would make some agitation. I do not believe there has been any move in any of the metropolitan boroughs for a municipality, except when they have been instigated to it by the corporation. When the corporation have felt themselves in danger, they have been very well disposed to gain strength by creating agitation around them.

1129. The general outline of your proposition is, to extend the provisions of the General Municipal Act to the City of London, placing all judicial functions in the hands of officers appointed by the Crown, and paid out of the City funds?—Yes.

1130. With respect to the police, which is now separate, you would incorporate it with the metropolitan police; with respect to the board of sewers, you would leave it as at present, with exclusive City jurisdiction?—Yes.

1131. The effect of that change would be to abolish the separate Court of Aldermen,

would not it?—I apprehend you can do little good unless you completely get rid of the Court of Aldermen, which is a thoroughly anomalous and unconstitutional body, working in defiance of all the ordinary notions which we entertain, that men are to be elected and to give periodically an account to their constituents of their conduct when they vote away their money.

1132. Would you keep up any connexion between the freedom of the City and the livery of the trading companies?—I would not disturb the livery or the trading companies, useless as they may be, except in so far as they interfere with the freedom of trade in the City. Some of the companies will not allow a man to carry on trade in the City unless he be—not free of the City, but free of their company; the butchers, the bakers, the cooks, and other such companies for instance. I would deprive them of that power; I would of course deprive the livery of the power of electing the Lord Mayor and chamberlain, because the City would be brought under the Municipal Act, in which there is a provision for the election of the mayor and other functionaries. All anomalies and absurdities would be removed as a matter of course by the application of the Municipal Act.

1133. You would get rid of all elections in common hall?—Yes; it is notorious that they work ill; that it is too often a privilege used by people who have no business with it. It was a concession some time ago that a liveryman living seven miles off should vote for members of Parliament. I think that might be discontinued with great advantage.

1134. Would you allow a person, who was free of a company, to be free of the City upon paying a fee, without any qualification arising from a residence in the City?—I would abolish altogether the qualification of freedom; I would consider that the whole of the inhabitants of the empire were free. I would make every man free who lives in the City of London, just as every man in Bristol is; and a burgess, by the very fact of his having lived there a certain length of time, and paid the rates and taxes.

1135. You would assimilate the condition of burgesses in the City to that of burgesses under the General Municipal Act?—Without exception.

1136. Would you propose that any officer of the corporation should be elected by the general body of burgesses, or would you prefer that they should all be elected by the common council, or whatever was the body that corresponded to the common council?—I would propose that the burgesses should elect the town council, as they do now everywhere else but in the City, and that the town council should appoint the necessary officers as they do now. I can see no reason whatever for any exception being made in the City of London. The aldermen in the new municipalities have scarcely any function except that of town councillors. They have the title of aldermen, but no separate functions, and I think they should have none if they are not magistrates, and magistrates such men ought not to be.

1137. Is there any other point, connected with this subject, to which you wish to call the attention of the Commission?—I may say that the City now consists of twenty-five wards, which are very unequal in their extent, some of them not consisting of more than 180 or 200 houses. I should propose that the City should be divided into twelve wards, and that those twelve wards should return altogether 180 councillors; that, I think, would be a sufficiently numerous body. You must have such bodies rather numerous, or you have not a sufficient number to attend, and that gives the opportunity of a good deal of jobbing and petty influence. I think 180 councillors would be a sufficient number. In Marylebone their vestry consists of 120; and, upon the whole, I believe Marylebone is very fairly managed.

1138. Do you know what the usual attendance at the Marylebone vestry is?—I do not; at any rate Marylebone, without the advantage of special sources of revenue, does not pay more in rates than the citizens of London.

1139. You would keep up the division into wards therefore?—You could hardly carry on municipal affairs, I think, without something of the kind

1140. Would you alter the present limits of the wards?—I would have the City re-divided; some wards now contain not above 180 houses, they are extremely unequal.

1141. There are charities which belong to those wards as wards; do you imagine that there would be any difficulty in altering the limits of those wards in regard to such charities?—Parliament is all-powerful, and I think the citizens ought not to raise objections upon the point of the charities, when so much good is to be effected;—there might be some little difficulty, but I think it is to be got over.

1142. Might not the old boundaries of the wards be maintained for the purpose of administering the charities, while they were altered for electoral purposes?—Yes; they might be so. It might be said that there are persons occupying so many houses in such a spot of the City, formerly called the ward of ———, who have a claim to such charity. Let it so remain. But I would rather see a liberal spirit pervading the citizens, and that all such petty matters should be divided among a larger number of people.

1143. Do you know whether there are many charities belonging to the wards as such?—I do not think the number is considerable.

1144. Have you, as a common councilman, taken much part on committees or otherwise, in the business of the common council?—I have taken the ordinary amount of interest. I have been a member of certain committees which have been apportioned to me, and attended them as well as I could; but the business of the corporation is carried on in the very middle of the day. The consequence is, that it prohibits men who have any sort of

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avocation, from giving due time to it. The corporation is, for the most part, composed of elderly men, persons who are in easy circumstances, or who have sons or junior partners able to take the management of their business, allowing them to be themselves away at the most important period of the day.

1145. Are the ordinary proceedings of the common council orderly?—Yes; the Court of Common Council is pretty well drilled to the conduct of public business. It is hardly so calm and quiet as the House of Commons,—certainly not so dignified as the House of Lords; but, on the whole, I think the usual courtesies and mode of business to be very well observed there.

1146. You do not think the present number of the common council is sufficient to produce disorder in the transaction of their affairs?—It is not the number that would cause disorder, but the materials of which it is composed. It is not so numerous as the House of Commons, it only consists of 232 persons.

1147. It is numerous as compared with ordinary town councils of boroughs, is not it?—Yes; it is about double that of Marylebone.

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FRANCIS BENNOCH, Esq., having been sworn, was examined as follows:—

1148. What connexion have you had with the corporation of the City of London?—I have been a member of the common council since 1845.

1149. Are you engaged in trade?—I am.

1150. What is the nature of your trade?—I am a wholesale warehouseman in Wood Street, Cheapside.

1151. Are you a resident in the City?—I do not reside there, I only have a place of business there; the whole of our premises are occupied by our business and the lodging of the young men employed by us, and we are obliged to find places of residence in the neighbourhood. I reside at Blackheath.

1152. Did you ever reside in the City?—I did twenty years ago, for four or five years.

1153. Have you taken an active part in the business of the corporation as common councilman?—I have, a very active part.

1154. Are there any points in reference to the subject of this inquiry, to which you are desirous of calling the attention of the Commission?—There are a great number of points, and if I were not afraid of wearying the patience of the Commissioners, I should like to go through them, and state what I know in connexion with them, because in this inquiry I may state that I appear before the Commission in an independent and impartial capacity, not for the purpose of accusing the corporation, but merely to speak to facts which have come within my own knowledge.

1155. Will you have the goodness to advert seriatim to the principal points to which you are desirous of calling our attention?—I may say that I was sent into the common council for the express purpose of endeavouring to effect certain reforms; it happened soon after some prosecutions had been engaged in against wholesale warehousemen of my class, of whom some six or seven hundred were summoned to appear, or told they would be proceeded against at law. They defended themselves by raising a fund sufficient to pay their expenses, and the corporation were defeated.

1156. What was the nature of the point upon which the prosecution turned?—The point at issue was, whether they conducted their business by retail or by wholesale. The corporation attempted to prove that a wholesale dealer who divided perhaps a dozen stockings into three sales, which is sometimes done in high-priced articles, was really carrying on a retail transaction; or if he cut ten yards from a piece of silk to oblige a particular customer, that again was a retail transaction. They employed spies for the purpose of ascertaining the fact.

1157. Were those questions raised for the purpose of seeing whether they could oblige you to take up your freedom as retail dealers?—Expressly with the determination that they would thus be able to find a volume of evidence sufficiently strong to convict us of trading by retail, and thereby oblige us to become free of the City, the object being to get the money.

1158. Has there ever been any attempt in the City of London to oblige traders, who were obviously not retail dealers, but exercising the profession of merchants or bankers, to take up their freedom?—Within the last two years they have recklessly summoned all men who appeared to conduct any business in the City whatsoever, to take up their freedom. As many as 4,000 summonses, I believe, were issued, and some three or four hundred frightened into taking up their freedom.

1159. Those summonses included merchants of all descriptions, both wholesale and retail?—They included merchants of all descriptions. I hold now in my hand a return which I shall place with pleasure at the disposal of the Commissioners, because it contains a statement of the number of freemen made from 1800 to 1849, but I have added the subsequent numbers, bringing it up to the present month.

The same is delivered in, and is as follows :—

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Year.	Number of Freemen admitted.	Amount of Fines and Fees charged on each Person admitted by									Amount annually paid to Government for Stamp Duty.		
		Redemption.			Patrimony.			Service.					
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1800	1,034	30	12	6	2	9	6	2	7	0	413	12	0
1801	1,042	-	-	-	-	-	-	-	-	-	416	16	0
1802	1,077	-	-	-	-	-	-	-	-	-	430	16	0
1803	1,103	-	-	-	-	-	-	-	-	-	441	4	0
1804	959	-	-	-	-	-	-	-	-	-	518	0	0
1805	876	-	-	-	-	-	-	-	-	-	876	0	0
1806	908	-	-	-	-	-	-	-	-	-	908	0	0
1807	1,024	-	-	-	-	-	-	-	-	-	1,024	0	0
1808	999	-	-	-	-	-	-	-	-	-	1,073	0	0
1809	1,053	-	-	-	-	-	-	-	-	-	1,448	0	0
1810	1,062	-	-	-	-	-	-	-	-	-	1,432	0	0
1811	1,015	-	-	-	-	-	-	-	-	-	1,357	0	0
1812	1,062	-	-	-	-	-	-	-	-	-	1,327	0	0
1813	962	-	-	-	-	-	-	-	-	-	1,298	0	0
1814	905	-	-	-	-	-	-	-	-	-	1,211	0	0
1815	935	-	-	-	-	-	-	-	-	-	1,348	0	0
1816	993	-	-	-	-	-	-	-	-	-	1,719	0	0
1817	1,116	-	-	-	-	-	-	-	-	-	1,960	0	0
1818	1,285	-	-	-	-	-	-	-	-	-	2,237	0	0
1819	1,131	-	-	-	-	-	-	-	-	-	1,981	0	0
1820	1,077	-	-	-	-	-	-	-	-	-	1,787	0	0
1821	1,086	-	-	-	-	-	-	-	-	-	1,840	0	0
1822	1,070	-	-	-	-	-	-	-	-	-	1,834	0	0
1823	968	-	-	-	-	-	-	-	-	-	1,600	0	0
1824	1,071	-	-	-	-	-	-	-	-	-	1,791	0	0
1825	1,015	-	-	-	-	-	-	-	-	-	1,677	0	0
1826	967	-	-	-	-	-	-	-	-	-	1,603	0	0
1827	1,071	30	12	6	2	9	6	2	7	0	1,913	0	0
1828	1,167	-	-	-	-	-	-	-	-	-	2,099	0	0
1829	1,118	-	-	-	-	-	-	-	-	-	1,872	0	0
1830	861	-	-	-	-	-	-	-	-	-	1,423	0	0
1831	845	-	-	-	-	-	-	-	-	-	1,441	0	0
1832	803	-	-	-	-	-	-	-	-	-	1,345	0	0
1833	678	-	-	-	-	-	-	-	-	-	1,130	0	0
1834	663	-	-	-	-	-	-	-	-	-	1,047	0	0
1835	786	10	12	6	2	9	6	2	7	0	1,426	0	0
1836	846	-	-	-	-	-	-	-	-	-	1,686	0	0
1837	773	-	-	-	-	-	-	-	-	-	1,457	0	0
1838	863	-	-	-	-	-	-	-	-	-	1,366	0	0
1839	1,017	-	-	-	-	-	-	-	-	-	1,413	0	0
1840	1,035	-	-	-	-	-	-	-	-	-	1,467	0	0
1841	1,084	10	10	0	2	9	6	2	7	0	1,515	0	0
1842	842	9	0	6	1	8	5	1	4	11	1,230	0	0
1843	944	8	11	10	1	8	5	1	4	11	1,404	0	0
1844	879	8	6	4	1	6	9	1	3	3	1,242	0	0
1845	968	-	-	-	-	-	-	-	-	-	1,404	0	0
1846	747	-	-	-	-	-	-	-	-	-	1,020	0	0
1847	619	-	-	-	-	-	-	-	-	-	708	0	0
1848	567	3	6	4	1	6	9	1	3	3	702	0	0
1849	730	-	-	-	-	-	-	-	-	-	954	0	0
1850	628	-	-	-	-	-	-	-	-	-	-	-	-
1851	642	-	-	-	-	-	-	-	-	-	-	-	-
1852	687	-	-	-	-	-	-	-	-	-	-	-	-

1853 Prosecutions threatened—776 in ten months.

		£	s.	d.
From Freedoms, City now receives :—City Proper		2	6	8
Stamp		3	0	0
Orphan Duty		0	5	0
Clerk of Chamber		0	6	8
Officers		0	4	0
		£6	2	4

Yet the City continues to pay to the lord mayor and others in lieu of the privilege of making twenty-two freemen, 550*l.* instead of 51*l.* 6*s.* 8*d.*, which is all the income that could be derived from such a source.

(*The Witness.*) It will be observed from this list, that at certain periods the people became very much offended with the proceedings of the corporation, and declined to take

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up their freedom. Then the corporation threatened to compel them. That not succeeding, they reduced the amount of money required to be paid for the purpose of making them free; and thus we find in 1836 the numbers rapidly rise, and the amount received is considerably increased in consequence of the reduction of the price. It then goes on, and a gradual diminution occurs till we come to the last prosecution; then the number rose gradually, and I find now in ten months we have 134 more than we had in the whole of the year 1851.

1160. What is the nature of that document; to whom was the return made?—It was made by the clerk of the chamber to the Court of Aldermen.

1161. Has it been published?—Yes; and circulated to the whole of the members of the corporation.

1162. What is the date of that return?—It was made in 1849.

1163. That is since the corporation have admitted freemen without requiring them to go through the companies?—Yes. I shall have to draw the attention of the Commission to one point indicated by that return; namely, that in the statement of the accounts we shall find that there is a sum of 550*l.* received by the lord mayor and others connected with the corporation in lieu of certain freedoms; that is, that there are certain officers of the corporation who have the privilege of making twenty-two freemen; but some years ago the matter was arranged on the footing, that instead of having the privilege of making those free themselves, they should receive a money payment of 25*l.* That continues up to the present moment; 550*l.* is so expended annually, and yet the whole of the money received by the City for making a freeman is 2*l.* 6*s.* 8*d.* Thus the gain of making twenty-two freemen to the City of London would be 51*l.* 6*s.* 8*d.*, whereas they pay to those who have the privilege of making freemen, according to an ancient custom, 550*l.*

1164. Have you any means of knowing whether any considerable number of persons who have taken up their freedom lately were persons who have been sued?—I believe above 300 of those admitted in the present year were induced to take up their freedom by the fear of the law.

1165. Had they been served with notices?—In some cases the people were sold up in consequence of the summons; others petitioned to be excused; there are some cases of considerable enormity in connexion with the proceedings, not many it is true, but several; the resistance of the higher class prevented the corporation going to the extent they otherwise would have done.

1166. Do you know whether any legal proceedings were taken against any of the higher class of merchants?—Not during the late proceedings. On a previous occasion there were; and it was agreed mutually that they should proceed against one firm, Ward and Company, of Wood Street; others agreed to defend that action by raising a joint purse. The City agreed to be governed and guided by the result of that action.

1167. What was the result of that action?—They were entirely defeated. The late recorder, who was the judge, ruled that they had no case; at all events they were obliged to withdraw the action and pay all the expenses.

1168. Was that on the ground that the parties proceeded against were wholesale, and not retail merchants?—Yes.

1169. Yet you state that quite recently they have renewed the attempt against the wholesale merchants?—Yes; by a resolution of the Court of Common Council, which may be characterized as an insane resolution in my opinion; even gentlemen who had been in the habit of considering this an essential element of corporation reform, joined with a great number of others to compel those men to take up their freedom, under, as they say, the persuasion that such a proceeding would draw the attention of the Government, and bring about a reformation which they were unable to effect of themselves; that in fact they would drag the corporation through the dirt for the purpose of having it made respectable. I should say, that so far as reforms have been attempted by the corporation, such attempts have been very numerous; on many occasions they have discussed the matter for days. In 1836 a series of resolutions were agreed to, after a long discussion, and having obtained the private opinion of every member of the Court of Common Council, they are much condensed, and are exceedingly good; and I believe, if it were the opinion that nothing more was to be done than merely reform the corporation, and put it upon a different basis, and permit the whole of the surrounding districts to remain unconnected with the municipal institutions, this might be taken as the basis of such a reformation, although it would require to be considerably modified. The resolutions evinced the sincerity of the corporation, so far as they were themselves concerned, but at the same time they have never been able to carry out their scheme. I have myself been on five or six committees appointed for the express purpose of preparing bills for Parliament, to effect reform; but always when it came to the point we have been defeated, either by a combination of our own officers, or by a combination of the companies claiming the privilege of the liverymen; and reform is as far from us now as it was ten years ago.

The resolutions were read as follow:—

1. That, in the opinion of this committee, the object of all corporate reform should be to place the funds of the citizens, and the election of their representatives and governing officers, under the effectual control of the citizens.

2. That the constituency of this City should be one of uniform description.
3. That the constituency of this City should consist of all freemen householders—that is, occupiers of premises within the City, residing therein, or within seven miles thereof, paying scot and bearing lot, and who have been so for a period of twelve months.
4. That the boundaries of the several wards of this City should be altered, in order to make the wards more equal.
5. That the wards should be more equal as to the number of inhabitants and the amount of rateable property in each.
6. That power should be given to the Lord Mayor, aldermen, and commons of this City in common council assembled, to unite the smaller and divide the larger wards; or, by changing the boundaries thereof, to make them more equal in number of inhabitants and amount of rateable property therein.
7. That the number of wards in the City should be twenty-five.
8. That the time for holding elections should be consolidated, and that there should be in the year two days for nomination, and one day for election; namely, one day for the nomination of persons, to be chosen in an assembly of all the constituency in common hall, and one other day for the nomination of persons to be chosen in the respective wardmotes; the former to take place a few days before the latter; and that in the event of a poll being demanded in either the common hall or wardmote elections, the poll should be taken on the day following the wardmote nomination, in the several wardmotes of the several electors within each ward.
9. That the Lord Mayor should be chosen from those aldermen who have served the office of sheriff.
10. That the election of mayor by the common hall, should be absolute, without any veto.
11. That the aldermen should be elected in the several wardmotes from the general constituency of the City.
12. That the election of aldermen by the wards should be without any veto.
13. That the aldermen should not be justices until they have served the office of sheriff.
14. That the aldermen should be elected periodically.
15. That the period for the election of aldermen should be once in seven years.
16. That no person should be eligible for, or continue in the office of alderman, who has been convicted of fraud by a jury; and that any alderman who shall, during the tenure of his office, become bankrupt or insolvent, or compound with his creditors, and in any such case shall not pay twenty shillings in the pound, should be thereupon removed from his office, but not disqualified for re-election.
17. That the common councilmen should be annually elected in the several wardmotes.
18. That the number of common councilmen should not be less than two hundred.
19. That the vigilance of the electors is sufficient to preserve the respectability and character of the municipal representatives, without requiring any pecuniary qualification, which with bad men is illusory, and with good men is unnecessary; and that every person qualified to vote in the choice of common councilmen should be qualified to be elected to that office.
20. That no person should be eligible for, or continue in the office of common councilman, who has been convicted of fraud by a jury; and that any common councilman who shall, during the tenure of office, become bankrupt or insolvent, or compound with his creditors, and in any such case shall not pay twenty shillings in the pound, should be thereupon removed from his office, but not disqualified from re-election.
21. That the mayor and sheriffs should be elected by the general constituency of the City in common hall.
22. That the chamberlain should be elected by the general constituency in common hall.
23. That the auditors of the accounts of the City should be elected by the general constituency in common hall.
24. That the court of mayor and aldermen should be continued as a separate court, but that for the future, the whole of the City's cash should be under the control, and expended only by the authority of the Lord Mayor, aldermen, and commons in council assembled.
25. That the court of aldermen should be an open court.
26. That the control of the police and nightly watch should be vested in the Lord Mayor, aldermen, and commons in common council assembled.
27. That by two several charters in Parliament of the 15th of Edward III. and 7th of Richard II., it is granted and confirmed to the mayor, aldermen, and commonalty of the City of London, that if any customs of the City shall be harsh or defective, or any new emergencies arising therein shall need amendment, for which no remedy had been before provided, the mayor, aldermen, and commonalty may, as often as it shall seem to them expedient, ordain and provide a remedy, according to good faith and consonant to reason, for the common advantage of the citizens and the people resorting thither, provided that such ordinances be useful to the

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king and his people, agreeable to good faith, and consonant to reason as aforesaid; that such legislative power was with all the other rights and privileges of the citizens of London, confirmed by the statute of the 2d of William and Mary, passed on the completion of the Revolution of 1688; that it has been constantly exercised, and forms the foundation of many of the most useful and important ordinances made by the mayor, aldermen, and commonalty, from the earliest possession of the power to the present time; and that it has been established by various decisions of the courts of law during the same period.

28. That this legislative power of remedying defects in the civic constitution is essential to the maintenance of the ancient rights and privileges of the citizens and their adaptation to altered times and circumstances, and should therefore be preserved unimpaired, notwithstanding any change which might be deemed necessary in other respects in the corporate institutions of this City.
29. That a clause to the effect of the 69th section in the Act of the 5th and 6th of William IV. chapter 76, for the regulation of municipal corporations in England and Wales, should, with the exception of the quorum of the common council being continued at forty, and the omission of the last proviso therein as to the holding of quarterly courts, be introduced into any Bill which may be proposed to Parliament for the reform of the corporation of London.
30. That all officers at present admitted by the Lord Mayor, or by the court of aldermen, should in future be appointed and admitted to their respective offices by the court of Lord Mayor, aldermen, and commons in common council assembled, or by any committee or committees to whom they may delegate such appointments.
31. That the commissioners of sewers, &c., the corporation of the Irish Society, and all other commissions or committees appointed by or under Acts of Parliament, or otherwise, and emanating from the court of common council, should be under the direct control of and amenable to that body.
32. That the court of hustings, the court of mayor and aldermen in the outer chamber, and the two sheriffs' courts, should be consolidated into one court, of which the recorder and one or more assistants to him should be judges, and all barristers and attorneys practising in the superior courts should be permitted to practise in such newly constituted court, and that it should be referred to a committee to devise a plan and suggest such other regulations as they may deem best for carrying this resolution into effect.
33. That a great difference of opinion prevails amongst the inhabitants of the City as to the propriety of continuing the law of attachment, which is exercised by the local law courts of this City, and this committee feel themselves unable to express any confident judgment upon the conflicting opinions which appear to prevail on that subject; but if it should be deemed desirable to retain such process for the purpose of compelling the appearance of an absent debtor, its practical operation should be so changed both as regards the taking of bail and the payment of costs, as to increase its efficiency and remove some of the hardships which now attend its operation; and further, the property and monies within the City of London being subjected to the operation of such a law, the citizens have a right to expect that property and monies in other parts of the country belonging to the debtors of the citizens should be subjected to a similar process.
34. That the rights of property and beneficial exemptions to freemen, their wives, widows, and children, should be preserved.
35. That all the present members and officers of the corporation should go out of office on a certain day after the passing of the proposed Bill, to be therein named.
36. That power should be obtained to abolish all useless offices and places, and to consolidate such as may be deemed expedient.
37. That if it shall be considered necessary to the proper administration of the affairs of the corporation, that the members of the various committees should receive any remuneration for their services, the annual sum to be appropriated for such remuneration should in no case exceed 300*l.* to any one committee.
38. That if the Act of the 11th of George I. chapter 18, for regulating elections within this City, should be repealed (as already agreed to be petitioned for by the court of common council), and that subject to the alterations before suggested, all existing rights and privileges consistent with the principles declared by the committee should be preserved."

1170. Was not there a committee of the description you have mentioned appointed a few months ago?—Yes, a committee was appointed six months ago for the same purpose, and we took these resolutions as the basis of our discussion. So soon, however, as the Royal Commission was announced, the committee suspended its meetings.

1171. Have not the committee adopted a report?—They have, recommending a string of resolutions similar to those which are now before you, with some additions and some alterations.

1172. Was that report presented to the common council?—It was brought up to be presented. I am not quite sure whether it was presented.

1173. Could you furnish this Commission with a copy of that report?—Without difficulty.

1174. Was that report agreed to with tolerable unanimity by the committee?—There was a great division of opinion; some points were carried only by one. For example, when they came to the subject of the aldermen, it was considered essential that the aldermen should be elected periodically—that is, every seven years I believe was the time generally agreed on; but when that was about to be confirmed, the aldermen came down to a man, there being a large number on the committee, and with a few deputies, friends of their own, were strong enough to defeat what I believe to have been the better judgment of the committee.

1175. Was it proposed that a certain number should be elected every seven years?—It was.

1176. What was the number of the members of the committee?—If I remember rightly, twenty-six or twenty-eight common councilmen, and all the aldermen then present; I believe there were either eleven or twelve. It was a committee therefore of from thirty-six to forty in number.

1177. Is it part of your proposition that persons should be allowed to trade in London without being freemen?—Yes.

1178. That you say was opposed by the companies?—The bill was altogether opposed by the companies, because it provided that all persons residing and paying rates should have all the privileges of freemen and liverymen—that there should be only one body of electors. The liverymen declared that this was interfering with their privileges, and they to a man opposed it, through the whip of their clerks.

1179. So far as regards the freedom, as distinguished from the livery, the corporation having determined to admit persons as freemen of London without passing through the companies, the companies were defeated altogether?—They were; the principal thing was, that it provided that the officers of every kind should be elected by a common constituency, whereas the livery had the privilege of electing the Lord Mayor, the chamberlain, the bridgemasters, and the auditors.

1180. It has been proposed to the Commission by former witnesses simply to apply the General Municipal Act to the City of London. What is your opinion of the effect of such a proceeding?—My opinion is that it would be perfectly absurd. There are certain principles connected with a great metropolis which places it out of the possibility of being compared with any other city or borough in the kingdom. In the first place, there is its enormous magnitude, and the great variety of interests involved. Those seem to me to require a different arrangement altogether.

1181. You are speaking of the whole metropolis?—Yes; so far as the City of London is concerned merely, I see no objection to the Municipal Reform Bill being applied to it, with certain alterations arising out of its peculiar condition in connexion with the great number of charities left to it for specific purposes. That is not the case I apprehend with many of our other municipalities. With those differences, and certain regulations which ought to be made for the purpose of embracing those, I think the Municipal Act might be safely applied. The City of London has certain historical associations which are different from those of any other municipality. The history of the City of London is the history of the freedom and liberties of the people from the very earliest times. The citizens of London, through the municipality, have always been the earnest advocates of everything calculated to promote the liberty of the people. They have always been disposed, I believe, in all times to succour those who were in distress, and defend the weak against the strong. But it singularly happens, that in all matters in connexion with their self-government, in all matters connected with the institutions with which they are immediately connected, in all matters of popular liberty and the exercise of popular privileges within their own jurisdiction, they have never led, and it has been with great difficulty that they have been dragged at the tail of popular opinion. I dare say in stating this I shall be accused of treachery, or something of that kind; but I feel in a matter like this it is only fair and honest that a man should speak exactly as he feels upon the point, taking care that what he says he is prepared to prove. Probably the best way of showing that the City has always failed of being up to the spirit of the times in which they lived, will be to refer to two or three instances. I would refer to one especially—the New River Company. When Sir Hugh Middleton had ruined himself, he applied to the corporation to assist him. They then had given to them a large jurisdiction over the affairs of the company. By and bye they disposed of their interest in the company, which got into private hands. The shares rose from 100*l.* to 1,700*l.* or 1,800*l.*; and at the present moment not only the citizens of London, but the inhabitants of the whole area supplied by the company, are paying ten times more than they have any business to pay. In those returns you will find a descendant of Sir Hugh Middleton, in consequence of being a descendent, receives from the corporation an annual pension of the sum of 18*l.* a year; whereas Anne Holloway, the widow of a stamper of ale and beer measures, receives 40*l.* a year. That might be taken as a fair sample of how great services are thought of and rewarded. The next case is that of the Gresham College, where we have the greatest merchant of his day, and probably the greatest man of his time of that particular class, bequeathing to the City of London and the Mercers' Company his property in the Royal Exchange, which he had built for the advantage of the merchants, and the whole of his property in the parish of St. Helens, for the purpose of founding a college for the benefit of young men to be trained as merchants. His will is dated as far back as 1575. His widow died in 1596. The property came into the hands

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of the corporation and the Mercers' Company—lecturers were appointed according to his will, four being appointed by the City and three by the Mercers' Company. It became the most distinguished educational college of the time. Sir Christopher Wren was one of their lecturers, and his rooms were crowded at every lecture, and it became the nucleus for the present Royal Society. The corporation continued for a considerable period in connexion with the college, but by and bye they began to find it was a trouble, and they did not make money out of it. They tried to get rid of it, but Parliament declined. At last, in 1768, the Government requiring some land for the purpose of an excise office, agreed with the corporation and the Mercers' Company, and purchased this land and property for an annual rental or annuity of 500*l.* a year. Now this very plot of ground has been sold this year, realising the sum of 108,000*l.*; so that it is held by some, that in consequence of the negligence of the corporation and the Mercers' Company, and through collusion with the Government at that time, the citizens of London, or the merchants of London, have had alienated from them an amount of money equal to 108,000*l.*, which should have been appropriated to the purposes for which it was left by Sir Thomas Gresham. Being done by Act of Parliament, of course it is no use looking for a return of the money, still it shows how careless the corporation were of the trusts reposed in them. A more serious instance than any was the application of the merchants for more accommodation for the ships arriving in the river Thames. They applied to the Government. The Government referred them to the corporation. They offered the corporation, that, provided they would meet the reasonable demands of the mercantile classes of the metropolis, and provide efficient docks and warehouses, they should have an exclusive privilege as connected with all such buildings and docks from London Bridge as far as Blackwall, or even below that. The corporation as usual declined—they would have nothing to do with it. The merchants, on the other hand, finding it impossible for them to transact their business without such accommodation, associated, formed companies, and provided the accommodation for themselves, and from that day we may consider the great downfall of the corporation to have commenced; because the whole of the mercantile classes in connexion with the shipping, finding that the corporation would not assist them in the matter, they became independent of the corporation, and now spurn them I believe as something loathsome. The same thing occurred in regard to the bridges. There is no bridge which has been built over the Thames for the accommodation of the lateral traffic which has not been opposed by the corporation for years. Again, it will be in the memory of gentlemen present, that the same course was taken in regard to the removal of Smithfield market. The question excited considerable attention. Some members of the corporation formed themselves into a committee and agitated the question thoroughly, and called upon the Government. The Government, following public opinion upon the matter, determined that the centre of the metropolis was an improper place for a market, and the market was in course of time removed. The City took the management of the market, but unfortunately the very persons who had declared over and over again that for the corporation to take the management of such a market would be to cause a great loss to its revenue, and an ultimate loss to the public, are the very persons who are permitted to have the construction of this market; and I have no hesitation in saying that it will cost double the money it ought to have cost, so that the chances are the corporation will be able to fulfil its own prophecy. I believe the market will not be finished for less than 400,000*l.* or 500,000*l.*

1182. Can you mention any example of a work of general utility which has been voluntarily promoted by the corporation?—I am not aware of any which has been entered into voluntarily. I believe, through some of their members, they endeavoured to remove, and ultimately did remove, Farringdon market from the place where it was formerly held. They have also established one of the finest schools in the whole kingdom—the City schools. But I am not aware of any great public improvement which has ever been suggested or carried out by the corporation of its own accord. The greatest improvement was that of London Bridge; but they were goaded into it by several members of their own body before they gave their consent, and even now there are other bridge proposals into which they are being goaded in the same manner, being very unwilling to give a cordial support to any plan of the kind. The only street which I remember to have been voluntarily made by the City of London, is the new one from the end of London Bridge up to St. Paul's Churchyard, called New Cannon Street, which is one of the last streets that ought to have been constructed. It is a great improvement no doubt, but it is burrowing behind other streets, and only relieving the traffic in Cheapside to bring it into a greater lock in St. Paul's Churchyard. Seeing this difficulty, they have conceived one of the most ridiculous schemes of having a side street from that new street to Blackfriars Bridge, for the purpose of relieving Ludgate Hill. That must either be for the purpose of carrying the traffic down that way, which desires to go over Blackfriars Bridge, and thus avoid Ludgate Hill, or traffic which will go down that street avoiding Ludgate Hill, but which will turn up in the direction of Farringdon Street and create a dead lock again in Fleet Street. This has been shown them over and over again. The City architect and surveyor—a man, who I suppose is unsurpassed by any man in his particular profession—as much as ten or twelve years ago laid down a street, as the one which ought to be first executed in the metropolis, which, I think, seems at once to attach importance to itself, when I name it: it was a continuation of Cheapside straight to the west-end of London; so that we might have three great main lines of street, east and west, without any deviation

round St. Paul's Churchyard, and down Ludgate Hill. This seems likely, in all probability, though first in importance, to be the last in execution, if the corporation holds its place. Any great scheme of general importance, seems a thing they are incapable of grasping.

1183. Are you a member of the market committee?—I am not.

1184. Have you any personal knowledge of the arrangements which have been made for the new cattle market?—I know the corporation have bought land, and that they are having it thoroughly drained: the greater portion of it is being walled in. The accommodation for cattle, I believe, will be unexceptionable; and in connexion with that also, they have contracted to construct slaughterhouses, and every other accommodation in connexion with the receipts and sale of cattle, and slaughtering cattle and providing meat.

1185. Did you not express an opinion that the arrangements which have been made are upon an unnecessarily expensive scale?—Yes.

1186. In what respect do you think the expense which has been incurred is unnecessary?—I believe there will be an elaboration of execution, which is totally unnecessary in a place like that. They have bought land for 58,000*l.*, or thereabouts; and when we look at what is required for slaughterhouses and other accommodation, it seems to me to be an enormous amount to swell the sum up to 400,000*l.*

1187. How many acres have they bought?—78 acres.

1188. Does it appear to you that it was necessary to buy 78 acres for the purposes of a cattle market?—It seems to be a very large quantity of land, but I think under all the circumstances it was prudent to buy a sufficient quantity of land, but it was not therefore necessary for them to be extravagant in the construction of other buildings. It was well, I think, to arrange it so as to ensure a space between the market and the houses round about.

1189. Will not a portion of this land be devoted to other purposes than those of a cattle market?—I believe it will be. It will be re-sold on building leases, so as to get the land into a proper shape to accommodate the market itself.

1190. Then the whole of this sum will not be lost to the City?—It will not; but whatever is gained will be a deduction from this 58,000*l.* If they receive 10,000*l.* back, it will only make a difference of 10,000*l.* in the whole expenditure. While referring to the committees, perhaps I had better give the Commission some notion of how the committees themselves are formed, and the inefficiency of the men sometimes appointed to carry out the work referred to them. This has been referred to several times to-day as a grievance. The manner in which they are appointed is this: each member on a committee is appointed for four years. A gentleman may serve two years before he is qualified to become chairman. As one member retires from the committee, another is appointed from among the members of the various wards to supply his place. This being the case, gentlemen are appointed on committees, and have duties to perform, of the nature of which they are altogether ignorant. I need hardly say that the committees have large allowances made to them; some have 400*l.*, some 300*l.*, and some 200*l.*, and so on, to be expended by them. The larger the amount of money to be expended the greater the number of dinners which will be provided; and therefore persons to whom time is of little comparative value have the greatest desire to get into that committee where there is the greatest amount of expenditure. The consequence is, that frequently incompetent men are appointed to committees, and frequently the least competent is appointed to the chairmanship of that particular committee. Because, though the man who has other duties to perform may have time to devote to the public duties of the office of chairman, he has not time, and perhaps he has not the inclination, to devote his evening also, on the occasions of the monthly meetings, to an entertainment at a tavern;—so that a number of gentlemen avoid being in the chair, because of this double call upon them: the call in the day, and the call in the evening as well. Only those whose time is of comparatively little value will consent to be upon the committees; and therefore the least competent will frequently be placed in the most prominent position.

1191. Does it invariably happen that the chairman of a committee for the purposes of business takes the chair at dinners or meetings for convivial purposes?—I believe the gentlemen of the committee would feel themselves greatly slighted if the chairman declined meeting them in the evening also. Indeed, the very fact that there was a possibility of that would prevent his being elected chairman.

1192. Those dinners are paid for out of the corporation funds, are they not?—They are paid for out of the corporation funds.

1193. In what way is the payment managed?—By a vote of the common council. A certain sum of money is placed at the chamberlain's office to the account of a certain committee. All that is required is the signature of the chairman, that so much money has been expended; that document is given to the hall keeper, and he gets the money from the chamberlain's office, and there is an end of the matter.

1194. The tavern bill is of course sent in to some of the officers of the corporation?—The tavern bill, I believe, is generally sent in to the hall keeper.

1195. Is there any audit or examination of those tavern bills?—I think none.

1196. This payment to the committee is considered, is it not, as a sort of remuneration to committee men for their attendance?—At one time they received a certain fee. This was liable to great abuse, because men who desired the money more than to do the duty of the committee, came and had their names entered, as it was called, "above the line,"

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that is, the names were all read over, and then a line drawn. Those who came under the line did not receive any fee. The result was, that men came for the purpose of having their names above the line and then absenting themselves.

1197. Supposing a committee had 300*l.* allotted to it, would it be competent to that committee, instead of spending the money in feasting, to divide it among themselves?—Not exactly that; but if there happens to be a surplus of 25*l.* or 30*l.*, and the chairman has been found to perform his duties well as a man of business, and also in the tavern it is not unlikely he may have a piece of plate presented to him, that piece of plate being paid for by the balance of the money.

1198. Then it is the interest of the members of the committee to see that the charges made at the tavern are moderate, inasmuch as the balance may accrue to themselves?—Yes.

1199. In short, this money is allotted to the committee to spend just as they please?—Yes.

1200. And they might without impropriety divide it among themselves, if they so thought proper?—I do not know that there is any law to prevent their doing so; it is given to them for services rendered.

1201. Do the dinners take place on the days on which they meet for business?—Almost invariably; I might say invariably; and that I take it is the inducement for gentlemen to attend at the monthly meetings of the committee when they hold their great meetings, and go through their most important business, so that they may be able to ensure a full attendance.

1202. The committee receive no other payment except this money, which is in one sum given for the services of the committee?—No other whatever. The argument that it is necessary to give such allowances to induce a sufficient attendance of gentlemen to conduct public business, is an insult to our understandings, and certainly an insult to the citizens of London. I have myself been frequently connected with committees when no remuneration has been allowed, and no allowance has been made for entertainment, and I have invariably found that those have been, if anything, the best attended committees; so that the argument generally used, that it is essential to ensure an attendance, is, I believe, altogether a sham.

1203. When you say they were best attended, do you mean that they were the most numerously attended, or attended by the most competent members?—I would say in both respects they have generally been select committees, and gentlemen have been nominated who were the most competent to give a proper opinion in regard to the question submitted to them, or who had taken a great interest in the question.

1204. What is the total number of committees of the common council in the course of a year?—I think there are about sixteen or eighteen.

1205. So that the whole sum of money paid to those committees is very considerable?—Of the paid committees there are sixteen.

1206. Are you aware what is the total sum of money paid in the nature of an allowance of that kind?—2,900*l.*

1207. Is the practice invariably such as you have described, that this money should be spent mainly in dining together, or are there any committees by whom it is differently disposed of?—I am not aware of its being disposed of in any other manner than for the purpose of entertainment.

1208. Does each committee decide that for itself?—Each committee decides that for itself, but I apprehend it is a question which is never mooted; it is generally understood, and therefore the question is never raised.

1209. How long has this practice prevailed?—The practice has prevailed for a number of years. In connexion with the navigation committee, to which reference has been made to-day, I need hardly say that gentlemen are placed upon the navigation committee who have really scarcely anything else to do. They have perhaps a barge at their command, what is called a shallop, and perhaps another boat or two, and with all the paraphernalia of the harbour master, they go in procession down the Thames, and make a few investigations of a pier here and a rock there; and then, having performed those arduous duties, they retire to Blackwall or Greenwich to enjoy their dinner. The whole thing is a farce. They are men who are utterly incompetent to perform the duties of the office. I have no doubt they desire to perform the duties, but their whole training is of a nature leading to a conclusion that they are of all men the men to whom such duties should not be delegated. For instance, you will find probably a confectioner is chairman, or a gentleman who has been accustomed to sell stockings, or a butcher or a tea dealer,—all very respectable men in their particular professions, and earnestly anxious perhaps to perform their duties; but they have no knowledge practically of the duties which they have to perform.

1210. Have you any reason to doubt the statement made by the preceding witness, that, setting aside the objections that may be raised to the composition of the navigation committee, the practical duties belonging to the conservancy of the Thames are efficiently performed, owing to the judicious selection of the harbour master and other officers?—I believe, under the guidance of the harbour master—who, I believe, though I know nothing of him personally, is a very competent officer—they might perform the duties of the office respectably; but I think it is too much that a mere officer should not only be called upon

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to declare what should be done, but should have the whole guidance and government of the affair.

1211. It has been suggested that it would be desirable to unite with a certain number of the members of the corporation, members of the Trinity House, and of the different mercantile bodies in London, which would afford the requisite knowledge and experience for superintending a department of this description. Do you think that would be the proper course to follow?—My apprehension is, that the thing could not work for a week, because we should find that the gentlemen thus associated would be of such different habits and dispositions and modes of thought, that they would be unable to work together. With regard to committees, when any gentleman shows himself particularly *au fait* upon a certain point, the chances are that he will be tabooed and excluded from the committee, because they fancy he has some private interest or some private motive. They are very liable to attribute motives to people who take an independent course; therefore they think it would be improper to have him upon that committee, because he might turn it to his private ends; and they would rather appoint a man who was incompetent than one who should thoroughly understand the question.

1212. Do you mean that it is possible to suppose that a certain number of the members of the corporation, if they were united with gentlemen of knowledge and experience to superintend a department of that kind, could not be brought to act harmoniously with them?—If it could be done independently of the corporation itself, it might do very well; but all the resolutions arrived at in the committee must be reported to the Court of Common Council; so that the recommendations brought up by that committee, even those suggested by gentlemen acquainted with the necessities of the case, might be discussed in the Court of Common Council, and they might be rejected.

1213. You mean that, to carry out such a scheme, it would be necessary to do something more than add to the navigation committee a certain number of members who might be supposed to be acquainted with the subject?—The river Thames, the banks of the river, and its navigation, seem to me to be matters of such great importance, that something, ought to be done to ensure their being referred to a committee who shall be perfectly competent and intimately acquainted with all the necessities of the case.

1214. Does not the regulation of the port of London and of the navigation of the Thames concern the metropolis generally?—Undoubtedly.

1215. Do not you see a difficulty in confiding an interest which concerns the metropolis generally, to the corporation of the City, which is only a small part of the metropolis?—It is most injudicious, in my opinion.

1216. Can any plan, in your opinion, be devised by which the general interests of the metropolis can be safely committed to the corporation of the City?—I do not believe it is in the power of human ingenuity to propose a plan which would give to the corporation of the present City of London a power to conduct its affairs so as to conduce to the advantage of the whole metropolis.

1217. The Commissioners understand your objection to the plan of a mixed committee of the common council, formed partly of members of the common council and partly of representatives of the great mercantile bodies of the metropolis, to be, that its decisions, though they might be right, would be liable to be overruled by the Court of Common Council, which is exclusively a City body?—Just as a committee of the House of Commons may suggest a particular remedy for a particular defect, and it may be overruled in the House of Commons, in consequence of interest.

1218. Your objection resolves itself into this, that the Court of Common Council, as a body, does not adequately represent the interests of the entire metropolis. Is that your meaning?—Quite so. The manner in which their business is conducted would lead any person to the conclusion that they are, as a body, incapable of legislating for the welfare of the whole metropolis.

1219. Would it be possible to form a committee, partly of the members of the common council and partly of representatives of great commercial bodies, which should be independent of the Court of Common Council?—I do not see how that could be done, for this reason, that the members of the Court of Common Council are elected annually, and this committee must be elected annually; so that, at the end of the first year, the whole arrangement might be disturbed.

1220. Would not there be this advantage in keeping up some connexion between the conservancy of the Thames and the corporation, that the improvement of the navigation would be a very proper application of a portion of the funds of the City of London?—I think so; and when I come to give the Commission an outline of the scheme I shall propose, I shall show that, in connexion with the corporation of London as a municipality, and the surrounding municipalities, you may devise a system by which the whole thing might be arranged, and everything accomplished which is desired.

1221. The state of the river is not only a metropolitan but a national concern?—It is. In consequence of some legal difficulties existing at present between the Government and the City, much has been left undone, in connexion with the river, which ought to have been done long ago. I have no doubt it would be discovered by competent surveyors that there are shoals and obstructions in the river which ought to be forthwith removed. But I believe, in consequence of there being some difference of opinion between the corporation and the Government as to whether the bed and soil of the river belong to the

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City, as conservators of the Thames, or to the Crown, by being exposed at low water, they are now at law upon that point, and the result is that the river is left, to a large extent, to take care of itself. There is another point which is also of importance. Five years ago Blackfriars Bridge was reported to be in a very unsound condition; indeed, it had broken its back. The engineers, Messrs. Walker and Burgess, required that, for the safety of the bridge, large quantities of chalk should be thrown into the water, round the piers, to prevent the bridge falling down. In consequence of throwing so much chalk into the water, the passage of the river was greatly filled up, and sundry accidents arose which the navigation committee had no power to prevent. Thus we have two conflicting jurisdictions—the bridge house committee, to keep up the bridge and fill up the bed of the river, and the navigation committee, to take away that which had been put in for the purpose of sustaining the structure. Now it would unquestionably be better to have the whole of the bridges, and other matters in connexion with the river, under the jurisdiction of a single central committee. As much may be said, and has already been said, in connexion with the money which is expended through the instrumentality of committees, I would advise, above all things, that this Commission should call upon each committee of the corporation to render a faithful account of every item which has been expended for the last ten years. I would call upon the hall keeper to give you an account of every item for which he has paid money during the last ten years; and the Commission should call upon Mr. Scott, the clerk to the chamberlain, for the purpose of ascertaining the amount of money which has been so put into the hands of the hall keeper, for purposes in connexion with each committee. You would then have before you, in a tabular form, probably, facts which would lead you to a proper conclusion with regard to the expenditure of each committee; because, in some respects, it is totally impossible to ascertain how the money is expended by the corporation. When you come to the subject of the accounts, I believe I shall bring them before you in a new shape, because I have had associated with me, in endeavouring to make something of these accounts, one of the most intelligent men in the City of London, who has devoted the last two or three weeks to the purpose, in connexion with me; and though we have had great difficulty in coming to a conclusion, we have brought to light things which, I believe, will startle the Commissioners and startle the public. Committees occasionally, under some loose resolution, will come to a determination to adopt some scheme which is undefined, but which is referred to them to carry out. The instance has been referred to by the previous witness of the consolidated committee, in connexion with the Smithfield Market Removal Bill. I happened to be in the opposition in that case, and I desired over and over again to have a return made to the Court of Common Council showing how the money was being expended by that consolidated committee, and under what authority it was being expended, and the amount which had been so expended. I have no hesitation in saying that a very large sum was so expended for which no proper account had ever been rendered to the corporation. No accounts have been before us; we have no clue by which we can arrive at the sum of money expended under a loose authority of this kind. A resolution is made that it shall be referred to a committee to ascertain the best means of giving publicity to the transactions of the corporation. Under this very loose resolution, I discovered that large sums of money were being paid for newspapers which nobody required. Whenever an article appeared in favour of the corporation, that paper was purchased, and distributed freely; but I never found that where an article appeared against the corporation, that paper was purchased; so that they gave us the bane, but not the antidote. You might see the arguments in favour of the corporation, but never those against the corporation. When the return is made which I have suggested, if it be your pleasure to order it, I believe you will discover that in 1849 there was a very large sum of money expended in various ways; some of it in dinners to members of Parliament, to manifest their gratitude for the assistance which the corporation had received in the House of Commons.

1222. To what dinners do you refer?—Certain gentlemen were invited to meet the committee, which was appointed to conduct the opposition to the measure. You will find there were several tavern bills for entertainments of that kind, and at those entertainments several members of Parliament attended.

1223. Was there any such grant made to any committee for the purpose of conducting the opposition to the Smithfield Bill?—I am not aware that there was any special grant. When it is referred to a committee to conduct the opposition to any bill, the remembrancer is then called in, and he appoints some parliamentary agent, who conducts the business; the bill comes in, and is of course paid.

1224. The question does not refer to the expenses of opposing a bill before a committee of the House of Commons, but to a more general opposition which might be conducted by other means. Has there any sum of money been assigned to any committee for the general purposes of opposition?—I think no specific sum has been assigned. It is impossible for me to answer the question. I heard it stated that a sum of money was appropriated to the purpose of conducting the opposition, but I do not believe that any such thing really occurred. What I believe is this, that virtually more than 1,000*l.* must have been expended in conducting the opposition in various ways. Articles were written and sent to newspapers, with a sum of money.

1225. Was that done by any particular committee?—It was done through committees. I have no doubt, or through one of the officers of the corporation.

1226. Do you mean that money was sent with the article to induce the newspaper to insert it?—Probably, instead of its appearing as an advertisement, the newspaper might be induced to allow it to appear as a paragraph.

1227. Do you mean that the money was sent to the newspaper to induce them to do that?—I believe that to be the case.

1228. Can you prove it?—I shall be able to prove it, I have no doubt. I cannot myself, for I did not belong to the committee.

1229. You have no doubt observed a statement which was made at a meeting of the common council, that 150*l.* a year had been the whole of the sum spent in that manner; and that that had been spent merely in purchasing those newspapers which had reported most fully the proceedings of the common council. Do you believe in the accuracy of that statement?—I believe that to be the real fact. I believe it to have been the primary intention of the Court of Common Council to act in the same manner as a large public company would do,—if they find their proceedings are particularly well reported in a paper, they send each of their shareholders a report of those proceedings. It is a thing which is very common in public bodies; and I believe, since attention was called to the fact, that the consolidated committee were extending their authority in regard to this matter; no amount of money has been expended beyond the purchase of those papers.

1230. The statement, which you now make, that you believe money was sent to newspapers to induce them to insert particular articles, is altogether distinct from the one to which I have adverted?—Yes; this must have been three or four years ago, and I think I may say that for three years there has not been a penny expended by that committee in any other way than was described in the Court of Common Council. But I believe they kept back a portion of the truth in regard to the opposition to the removal of Smithfield market. I have called for the items over and over again, but they have been denied to me. We members of the Court of Common Council, though we are presumed to take an equal interest in the affairs of the corporation, unless we belonged to a special committee, have no business to inquire into the proceedings of that committee; if we do, we shall be denied. For instance, with respect to the consolidated committee, I saw a printed paper in the hands of one of the members of the committee, purporting to be a report of the proceedings of this Commission. Desiring to see what occurred day by day, I wrote to the secretary, desiring him to favour me with a copy of those proceedings. I had a very proper reply, stating that when they were printed my request should be laid before the Commission. I then went to the person in whose hands I saw it, and asked how he obtained it. I found it marked "private and confidential," and I found the consolidated committee, to whom is referred the particular object of watching the proceedings of this Commission, had at their own cost, I apprehend, printed them and distributed them merely among the members. I wrote to the chairman, asking him for a copy of those proceedings, to which I received no answer. I then called at the town clerk's office, to ascertain how I could become possessed of them, and was told that they had instructions to deliver them to no one but members of the committee, so that some of the members of the common council have no opportunity of ascertaining really and thoroughly what takes place here.

1231. As a member of the common council have not you a right to move in the Court of Common Council for a return of the proceedings of any one committee, or a return of any other matter affecting the interest of the corporation?—Yes; but if it happens to be a committee which is rather popular, and has a number of people backing it, you might move to all eternity, but would never get an answer.

1232. Still the question would be decided by the common council whether the return should be given or not?—I believe in ninety-nine cases out of a hundred a return asked for properly would be granted; but if it is one in which the particular mover is thought to be interested, the spirit of antagonism would be roused, and would prevent the return being made.

1233. Has there been a disposition on the part of the common council to withhold information unduly?—By no means; I believe in ninety-nine cases out of a hundred, the desire of the common council is to give every information possible to their fellow members; but there are certain circumstances which are anomalous, and which ought to be altered.

1234. Have you any knowledge whether any money was expended under the direction of one of the committees of common council for the purpose of getting up petitions against the removal of Smithfield market?—I have no doubt whatever that a certain sum of money must have been expended, but you have had a gentleman already before you who was then the agent of the corporation, on the subject which was under the particular care of this identical committee. I believe Mr. Acland was engaged by that committee to conduct professionally the opposition to the Government Bill and the generally expressed opinion of the public in reference to that question. I remember, on going into the shed at the top of Cheapside, where there was a model, showing the alterations to be effected in and about Smithfield, Mr. Acland was there as the expounder of the principle, and the expositor of the peculiar plan before us, and the advantages which it would give to the public at large. I have no doubt whatever that that gentleman has the best opportunity of knowing the manner in which the money was expended in connexion with that committee at that particular time.

1235. Have you yourself any knowledge on the subject?—I have no personal knowledge.

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1236. Will you proceed with your statement?—I do not know that I need say anything further in regard to the committees. I will now refer to the subject of elections. The elections of common councilmen and aldermen I believe are generally conducted perfectly purely and perfectly honestly. There can be no ground on the part of the common councilmen to expend money to be returned to the court, inasmuch as they are elected annually; but there is occasionally ground for an alderman expending money, because he has been held to be elected for life; and that bribery to a considerable extent has occurred in connexion with those elections there is no manner of doubt. As it is better probably that one case should be taken and substantiated, if possible, I would refer to a case in Bread Street. I refer to it the more readily, because it has been contradicted by some gentleman on the bench while sitting as a magistrate. An election for an alderman took place some fourteen years ago in Bread Street Ward, when the candidates were Mr. Hughes Hughes and Mr. Lawrence, a lawyer, residing in the same ward. There was great competition and great agitation. Men qualified to vote were admitted on the morning of the election in great numbers. A scrutiny was demanded, and ultimately Mr. Hughes Hughes was seated; but a very large sum of money was expended on that election. It was stated by a previous witness here, that Mr. Alderman Lawrence was the candidate; the mistake was simply in the name. It was not Alderman Lawrence, but a Mr. Lawrence, who was a solicitor, and who is since dead. On the death of Mr. Hughes Hughes, Alderman Lawrence was nominated and elected without opposition. I know with respect to the office of Lord Mayor, when Alderman Thomas Wood was a candidate against Sir George Carroll, a very large sum of money was expended on his account, unfortunately for some of his friends, not by himself but by them; and one man with whom I was acquainted became security for a sum of money for the purposes of bribery. Certain money in such cases is put into the hands of gentlemen whose trade it is to be active at elections. They agree to bring up a certain number of voters. Those voters come up and sometimes carry the day, and sometimes they do not. On this occasion Mr. Alderman Wood lost the election by about ten votes only. I know that a large sum of money was expended, and I know one of his securities, in consequence of the amount for which he became responsible, was ruined, being unable to meet the obligations for which he had become liable.

1237. Do you believe that bribery is frequently practised at present in the election of aldermen?—I should think not, further than by means of what has become I suppose now a City peculiarity. There are certain gentlemen who consider that they have, and who probably have, the control of a great number of liverymen, and I must say that the lower class of the livery of London seem to me to be of the very lowest description. The pretence of a certain amount of payment is, that poor men cannot afford to give up their day's work, and they therefore must be paid to attend at the Guildhall; and there are gentlemen who seem to have no other possible means of livelihood than by trading with these men and living on this corruption.

1238. Are you now speaking of elections for aldermen?—No. I am speaking of the elections in common hall.

1239. You say that the elections of aldermen, generally speaking now, are free from bribery?—I think so.

1240. In cases where there is anything objectionable, does it generally take place in the smaller wards or the larger wards?—I apprehend the largeness or smallness of the ward would be of very little importance in reference to that matter; but I am not aware that in recent times bribery to any extent has taken place. The elections in common hall are very anomalous. In the first place, the livery elect the Lord Mayor; the freemen elect the aldermen, but the liverymen elect from among the aldermen the gentleman who is to be the Lord Mayor; so that here we have two descriptions of voters. Again, the livery can elect the sheriff, and to that office as the Commissioners are aware there is a penalty for non-servitude. But the common council can excuse the payment of that fine, though they have nothing to do with the election. Again, the livery elect the chamberlain of London, but he is only accountable to a committee of the corporation. So soon as the election is over the livery have no longer any control whatever over the doings of the chamberlain. In like manner they elect the bridge masters, who also account to the committee of the corporation, and have nothing to do with the livery from the moment of their election. I cannot understand why the livery should be so exceedingly jealous in regard to the election of those officers, because, so soon as they are elected, they are no longer under their control, but under the control of the corporation; it seems to me to be fighting for a shadow.

1241. The livery seem to have nothing to do except that they elect in common hall to certain offices?—That is all; only it happens that those gentlemen are nominally elected every year; they are not elected for life, but they come before the livery every year, and if there be any misdemeanour or anything which is considered to be improper, or contrary to what is expected of them, the livery have the right of rejecting the person whom they previously elected, and bringing forward some one else in his place.

1242. Is that election under the statute of the 11th George I.?—I think it is; it is one which occupies a great number of days.

1243. Do you see any advantage in keeping up the plan of election in common hall?—Not the slightest.

1244. As you would abolish that form of election, in what way would you cause those officers to be elected?—In the first place there should be only one constituent body. In the next place they should elect members to represent them; and all officers who were under the control of the corporation in the common council assembled, should be elected by the common council. That seems to me to be a simple mode of arriving at a good result.

1245 That would have the effect of destroying the common hall elections altogether?—It would have the effect of destroying the common hall, as now understood, altogether. In fact the common hall for a number of years, instead of being a benefit, has been a nuisance. Perhaps, while speaking of the common hall, it may be well that I should refer for a moment to the livery companies. I hope the time is not far distant when either this or some similar Commission will be empowered to go into the question of the companies generally, and examine them in the same manner as you are now inquiring into the corporation of London. For every corruption that you find in the corporation, I believe you would find still more in the companies. The livery connected with the companies assuming to have this power over certain officers connected with the corporation, it would be well to ascertain whether they are what they pretend to be. It is quite within the knowledge of gentlemen present, that the livery companies are no longer what they pretend to be; they are no longer the protectors or guardians of the particular branch of trade under whose name they happen to act. The goldsmiths are no longer goldsmiths. The fishmongers are no longer fishmongers. They have become a private charitable company, with large funds; and instead of those funds being appropriated for the advantage of a particular trade, whose name they bear, they are expended in what they call making themselves comfortable. That is a phrase which was used a short time ago by a gentleman who died and left a sum of money to his company for the purpose, as he said, of making themselves comfortable. The reason I refer to those companies is this: that in consequence of birth and servitude and the payment of very small fines, persons become connected with the companies, and constitute the livery of London, and through them I believe nine-tenths of all the corruption which exists is introduced into the elections.

1246. You propose altogether to cut off the connexion between the companies and the municipal body of the corporation?—Entirely. They should have no independent authority whatever in connexion with these proceedings. I might also suggest that I think it would be desirable and wise that gentlemen who are acknowledged to have been employed by various candidates for office in the corporation, should be examined. I apprehend you have no power to call upon them to criminate themselves; but as there is no likelihood of any criminal proceedings being carried on, it might be well to call upon some of those gentlemen to come before you.

1247. What is the next point to which you wish to call the attention of the Commission?—Here a similar anomaly exists to that which I have shown in regard to elections in common hall. Freemen are capable of electing members of common council, not being liverymen. Then again, persons who are freemen and not on the parliamentary register cannot vote for members of the commo ncouncil. By an Act which was passed about six years ago, it was made an essential element in the qualification of a voter, that he should be on the parliamentary register. So that there are freemen who used to vote who cannot now vote, because they are no longer on the register, and there are people on the register who cannot vote as liverymen. The reason why the constituencies are so exceedingly small, and why gentlemen will not take up their freedom is this, that they do not like to do anything by compulsion; and I believe if the corporation were to bring down the cost of the freedom to a penny, there would be a great many who would oppose it on principle, just as there were gentlemen who opposed the payment of 1*s.* to be put on the register, on the passing of the Parliamentary Reform Bill; so that the only way of getting a proper constituency of electors is to establish some law by which all men of a certain position, paying certain rates and occupying certain premises, should have the right of exercising the franchise I believe there is no other way in which you can by possibility arrive at that result. I would abolish all special rights and privileges, and have only one constituent body.

1248. Do you think the qualification under the General Municipal Reform Act would be a proper one for the City of London?—I do not see any objection to it, though if it can be simplified so much the better. I would not make it necessary that people should appear on the parliamentary register, because the neglect of overseers or parish officers may disfranchise men who have the right to vote. I would require that every man resident and paying rates should be qualified to vote, whether he was on the parliamentary register or not.

1249. Not speaking of the parliamentary register, you think in general that the qualification which prevails in the boroughs, under the Municipal Reform Act, would be a proper one in the City of London?—I think it would.

1250. Is there any point on which you wish to make further remarks to the Commission?—I would abolish all special privileges, such as the privileges claimed by the livery, and all metages which have been purchased by individuals who do no service but receive the pay, hiring certain persons to conduct the duty, and taking advantage of the balance, whatever that may be. An instance of that occurs in the case of the oyster meters, where gentlemen have purchased the right of measuring oysters, who never themselves in their

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lives measured oysters, and perhaps could not open one. They employ certain persons to do the duty, and their income arising from that is exceedingly large.

1251. Could you abolish offices of that sort, without making compensation to the holders?—I think that all offices which have been purchased, must be compensated for; and one of the wisest things done by the corporation is, that they have abolished, for many years, all offices by purchase.

1252. In the case of these oyster meters, as the appointments fall in, what do the corporation do?—The corporation appoint some person to do the work, and he receives the money. The question of the corn dues has been repeatedly before the corporation. Alderman Muggeridge has taken great interest in that question, and I think his evidence would be exceedingly valuable in connexion with that particular point. The result has been shown to be, that ships are driven from the Thames to the Severn, because, in the one case, they can clear their cargo for 14*l.* or 15*l.*, whereas in the other case it costs 50*l.* or 60*l.*

1253. Do the corporation of the City of London claim the right under their metage privilege of measuring goods, where the party does not wish them to be measured?—They claim the right of measuring all goods which come into the port of London.

1254. Does that right extend to cases where the importer does not wish them to be measured, as well as cases where he does wish it?—I believe it applies to all corn intended for home consumption. I am not aware whether it applies to corn received into this market and again exported.

1255. Do you believe that the grant of metage to the City was originally intended as an accommodation to the public, or was it intended to be used as a right of the City against the public?—I have no doubt it was originally granted to the corporation in the same manner as the stamping of measures and weights, as a defence to the public against the possible deception of other parties. They stood like brokers, as measurers between the seller and the buyer, to prevent any deception and to ensure honesty.

1256. In your view of the case, it was intended as an accommodation to those who wished to have their corn properly measured?—Undoubtedly.

1257. Do you conceive it was intended that the City should force their measurement upon persons who were reluctant?—I think not.

1258. Do you know the manner in which they exercise the right; are they in the habit of requiring persons to submit to their measurements who do not wish that their goods should be measured?—I believe there is no doubt of the fact, that they require all persons to have their goods measured by the measurers, and they receive the dues thereon. Alderman Muggeridge has gone into this question fully, and will be able to answer every question in connexion with the metage on corn.

1259. Is there any other part of the subject upon which you wish to address any remarks to the Commission?—I think the tolls taken by the City should be abolished.

1260. Would you abolish the tolls taken by the City upon carts, and all vehicles entering the City?—Yes; there is an argument frequently raised against the disturbance of those tolls, which, in my opinion, is the strongest argument in favour of their being removed. It is said you will have poor people from Bethnal Green, coming through the City with their donkey carts, causing obstruction to the public thoroughfares, which even now are too narrow. I think, if it be right for the owners of large waggons to take the nearest way through the City, from one point to another, it is still more necessary that poorer men from Bethnal Green should have the same privilege of going through the City, instead of going round it. If a person from Finsbury or Shoreditch desires to go to Covent Garden Market, he must go with a horse and cart round the boundary of the City, and perhaps make a detour of two or three miles.

1261. Is the amount of the toll more than 2*d.*?—I think not; but when people are in the habit of going frequently through the streets, it becomes a very important matter.

1262. There is a man watching at each entrance of the City to exact the toll, is there not?—There is a man, like a bandit, watching and prepared at all seasons to spring out upon you and demand the toll.

1263. Do you think the toll of 2*d.* is likely to deter many carts from entering the City?—It is disliked, chiefly in consequence of the annoying manner in which it is levied. If they had a toll-bar, and men stationed to show you that there was a toll to be paid, people might do as they liked about passing it; but in driving along, to see a man jump out and demand 2*d.* is very annoying. It is not so much the amount of the money, as it is the great interruption which is caused to the traffic of the public streets.

1264. Are those tolls leased out by the City?—I rather think they are leased by the City, but upon that point I am not certain.

1265. Is there a toll upon carriages as well as upon carts?—None; the inconvenience is particularly grievous in this respect. It not unfrequently happens that persons residing beyond the limits of the City, as tradesmen, and driving their own little carts, come as near the City as they possibly can for the goods which they are about to purchase, and keep their carts just outside the gateway, and come into the City to purchase what they require. In consequence of that inconvenience, a number of people have established themselves, in certain trades, just beyond the City bar, and they have, to a great extent,

an advantage which is not enjoyed in the City. The exaction therefore, operates to the disadvantage of the City itself, the inhabitants of which are injured, because people are prevented going into the City to buy their goods in consequence of the toll.

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Adjourned to to-morrow, at 12 o'clock.

Wednesday, 16th November 1853.

THE RIGHT HON. HENRY LABOUCHERE, M. P., IN THE CHAIR.

JOHN CATTLEY, Esq., having been sworn, was examined as follows :—

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1266. You are a merchant of the City of London, are you not?—I am.

1267. In what branch of trade?—I am a general merchant; formerly chiefly in the Russian trade; latterly I have been more in the East India trade.

1268. Do you reside in the City?—I have a house in the City, but I have not resided in the City for many years, I should say for nearly thirty years.

1269. Are you not also chairman of the London Dock Company?—I am; I still hold that office.

1270. How long have you held that office?—Nearly twenty years.

1271. Have you ever been connected with the corporation?—Never in any way connected with it. I was twice elected a member of the Court of Common Council, but I declined to serve. I have been twice in my life pressed to accept an alderman's gown, but I have also declined to accept that on both occasions.

1272. Have you any objection to state what was your motive in declining?—My motive was that I was really too busy, I could not spare the time; I should otherwise have had no objection. It is flattering to be selected by your neighbours for those offices; but the fact is, I was too much engaged, and could not spare the time.

1273. Have you paid any attention to the affairs of the corporation?—Only the ordinary attention of an old inhabitant taking a considerable interest in what was going on.

1274. Have you any observations which you are desirous of addressing to the Commissioners in regard to the corporation generally?—My impression is rather favourable to the corporation as it is constituted, particularly as respects the magistracy. I think we merchants, who are not freemen, are fortunate in having such a body who take upon themselves the charge of the protection of the very large class who benefit by that protection, without being subjected to many of the duties which might be imposed upon us.

1275. Have you had any means of forming a judgment of the manner in which the aldermen discharge their duties as magistrates?—Yes, I have; and I think from long observation that the way in which they have discharged those duties is exceedingly favourable. I think they would bear a favourable comparison with any set of magistrates, either with county magistrates or paid magistrates, or any others. They are assisted by a very able assessor at both of the courts in the City; and I think any gentleman who is in the habit of reading the examinations there, would say generally they are conducted with great shrewdness and skill. I believe, perhaps, a very fair test would be this: the convictions are greater, in proportion to the commitments, than from any other jurisdiction. I think magistrates who have so much practice, and especially their assessors, are very good judges of petty larcenies, and those kind of things, which come before them.

1276. Do you think the manner in which the aldermen of the City administer justice is equally satisfactory to that in which it is administered by the paid police magistrates, who have had professional education, employed in the rest of the metropolis?—I really do think so. I think it will bear a very favourable comparison with it. I do not mean to say that the aldermen have any particular talent for the office, but they have the benefit of such good clerks, or assessors, that substantial justice is done.

1277. Is it your view that they principally act upon the advice of their assessors?—I think they must do so chiefly. Of course nine-tenths of the cases are cases of common sense, in which they are as shrewd as other people. I myself have acted as a county magistrate for a great many years; and I think I should almost be flattered by being put in comparison with a good many magistrates in the City, fashionable as it is to run them down. I cannot shut my eyes to the fact, that there is an attempt got up, by those who who would very much like their offices, to laugh them down if they can.

1278. Do you think there is any practical advantage in the system adopted in the City, of justice being administered by aldermen with competent assessors, over the system that prevails in the rest of the metropolis, of paid magistrates of acknowledged fitness?—I think they are better because they are unpaid; and I think their decisions are quite as good. I should be sorry to see unpaid magistrates dispensed with. I think the same observation might apply to the county magistrates.

1279. Are not the assessors you speak of in the City paid?—The assessors are paid.

1280. On the whole, is the system of the unpaid magistracy in the City more economical than that of paid magistrates in the rest of the metropolis?—I should think it is. I think it is more economical at all events to persons who, like nine-tenths of the inhabit-

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ants who live there, get the full benefit of it and do not contribute to it. All the expense is paid from the corporation funds. I think we merchants who reside there, and do not take upon ourselves the duties, are very much benefited.

1281. Do you think it would be desirable that the corporation should be connected more closely with the higher class of merchants than it is at present?—Undoubtedly, it would be better; but I have not myself been able to discover any way by which we can induce the higher classes to take upon themselves the duty; they cannot spare the time. I am sure that gentlemen in the highest stations are so busy that they will not make the sacrifice; perhaps they ought to do so; I think we ought to bear our share of the burdens of the City.

1282. At all events it would imply a very considerable sacrifice to the leading merchants in the way of business to accept a municipal office?—Quite so; it is quite out of the question; there have been a few exceptions, and in the case of busy men too, but I suppose they have a little liking for it—our friend Alderman Thompson is one; I do not know but he is as regular as others; he has been for a great many years a magistrate of the City, and I suppose takes his share of the duties.

1283. As a merchant have you ever had reason to complain of the corporation, or of any vexation which they have caused you?—No, I have not much; there are some few little complaints made; I am very much connected with the docks; the fellowship porters, and some of those institutions, are complained of by other parties, but we do not suffer from them. We tried the question some time ago, and we do not allow them to enter into our docks. We use the City meters and the City gaugers in the docks, or rather the public use them; the dock company cares nothing about them, they have nothing to do with it; they do the work for the merchant, but the merchant is glad to avail himself of a third check on his measurements and his gaugings. There are only a few articles on which they are employed. If I bring in a cargo of olive-oil, and sell it to a buyer, I am glad to have the benefit of the City gauger as to the quantity. The charge is very small, and we willingly pay it; he is a sworn officer, and may be depended on.

1284. Is that employment of the City gaugers compulsory or optional?—It is optional with us; they do not make any charge unless we ask for them.

1285. You might do without them if you pleased?—Yes; we could do as they do at most of the outports. I will instance the case of oil: that is weighed at almost every port in England except London—in London the old fashion of gauging prevails. I should say it is an absurd fashion, but that is not the fault of the corporation, it is the doing of the buyers of the article very much. At Hull and Liverpool the article is weighed, and it is all calculated by weight and tare, instead of being measured by gauge.

1286. It has been suggested to the Commission, by some of the witnesses, that it would be desirable that what is called a chamber of commerce should be established in London, in some degree connected with the corporation, but having upon it members who might more thoroughly represent the great mercantile interests of London. Do you think it would be useful that some such body should be constituted?—I think it would be useful on many occasions. I think there have been many plans got up for chambers of commerce within a few years, by adventurers, which have never succeeded; and I do not wonder that they have not succeeded. The fact is, we cannot help seeing that if they were established there would be some job of their own; and we should be very soon forced, I have no doubt, for want of the necessary funds, to give up such an establishment. I think if in the corporation there were a chamber established, and skilled officers appointed, it might be beneficial, because it would ensure something like stability and perpetuity. I merely want the chamber of commerce as a medium of communication with the Government on grievances; not to teach us our trade, or anything of that kind.

1287. You do not mean a chamber of commerce in the sense of a tribunal, but a chamber of commerce in the form of a representation of the commerce of London, which might communicate with the Government and other parties?—Yes; if I had a grievance, or what I considered was one, it would be a great convenience to me to be able to go to an authorized chamber of that kind, who would represent it calmly and properly to the Government, so that justice might ultimately be done. It would be the accredited medium of such communications.

1288. Do you think a plan might be devised by which the corporation might furnish the funds, and be represented in such a chamber, while the necessary knowledge of trade might be provided for by appointing members derived from the great mercantile bodies connected with the metropolis?—Yes, you might add many members in that way. I think if the corporation would find the funds, it would be a very useful application of them to that extent. I do not think it would necessarily be costly.

1289. Do you think the corporation have in general shown a disposition to stand forward for the purpose of promoting measures which were generally useful either to trade or to the public?—I think they have. I have resided in the City fifty years, and I cannot help, every day that I am walking the streets, contrasting the City as it is with what I have known it. They may be occasionally slow, but I think they do their work well. I would instance the paving; I think that is unequalled. I wish they had the jurisdiction of Whitehall, for in getting here to-day, one was in danger of breaking one's neck. I think there is nothing to compare with their pavements. I think their sewerage is very good; and I would as soon live, in point of health, in the very heart of the City, at the end

of Moorgate Street, where I have an office, as anywhere in London, on account of the perfect ventilation, the good sewerage and pavement, and efficient cleansing in every way.

1290. The City has natural advantages in point of soil and elevation over the river, has not it?—It has.

1291. How do the corporation manage the conservancy of the river?—I think pretty well. The only way in which I have had to do with them has been in connexion with the docks; we of course have intercourse with them about buoys and so on. I think they have generally met us fairly. They take care of their own interests. If we have a buoy to put down at the entrance of the dock, it is generally a matter of negotiation who shall pay the cost, and I am bound to say that I think they have met us pretty fairly. Sometimes we think we pay too much, but we have not much cause to complain. Their object is directed to keep the river clear, and so on. I have sometimes heard of little obstructions produced by projections into the river by wharfs; they are charged sometimes with favouritism to persons making applications to them, but I am not aware that there is any foundation for it.

1292. Do you know anything of the fitness of the harbour masters?—Yes. In the last session of Parliament we obtained an Act for enlarging our docks, and it was our business to negotiate with the corporation, and I saw the harbour masters; there had been considerable difficulties; the Admiralty raised some difficulty; but when we came face to face, we settled everything quickly and amicably. Their opposition to our Bill was withdrawn when they came to understand what we wanted, and they gave us every reasonable facility.

1293. Do you think it is desirable that the body which superintends the navigation of the river Thames should contain within it some members of professional knowledge more competent to understand the subject than a committee of the common council can possibly be?—I think so; it might be improved. The members of the committee, which is a very large one, cannot really know anything about the navigation of the river. They are generally taken from the class of small tradesmen, and cannot know at any rate much about it. The proper persons to appoint in connexion with the harbour masters—who, I am bound to say, are intelligent painstaking men—I think would be such men as the dock masters of the different docks, who are very much interested; they are sailors to begin with, and they are interested in getting ships up the river to their different establishments in the best way. That I think would be a class of men who would be very beneficial.

1294. Have you had any experience of the proceedings of the navigation committee of the common council?—The negotiation I refer to was with them. I met a very large committee, and after the necessary explanations had been given, we got through very satisfactorily.

1295. Do you contemplate the formation of a mixed committee?—If I am asked what would be the best committee, I think it would be one composed of a certain number of harbour masters, and some members probably of the common council, including others connected with the shipping interests of London. I mention the dock masters because they are as a whole a remarkably intelligent class of men; we have had the benefit in the London docks, for the last twenty years, of a man who I think could not be surpassed in point of intelligence—Captain Maugham. I think if I wanted to ask a question on any point connected with the river, I should regard him as the highest authority in London. I would pledge myself sooner to his opinion than to that of any man I know.

1296. Do you think a mixed committee so formed would act harmoniously together?—I see no reason why they should not. I think, in general, some one man would soon display the talent which would lead to his being chairman, and having the largest share of influence. I think the committee, of their own accord, would generally choose those who knew most on the subject, and were the most intelligent.

1297. Upon whose advice does the committee for navigation mainly rely at present?—I should think on that of the harbour master.

1298. In truth, they themselves can have no knowledge on the subject, and they must resort to professional men?—It must be so.

1299. You stated that the harbour masters you believed to be efficient officers, and very well selected?—Very much so.

1300. You have stated that the fellowship porters are excluded from the London docks?—Yes; by our Act we do all the labour within the dock; we have various reasons for that; we do not choose to admit persons who are not responsible to us, and for whom we should be answerable in case of pilferage, and so on, within our docks. Another reason is, that we have done so much for the public, that we think we are entitled to what little profit there is on the labour ourselves.

1301. The corporation have submitted to your claim to supervise your own porterage?—We have no trouble with them on that subject. In fact, as we have our own labourers, it would be hardly possible that they could divide the labour done on board a ship in the dock from that done on shore.

1302. Does your exemption rest upon a special Act of Parliament?—Yes; I think we have some clause in our Act of the kind, but I am not quite certain.

1303. You stated that the City meters were persons skilled in meting, and that it was a convenience to employ them?—I rather applied that answer to the City gaugers. The

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metage is done in this way: it applies to fruit and onions and roots. A large portion of the fuit is not landed in the docks, and therefore we do not see it. As to what there is, I think the City meters in connexion with us are almost nominal. We take the quantities with the Custom-house officers, and I believe in practice they receive our account. With the gaugers it is different; the gauger must measure and guage every cask, and we are glad to have his check in addition to the two which we have. We know if a Custom-house officer and our officer take it together, they are rather apt to copy each other's numbers; and I, as a merchant, am glad to have a third perfectly disinterested party to check them.

1304. Does not the City privilege of metage apply to corn as well as to fruit?—It does.

1305. Would a corn ship unloading in the London docks be subject to be meted by the City?—Yes; but it is a very small matter. We apply for a licence, which costs 4*s.* or 5*s.*, and which is obtained from the Mansion House. We then get a meter. It is a somewhat clumsy operation, but still the buyer and the seller are content to abide by it, and we are glad to pay it to get rid of the cargo as fast as we can.

1306. Does the City meter actually measure the corn?—He does.

1307. And the gauger actually gauges?—He does.

1308. Your view is, that the City meters and gaugers are an accommodation and an advantage to the public, on account of their skill and their probity where the importer wishes to avail himself of their services?—Yes, I say so; particularly as to the gaugers. There is no skill exercised by the meters, and it is a matter almost of indifference. As to the fellowship porters, they are rather in the way of improvements out of the docks.

1309. The Commission has been informed that in some cases the City enforce their claim as meters where an importer does not wish his goods to be measured?—That would be surplusage. I have no doubt if I were to communicate with the City and say, "These are my own goods, I will not call upon you for the labour of measuring them"—they would acquiesce. I apprehend the City only claim the privilege because they believe they have a right to claim it.

1310. Do you think it desirable that they should retain that right of forcing themselves upon an unwilling importer?—Certainly not. We who import cargoes for sale want them measured; the case referred to can only apply to one case out of a thousand. I think I recollect the case of the brewers who had a malting at Ipswich, and imported for themselves. I do not know whether the City is right or the brewers are right, but it is a very disagreeable thing to have 1,000*l.* a year to pay, which I see they estimate it at. I do not think, however, that would be an answer to the City if they believe they have the right.

1311. Is it the case, that in the Act which constitutes your dock there is a clause providing compensation for the fellowship porters?—I am not sure whether the original Act does provide compensation. I think we gave almost every one compensation; that Act is forty-five years old.

1312. Have you had any dispute with the porters on the subject of compensation?—Not for the last twenty years, since I was chairman.

1313. What do you think of the separation of the City police from the general metropolitan police?—Some ten years ago I myself took the trouble to write a letter on the subject of the police. The City was then properly called a city of refuge for thieves out of the City; they ran into the City, where they were safe. I do not mean to say that my application did any good; but about six or seven years ago the system was altered to this extent: they gave the police out of the City and the police in the City concurrent jurisdiction, so that they now pursue them. The evil, therefore, is very much lessened at all events. The only objection that I should have, living in the City, to the whole being put under one jurisdiction would be this: the City is of small area—there is an enormous property to be protected—people do not very much live in the City as they do in the outskirts—and I am afraid, if we were all under the metropolitan police, we should only get as many men to a square mile as they do in other directions. I believe at present we get twice as many as is given in the other directions, and I think we have not too many. If we had to pay for them all we might find it a hardship, but I believe we are not taxed more than they are out of the City, the City funds going to make up the difference.

1314. The watching which you mentioned would be required principally at night, would not it?—Very much at night.

1315. During the day are not the great thoroughfares in the City more thronged than those in other parts of the town?—Very much more. At dividend times there are thieves always on the watch, and we require a very much larger number of police than would be required in any other part.

1316. Would not it be possible to retain the present proportions and at the same time bring them all under one central authority?—I think a central authority would be good. I have myself spoken privately to the present commissioner of police for the City, and I think he would not differ with me on that subject. I told him once that I thought they ought all to be under one head. I know there are difficulties, one of them being what I have stated, that we wanted in the City a much greater proportion than is required in other parts. I cannot say too much in favour of the metropolitan police, for it was my duty within the last twenty years to make an arrangement of this kind: the system of watchmen prevailed at one time all over the docks, and I applied to the metropolitan commissioners to allow us to have the metropolitan police. On certain conditions they

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allowed it, and they allotted us about thirty men. We have had these thirty men now for something like fourteen or fifteen years, and it is impossible for any class of men to give greater satisfaction than they have done.

1317. Are the London docks within the City?—No; without the City. The ground we took was this: they said, "We have no jurisdiction, it being a private establishment." I said, "There is a public road through it." On that ground they took us in. I believe they would not have done so if we had not shown that you might walk in at one gate and out at the other, saving a mile perhaps. Yesterday, in fact, we passed a resolution at the London dock recommending that certain small gratuities should be presented to the police in our establishment, and that a letter should be written to the commissioners, mentioning the remarkably good conduct of the police during the strike that we have had.

1318. Do not you think that it is probable that the separation of the City police from the rest of the metropolitan police must tend on the whole to increase the expense of the establishment?—I think there would be economy produced by consolidation; but still if we lost our present protection we should not like it.

1319. Would there not be some saving from a diminution of the expense of the staff attached to the separate office, supposing the number of men who watched the streets remained the same?—The chief commissioner might be dispensed with, and so perhaps might a clerk or two. I doubt whether they would be able to save much from a reduction in the number of inspectors.

1320. Is there anything else to which you wish to call the attention of the Commission?—No; I do not think there is anything else. We who do not contribute to the funds think, at least I think, that we are indebted to the City for laying out the funds of their large estates in improvements by which we are benefited.

1321. You are not a freeman, are you?—No.

1322. Did you ever receive a summons to take up your freedom?—I have received many.

1323. What did you do with them?—At first I knew I was one of thousands, and I did nothing. I said, "When you take up the whole you will have a good large body, and we shall make the best fight we can." I think this occurred soon after one of those occasions when they pressed me to take the alderman's gown. I was then living in the City, and they said, "We must make an example of a few persons who are notoriously doing a large business. It is hard to compel poor people to take up their freedom while you escape." I said, "Well, you must do what you please. I decline to take up my freedom." I did not wish to be liable to the office of sheriff, and I did not wish to be an alderman; in fact, I was too busy. There was an old book published at a place called the Steel Yard, which was a sort of guide for foreign merchants, and I said, "I consider myself, in the sense in which the word is used, a foreigner in London. I am not a freeman." After that the matter dropped.

1324. When did this take place?—Within the last seven years, I think.

1325. Then, in fact, you have received numerous summonses, but they have never been enforced?—They have never been enforced. I do not myself think they could have enforced them. I took some pains about it at the time, and my impression was that I should have stood a trial, even if I did so alone.

1326. You think they could not have enforced it upon you as a wholesale merchant?—Certainly, I have no shop, I import cargoes, and I merely have my counting-house. I had a dwelling-house then to be sure, but nothing but a counting-house for the purpose of trade.

J. C. Gooden, Esq.

James C. Gooden, Esq., having been sworn, was examined as follows:—

1327. You are desirous of appearing before this Commission in connexion with the conservancy of the Medway by the corporation of the City of London?—I am.

1328.—Will you have the goodness to state to the Commission what has induced you to pay particular attention to that subject?—I have been a yachtsman and a sketcher for many years. During that time continually one has heard of vast devastations upon the land being committed by the water, in those districts which are submitted to the conservancy of the City of London in the Medway. The constant repetition of these at length induced me to address Sir Francis Beaufort on the subject. He, in consequence of my letter, ordered an examination of the river between 1850 and 1851, and the conclusions resulting from those surveys are, I believe, of the greatest importance to this kingdom, as I believe they involve possibly the future existence of Chatham Dockyard. I believe that the powers of the conservancy of the City of London are entirely misunderstood. If we go back to Stowe, in the edition of 1618, we have there detailed the duties of the conservancy as laid down by the common serjeant at a sessions of the conservancy held at Gravesend in 1616. It is there specially rehearsed, that the care of the sea walls was a most important point of their business—the sustentation of the embankments and walls. Going back again to Dugdale, we find several appointments of commissioners for these districts. It was a most solemn charge given to the City of London from the earliest times, that the sea walls should be sustained, in order that the navigation of the river should be kept in a state of perfection. I am perfectly competent, from the Admiralty charts, to show that this district was walled or embanked. There was a committee of the House of Commons in 1820 to consider the subject of the rapid shoaling of the reach as you approach Chatham Dockyard.

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1329. Will you have the goodness to state, in as general terms as you can, what you believe to be the existing grievance, and what you would point out as the remedy?—I believe, in consequence of neglecting the embankments, very great disasters will ensue.

1330. Your charge is, that the City, as conservators of the river Thames and the river Medway, have not properly maintained the embankments of the Medway?—They have not properly maintained the embankments in either river, and in the Medway that is producing great disasters. The expansion of the water causes the tide to cease, and that results in stuffing the upper reaches with mud, which is disintegrated from the City lands.

1331. You are not a civil engineer, are you?—No; but I have attended to this subject for some years.

1332. Have the City ever done anything for the maintenance of the banks of the Medway?—I am not aware that they ever did anything of the kind.

1333. Was there ever a time when they appear to have applied any part of their funds to the embankment of the Medway?—I have been quite unable to trace anything of the kind.

1334. It is clear that they are under an obligation to do so?—I think it is clear from that charge of the common serjeant in 1616.

1335. By whom were the embankments originally made?—That is too difficult a question to go into. I think they have existed as far back as we can trace. In Edward III.'s time, he owned embankment marshes there, and the rehearsal in Dugdale occurs, that the whole of this district was governed by the law of Romney Marsh, which presupposes that there was embanked land.

1336. Do you consider the banks of the Thames, within the jurisdiction of the City, to be out of repair?—There has been a considerable waste of land in Gravesend Reach; about eighty acres appear to have been lost in a single parish since the reign of Elizabeth.

1337. When did you first call the attention of the Admiralty to the injurious consequences of the neglect of the banks of the Medway?—In 1850.

1338. Do you know whether they have taken any steps in consequence?—They resurveyed the river in consequence of my letters.

1339. If necessary, therefore, the Commission can obtain from the Admiralty most authentic and complete information as to what occurred?—Yes, I think so.

1340. Supposing the reparations of the banks of the Thames and the Medway, which you consider desirable, were made, would it be necessary to expend a large sum of money?—The basin of the Medway here is utterly lost. The whole lands of the Medway are utterly disintegrated. It only exists as an archipelago of marsh islands now.

1341. What is it you think the City ought to do?—I do not think it is competent to do anything,—it is principally as to what they have not done that I come forward.

1342. Your object is to show that they had certain duties, as to the embankment of the Thames and the Medway, which were not performed, and, not having been performed, irreparable mischief has been done?—And that serious consequences are threatening the dockyard.

1343. But now nothing can be done to repair the injury to the lands?—My impression is, that it is quite hopeless, and I speak also the impression of Captain Bullock at the same time.

1344. You have no practical measure to suggest which the City could now adopt?—None which the City would adopt. It is quite hopeless, I believe.

G. A. Wallis, Esq.

GEORGE APPLETON WALLIS, Esq., having been sworn, was examined as follows:—

1345. You are one of the sheriffs of the City of London?—I am.

1346. How long have you been connected with the corporation?—I have only been connected with the corporation as the sheriff of London, but I have been a citizen of London all my life, at least from the age of twenty-one years.

1347. Are you a member of the common council?—I am not.

1348. Are you a freeman of the City?—A freeman and a liveryman.

1349. Will you have the goodness to state to the Commissioners any point to which you desire to call their attention?—I am placed in a very peculiar position, and I would rather that the Commissioners should put such questions as they may think fit, and I will, if they please, answer them to the best of my knowledge. Having been a confidential agent in election matters, I think it would ill become me to make a statement, unless that statement were drawn forth by questions from the Commissioners.

1350. Is there any information which you can give the Commissioners as to the circumstances under which you were elected to your present office?—The circumstances under which I was elected were these: The office, for some number of years, has fallen into disrepute, in consequence of certain jobbing transactions by the under-sheriffs, who have selected the sheriffs, and those gentlemen have served but reluctantly. This year there was no sheriff who would serve, and several of the leading gentlemen of London desired me, in a case of emergency, to take upon myself the duties of the office. I took the duties very unwillingly indeed. In fact, I may call myself a stop-gap, rather than the Queen's authority should be lost in the City of London.

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1351. What was the cause of the difficulty of obtaining two persons to serve in the office of sheriff?—First of all, the great expense attendant upon the office,—next, that the office is shorn of almost all its responsibilities; for instance, in the Court of Common Council the sheriff has no voice unless he be an alderman. In the Court of Aldermen he has no voice, and he sits there, if I may use the expression, a perfect dummy—merely a decked-out official, without having the slightest power whatever, beyond that of keeping the keys, or being supposed to keep the keys of the City prisons; there, even, his power is very limited, inasmuch as the sheriff has no power to give an order for any one to visit those prisons, though he is responsible for all that takes place within them. It is the visiting magistrates, the aldermen of London, who claim to themselves the exclusive privilege of granting orders for any person to visit a prison.

1352. Are there any powers which the sheriff does not now possess, which you think, advantageously to the public, he might be intrusted with?—Yes.

1353. Will you state what they are?—I think he ought for the year to be an ex-officio member of the Court of Aldermen,—he takes his seat there, and I think he should be an ex-officio member of the court. The same with respect to the Court of Common Council.

1354. Are there any duties which the sheriff in fact performs?—There are very few indeed, except the most unpleasant of all, that is, to carry out the law in hurrying his fellow-creature into eternity.

1355. Are not all the substantial duties of the office discharged by the under sheriff?—They are discharged by the under sheriff's deputy. My under sheriff has little whatever to do, except to attend upon me. There is an under sheriff or an officer appointed at the time the sheriffs are elected, who is to have the general routine of the management of that particular business for the year. Some arrangement is made between the under sheriff and this under sheriff's deputy, by which I believe they divide the fees, or something of the kind, so that neither the sheriff nor his under sheriff has much to do except to attend to the judges at the Old Bailey, and to see that every provision for their comfort is made, and to attend the lord mayor upon state and other occasions.

1356. Are there not considerable expenses connected with the office of sheriff?—There are. I have known as much as 3,000*l.* or 4,000*l.* expended by a sheriff in a year, but there is no occasion to go to that extent. I do not think a sheriff could pass through his year of office without expending something like 2,000*l.* or 2,500*l.*

1357. You consider that 2,000*l.* or 2,500*l.* is the least which it would be possible for the sheriff to spend?—It is the least.

1358. Is there any allowance made to him by the City in respect to his expenses?—There are some trifling allowances made, but the account is very nearly balanced between the receipts of the sheriff personally, and the amount he receives under a bill of craving at the end of his year of office.

1359. Does not it sometimes happen that persons elected to the office of sheriff prefer paying a fine to serving?—In many cases; in the course of perhaps ten or twelve years the fines have amounted to a very large sum of money.

1360. It has been stated to the Commissioners that persons, who it is known beforehand will not serve the office, are sometimes elected in order to obtain from them a fine, there being, in the background a person ready to serve the office; do you believe the statement to be true?—As an election agent I have had but little to do with sheriffs; but there are parties in London who, if the Commissioners think fit to call them, could give every information upon the point.

1361. To what parties do you refer?—I think Mr. Alderman and Sheriff Wire knows more about the sheriffs than any one else. I have been frequently concerned for aldermen and other corporate officers, but not for sheriffs.

1362. Is not it considered necessary, before any alderman is elected to the office of lord mayor, that he should have served the shrievalty?—Decidedly.

1363. Is not that an inducement to many aldermen and persons in the corporation to accept the office of sheriff?—I think not. I think the sheriff being the Queen's officer, he is far higher than either of the aldermen or even the lord mayor of London as at present constituted.

1364. That may be your individual opinion, but looking to the general opinion entertained in the City, do not you believe it to be the fact that persons are sometimes, and not unfrequently, induced to accept the office of sheriff in order that they may be qualified to serve the office of lord mayor?—I have myself known of two or three cases in which parties have served the office of sheriff with a view to becoming aldermen. Among my clients I have persons who are now anxious to become aldermen of London, they having served the office of sheriff; but aldermen live to very great ages, and it is not very often that there is a vacancy; when there is a vacancy there are generally four or five candidates anxious to take upon themselves the duties of the office.

1365. You stated that you were an election agent?—Yes.

1366. What do you mean by that; do you mean in cases of elections for members to serve in Parliament?—And for City offices.

1367. Is that your profession?—It is.

1368. Have you no other?—None other except private continental agencies. Agencies of a private nature with merchants in London and also merchants abroad.

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1369. Have you had much experience of elections to civic offices?—Yes; for the last twenty years I have been engaged in almost every election.

1370. Without asking you to go into personal details, which you might naturally dislike to do, should you object to state to the Commissioners what your general impression is upon the question whether the elections to civic offices are conducted with purity or otherwise?—I think I may go so far as to say that they are not conducted with purity.

1371. To what elections do you refer; to elections in common council?—Not to the elections of common councilmen, because I believe, as far as the franchise goes, the elections to the common council are pure. I refer to the elections of aldermen, lord mayor, chamberlain, and sheriffs, though I cannot myself speak particularly to the sheriffs.

1372. It has been stated to the Commission that very large sums have been spent in contests for those offices. Is that your belief?—It is.

1373. To what amount have the expenses of any of those elections gone?—It depends entirely upon circumstances. If the election is for an office of valuable emolument, such as an office of 2,000*l.* or 3,000*l.* a year, I have known as much as 10,000*l.* spent on both sides to attain it.

1374. Do you mean 5,000*l.* on each side?—No; perhaps 7,000*l.* on one side and 3,000*l.* on the other, and 6,000*l.* on one side and 4,000*l.* on the other. I cannot say that the expenses are equally divided.

1375. To what particular office do you allude?—I should be very sorry placed as I am to name it; if at any future time the Commissioners think that they ought to place me in that position, I shall be bound to attend them.

1376. Our object is not to constitute ourselves an election committee, or to go into the details of any particular election; but we desire to ascertain whether purity or the contrary is the characteristic of civic elections?—Corruption does not exist in all cases, but in a great many cases it does.

1377. Take first the elections of aldermen in the wards. How would you describe them?—I have been engaged for certain aldermen, and I have caused to be paid a certain amount of money for the purpose of obtaining their magisterial gowns.

1378. How is that money expended; is it given to the voters?—Some of it is given to voters; some is spent in giving dinners and suppers; treating in fact.

1379. Is any of it expended in agency for canvassing?—Yes.

1380. To what extent have you ever known the expenses of a candidate for an alderman's gown to go?—1,500*l.*

1381. Do you think that the system of elections in the City of late years is more or less corrupt than it used to be?—I think it is pretty much the same since the contest of Sir Peter Laurie and Sir John Key. I believe at the time of the Reform Bill the great contests which took place commenced the system of bribery and treating and so on, which has since existed.

1382. Do you mean that there has been more money spent in bribery and treating since that time than the period before it?—I think so.

1383. To what do you attribute that?—A new class of people were introduced at that time. A worthy alderman, since deceased, assumed a power along the water-side of exercising a control over certain parties, and those parties used to come in great numbers.

1384. You mean, that what is called the system of 'longshore-men has come more into operation since that time.?—You can hardly call them 'longshore-men.

1385. They have nothing to do with the election of aldermen?—Nothing whatever.

1386. You are now speaking of elections to other City offices?—Yes.

1387. Have you observed that there is more abuse in the conduct of elections in the small wards than in the large wards?—Where there is a low-rated class of occupants, I have generally found it more difficult to obtain an alderman's gown. In the out wards more expense is incurred than in the inner wards of London; the commercial wards.

1388. Is that without reference to the number of inhabitants?—In the commercial or centre wards of the City now, there are only a certain number of people, of the class of servants, who sleep there to take charge of the property; the merchants and traders and professional men leave London and reside in a purer atmosphere.

1389. Of what class do the voters in those inner wards consist?—I will take the ward of Bread Street, which is perhaps one of the most important wards in London, from the importance of the buildings it contains, and also the wealth generally of the inhabitants: it pays, I believe, more to the land tax and sewers' rate and to the property and income tax than any ward in London. Up to within the last three years I think the number of voters in that ward would not be greater than about 140. Out of that 140 not more than eighty or ninety ever exercised the franchise; sometimes, if a very popular candidate came out, the number might reach 100, but very rarely indeed. The deputy generally speaking is returned at the head of the poll, and very many out of respect to him go and vote what may be called a plumper, and place high on the poll, in order that he may occupy his position next to the alderman in the ward, he being the deputy.

1390. Are there any improprieties take place in the election of common councilmen?—I am inclined to think not, it is not much to fight for. There are no magisterial duties connected with the office; there is a seat in the common council for one year, and a chance of getting upon a committee.

1391. The situation of chamberlain is the most valuable office in the gift of any constituency in the City, is not it?—No; I think the office of lord mayor is the most valuable.

1392. Is the office of Lord Mayor as lucrative as the office of chamberlain?—More so I think.

1393. It only lasts for a year, and contrasting the expense with the receipts, is the office of Lord Mayor a very lucrative office?—For the year I think there is something like 10,000*l.* allowed to the Lord Mayor, besides other things.

1394. Do you suppose that the Lord Mayor makes money by his mayoralty generally?—He can if he pleases; many have done so.

1395. Is it not more usually the case that the lord mayor spends more than he gets?—I think it may be so.

1396. Whereas the office of chamberlain is an office for life, and a lucrative one?—It is an annual office.

1397. It is annual in point of form, but not in practice is it?—Suppose I chose the 24th of next June to demand a poll against the present chamberlain, I could do so.

1398. Has there ever been an instance of a chamberlain once elected being opposed?—I am not prepared to say.

1399. Do you believe that for the office of chamberlain the elections have occasionally been influenced by money?—I believe that has been the case in every election that has taken place for the office of chamberlain in my time.

1400. What do you consider to be the great inducements to obtain the office of alderman?—I can hardly speak of the inducement beyond this, that a man for his life is elected a magistrate, and has, jointly with his brethren of the same court, an unlimited power over the funds and the affairs of the corporation of London.

1401. Has an alderman much patronage?—He has patronage, I believe, in all the public hospitals, Christ's Hospital, and the hospitals generally throughout the City.

1402. Do you believe that practically an alderman has considerable power of providing for his relations by various City appointments?—There is no doubt about it, if he thinks fit to exercise it. I believe the present way of electing aldermen and common councilmen is very imperfect; the wards are not arranged in due proportion; some wards are very large and others very small. I should suggest also that an extension of the suffrage should certainly take place to the extent of admitting occupiers, that is, scot and lot.

1403. Would you alter the limits of the wards?—Decidedly.

1404. Would you have any objection to the franchise of the Municipal Corporation Act being introduced into the City of London?—I think it would be advantageous as applied to the City of London.

1405. You think that that would furnish a good franchise?—I do; the most important and the most pure franchise in the City of London is that exercised by the livery of London; it is the most pure, with the exception of some inconsiderable number; but that inconsiderable number attends the common hall, and the great body of the livery are lukewarm except upon matters which create public excitement, when they turn out in a body. The livery of London have to pass through a particular ordeal, different from any other persons holding the franchise in England. They obtain their livery in three ways, by patrimony, by servitude, and by redemption. By patrimony the parent takes care that the child, if he is not a fit and proper person, shall not associate with him in the livery of his company. In the case of servitude, that is by seven years' apprenticeship, first of all the master must swear that he has faithfully served him; he then applies to be taken on to the guild, and the guild make inquiries before they admit him; then, before he can get upon the court, he has to show that he is a man of wealth and of character; so that a liveryman of London has to pass through a very severe ordeal before he attains to that position. I think, unquestionably, the livery is the most perfect franchise in London, generally speaking, that is to say, 12,500 out of 13,000.

1406. Do not the different guilds vary very much in that respect; in some guilds the liverymen are very easily admitted, and are of a very different class to what they are in others, are they not?—The more respectable companies pursue the course which I have mentioned; there are companies I know which compel parties to take up their livery. That, I think, is very wrong. If they compel a man to take up his livery who cannot afford it, they are admitting into the body of the livery a man who will be open to temptation.

1407. Do you think it would be desirable for municipal purposes that there should be more than one constituent body in the City of London?—I am of opinion that the livery of London ought to be taken as the basis of any future constituency, because it is a body which has been tested. I would take the livery of London and the occupiers of property within the City of London, and amalgamate the two; there should be an electoral list of those men, and then let them elect to all offices.

1408. Would you require any condition of residence for a liveryman?—I do not know how you can fix that now. A merchant who lives at Brighton is as near London in point of time as a merchant who lives at Walthamstow; the one has a railway direct; the other no railway at all; and if a man can reach the metropolis in one hour by rail, I do not see why he should be deprived of his franchise, when his neighbours, living only seven miles from the metropolis, can come and exercise the franchise.

1409. Still, if you desire to avoid the evils of out-voters, you must draw the line somewhere?—That would be a difficult thing; I must leave that to other parties to do. You might take the railway time tables, and define it by the amount of time necessary to reach the metropolis.

1410. You would object to any condition of residence being imposed upon liverymen?

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—I think so; except that I would limit it to England. Now, in whatever part of the world a liveryman may reside, he may appear.

1411. In the case of a contested election, it would be necessary to bring up non-resident voters?—They are parties who will not be brought up; they are too respectable for that. If they see there is an important question at stake, and they think they ought to come and exercise their franchise upon it, they do so upon the ordinary circular being sent down.

1412. Do not you think that the existence of a large body of non-resident voters necessarily increases the expense of a contested election?—I do not find it so in regard to the livery of London.

1413. Have you ever had any experience of the payment of the expenses of non-resident voters in the case of a contest?—For members of Parliament only, and that not of late years.

1414. Have you found the great majority of such non-resident voters refuse to take the payment of their expenses?—No; those were principally freemen of boroughs, and places in the country.

1415. Do you believe the case would be different in regard to the outskirts of the City of London?—With regard to the livery, I do. They are principally retired merchants, bankers, and tradesmen, and men of affluence and influence in their respective localities; it would be an insult almost to offer expenses to such parties as those. I can positively say that I have never had an application from parties of that kind for the payment of their expenses for years.

1416. Would you propose to diminish the number of wards?—No; I do not think there is any occasion to diminish the number if you equalize them. Some of the wards are very large indeed; Farringdon Without, for example, is almost a city of itself. In the case of Cripplegate Within and Without, one alderman presides over the constituencies of the two wards. Then we have another ward without an inhabitant at all, which is the ward of Bridge Without.

1417. Do you think it desirable that the number of the common council should be diminished?—My notion is this, that the Court of Aldermen ought to be swept away; that there should be substituted a lord lieutenant of the City of London, who should be elected by the citizens generally.

1418. What advantage would there be in calling him the lord lieutenant, instead of calling him the Lord Mayor?—The fact is, that from the ridiculous absurdities attached to the office, which are not consistent with the spirit of the times in which we live, you will never get a first-class man to occupy the Mansion House under that title.

1419. Do you think he would like better to be called the lord lieutenant?—I think so.

1420. You would have him elected by the citizens generally?—Yes.

1421. Whom would you characterize as citizens?—Those who might be on the register or electoral list. I have suggested taking the livery as the basis, and applying the ordinary municipal franchise.

1422. Is there any body of liverymen of the City of London who are not liverymen of the companies?—No.

1423. Then to be a liveryman a person must of necessity be a member of a company Just so.

1424. Whereas it then need not be so?—No; I would extend the present franchise of the common hall, and apply the municipal franchise in addition, so as to form one register of the two bodies. The liveryman is in this position: he purchases his livery just as a man does a piece of ground, and it would be a very unfair thing to dispossess a man of his livery, which he has paid for, without giving him a *quid pro quo*. I would only allow him, however, to exercise the privilege for his life.

1425. In giving the franchise to the liverymen, you necessarily perpetuate the connection between the companies and the City, do you not?—I think that that is a very desirable thing.

1426. The plan which you propose is as follows: that there should be a burgess roll, formed of occupiers fulfilling certain conditions, together with all the existing liverymen?—Yes

1427. But that when the existing liverymen have died off, the burgess roll should be composed exclusively of occupiers?—Yes.

1428. With respect to the elections in common hall, how would you describe them?—The elections in common hall are badly taken. There is a desk at which sit the poll clerks; those poll clerks have no official register, or electoral list before them, by which they can detect whether a man is a liveryman or whether he is not; they come and pass, as I have seen them, in troops of fifty or sixty at a time, taking the oath that they are liverymen of such a company. The officers cannot detect the features of every man, and therefore very many poll merely to get the fees or bribes which are allowed for the day.

1429. That may be considered as a compensation for the loss of labour for the day?—I do not object to payment for loss of labour for the day. If a poor man comes away from his work, I do not think there is any great harm in his being paid for it; it has been the custom for a great many years to do that, as long as London has been a city perhaps; but it goes, unfortunately, to great lengths, and the moment the premium gets up beyond a

certain amount, very many men, who are starving, are anxious to come and avail themselves of the fund.

1430. Has there ever been any expensive contest for the office of Lord Mayor?—Yes; several.

1431. How much money do you suppose has been spent in any such contest?—I should say in two contests which have immediately come under my own observation something like 15,000*l.* has been spent.

1432. That is to say, that the expenses of both candidates have together amounted to that sum?—Yes; and perhaps more.

1433. How was that money spent?—It was spent first of all in the usual paraphernalia of committees and sub-committees, and out-district committees, to which committees power was given to obtain voters.

1434. Was any part of that money do you suppose spent in direct bribery, and payments of sums to voters?—There is no doubt about it.

1435. Was much of it spent in treating?—No doubt of it.

1436. For how many days can the poll be kept open at the common hall?—Eight days; that is, seven days and the afternoon, or the evening, of the day of the nomination.

1437. Is it desirable that the poll should be kept open so many days?—I think not. Under proper regulations I think it ought to terminate in one day, in the same way as parliamentary elections do.

1438. The poll for the parliamentary election in the City would be taken in one day?—Yes; but then they have out-districts.

1439. There are several polling places?—Yes.

1440. There is only one polling place at the elections in the common hall?—Only one.

1441. Has the election for the office of sheriff ever been expensive?—It has been expensive, merely as regards the necessary expenses for supporting the dignity of the office. I had rather not say anything about the sheriffs, because I have never made one. I have only known, from my general movements about the City at such times, that money has been spent.

1442. You stated that there had been considerable difficulty to induce persons to serve the office of sheriff?—Yes.

1443. Is it likely therefore that any one would stand an expensive contest in order to obtain the office?—That would depend upon circumstances. I believe now, that if the Court of Aldermen fancied that a clear course was open, and if I was a candidate to-morrow, they would go to any expense in order to thwart my election as an individual.

1444. You think when there is a general feeling against a candidate, some other person may come forward for the purpose of keeping him out?—No doubt about it. I was an anti-corporate candidate; I told them so from the first, but they neglected to demand a poll at the proper time, and I was declared duly elected.

1445. Has there been any expensive election for the office of chamberlain?—Yes; every such election has been a great expense.

1446. The office is virtually an office for life, is it not?—I cannot say that; because I do not imagine if the chamberlain's office were abolished, and provision were to be made for him, it would be so considered.

1447. In law it is an annual office, but has not it in practice been generally held for life?—Yes; I believe so.

1448. Are there any duties attached to it?—Yes.

1449. Are they performed by the chamberlain himself?—He signs documents in his private room, and adjudicates upon apprenticeship generally; but Mr. Benjamin Scott is the first clerk of the chamber, and upon him the main duties devolve.

1450. The paucity of the duties probably may be one of the inducements to seek the office?—I apprehend it is so. It is an office which has been held by an alderman after he has attained a certain age. It is understood that the senior alderman in rotation should obtain it.

1451. Do you know what the emoluments of the office are?—No; I know it is stated that the income is about 2,500*l.* a year.

1452. What do you consider to have been the greatest sum expended in a contest for the office of chamberlain?—£10,000 for both candidates. It is impossible to speak with exactness on the subject.

1453. Have you been personally engaged as agent in the elections for chamberlain?—In all such elections for the last twenty years.

1454. Probably such money may have been spent in the same way as in the contest for the office of lord mayor?—There was one very important contest for the office of lord mayor that the press took up; the citizens thought that the press were quite right in rejecting the individual, and he was rejected, and he subsequently resigned his aldermanic gown; that was a very expensive election.

1455. How have the funds for defraying the expenses of those contests been obtained; have they been found by the parties themselves?—I think I must not answer that question at present.

1456. Have you any reason to believe that any portion of the corporation funds have been used in those contests?—That is a like question that I would rather not answer at present If you insist upon my answering it at a future time, I will obtain the data and do so.

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1457. Can you state to us your belief that no portion of the corporation funds have been used for purposes of corruption in contests for civic offices?—I cannot say that.

1458. You cannot state your negative belief?—I would rather not state one way or the other; the inference would be drawn that I had betrayed a trust, and I should be very sorry in any way to do that.

1459. Can you point out to the Commission any means by which they could obtain information upon this point, as to whether any portion of the funds of the corporation had been applied to purposes of corruption in contests for civic offices?—No; I could not. Where the funds come from in the first instance I am not prepared to say.

1460. You are not prepared to state your belief to the Commission that no funds of the corporation have ever been applied to that purpose?—Not knowing, I cannot say.

1461. Are the Commission to understand that you have no knowledge on the subject?—I have a certain amount of knowledge, which I think I ought not to be called on to impart.

1462. The Commissioners do not ask you to state to them any specific fact as to whether you know that a certain sum was so applied; they only ask you to state generally, whether you have any knowledge as to the application of the corporation funds to the purposes of corruption?—Not from the corporation themselves; but I was informed by a candidate in an election that I once conducted, that a sum of 1,900*l.* had been subscribed among the aldermen at the Mansion House, in order to secure a brother alderman's election.

1463. You do not consider a subscription from the private funds of the aldermen a payment from the corporate funds of the City, do you?—I cannot say; I do not consider it so, generally speaking.

1464. Is that the fact to which you referred when you seemed to imply that you had some knowledge of the corporate funds being used?—That is one instance to which I referred. Whenever an agent is intrusted with such matters, they come through perhaps two or three parties; they never come direct from the fountain head.

1465. Are there any other points to which you are desirous of calling the attention of the Commission?—I think not.

1466. It was stated by a former witness, to the Commission, that the practice prevailed of taking money for the admission of the public to seats at the Old Bailey during criminal trials, and that when the trials were of an interesting nature the sum received was very considerable; have you any knowledge of that?—I believe what was stated is perfectly true; I have set my face entirely against it. I hope with the assistance of the learned recorder we shall be able to put a stop to it; he is as much opposed to the practice as I can possibly be.

1467. You believe that the practice may be considered as at an end?—I think so; at least, I hope so.

1468. You propose that the Court of Alderman should be abolished, and that the town council should be the only governing body of the corporation?—Not exactly the only governing body; I would suggest, whatever name the future chief magistrate may assume, he should have 20 deputy lieutenants appointed by the Crown to assist him in all matters of public interest; that they should have no individual duty, but should merely be the advisers of the lord lieutenant; that the Court of Common Council should remain pretty much as it is, with the exception of a reduction in the numbers, and that they should render to those City deputy lieutenants, or the court of lieutenancy, a statement of their accounts; the Court of Common Council still performing the various duties with respect to sewerage and lighting; but not with regard to police. I think the police ought to be amalgamated with the metropolitan police; I think it would be far less expensive to the citizens of London, and far more efficient.

1469. Do you think any inconvenience results from the separate system on which the sewerage is conducted in the City of London to the sewerage of the whole metropolis?—I think not; you will have some difficulty, if the governing body is shorn of all their powers, to obtain men to go into the court to do any duty at all. It is the duty, and the trust reposed in them, which induces them to take upon themselves the office of common councilmen, and thus serve their fellow-citizens.

1470. Do you think it desirable that any of the officers of the City should be elected by the general body of burgesses or freemen, or whatever they may be called, instead of being elected by the common council?—I think they ought to be elected by the Court of Common Council, subject to the revision of the court of lieutenancy and the lord lieutenant; that is, that they should have a veto just as the Crown reserves a veto upon the office of lord mayor and sheriffs.

1471. The title of lord lieutenant is generally understood to signify the representative of the Sovereign?—I think the chief magistrate of London should be the representative of the Sovereign.

1472. Still you would make it an elective office?—He should be elected for three years.

1473. Do not you think, that if an officer is to be the representative of the Crown, it is reasonable that the Crown should choose its own representative; would there not be some anomaly in an officer bearing the name of lord lieutenant being elected by the people?—I would have the deputy lieutenants elected by the Crown. The lord lieutenant of London should be elected by the citizens of London.

1474. Is it not generally understood that the lord lieutenant of a county, or the lord lieutenant of Ireland, is the representative of the Crown; that he stands in the place of the Crown?—Yes.

1475. The representative of the Crown is always appointed by the Crown, is he not?—Yes.

1476. What you propose is, that there should be a lord lieutenant of London, who should not be appointed by the Crown, but should be elected by the citizens?—Yes.

1477. Would not that create an inaccurate impression; namely, that the lord lieutenant was a representative of the Crown, whereas he would be elected by the citizens of London?—I think not; he might be called royal high commissioner.

1478. Would you propose that the chamberlain should be appointed by the common council, or by the general body of the citizens?—I think, having the charge of the City cash, it would be better that he should be appointed by the same franchise as that which elected chief magistrate; it would be a check.

1479. Would it not be a more simple arrangement to adopt the system which prevails in municipal boroughs, under the Municipal Act namely, that the town council should themselves elect the officers?—I think, with regard to the officers generally speaking, it would be better that the council should elect, subject, of course, to the veto of the lieutenants and the chief magistrate.

1480. How would you propose to provide for the magisterial duties in the City, if the office of alderman were abolished?—By appointing four stipendary magistrates, two for the Mansion House and two for Guildhall. It is a notorious fact, that the having to sit in the justice room, together with the other duties which the Lord Mayor has to perform, is injurious to his health; and, at the end of the year of office, you find that the Lord Mayor is prostrated from his excess of duty.

1481. Would you propose that those stipendiary magistrates should be appointed by the Crown?—Yes.

1482. How would you propose that they should be paid?—Out of the City funds.

1483. You would propose the same regulation in respect to the City, which exists under the Municipal Act, by which the town council can petition the Crown to appoint stipendiary magistrates upon their finding the salary?—Yes.

1484. Have you paid any attention to the accounts of the City?—Not a great deal; it is not a matter that comes within my knowledge.

1485. Have you ever examined them, with a view to seeing the form in which they are kept?—I have; I have many times asked for a correct account of the income of the City of London, but I have been told, by one, that it is about 100,000*l.* a year, and by another 130,000*l.* There is no means of getting at it I believe, unless the Court of Aldermen themselves give it.

1486. Is it possible to understand, from the accounts as they are now presented and published, what is the total revenue, and what is the total expenditure of the City of London within a year?—I think not; I have not looked into the accounts minutely for the purpose of giving evidence upon them.

1487. You have never been a merchant in the City of London?—No.

1488. Have you any knowledge on the subject of the trading privileges of the City?—None whatever.

1489. Is there any other point to which you wish to call the attention of the Commissioners?—No; I think not. I would rather answer any question which the Commissioners may have to put to me, than suggest anything.

1490. Have you ever considered the question of the connexion of Southwark with the City?—Yes; I have.

1491. What do you think is the best mode of dealing with that question?—You must either go to the relief of Southwark, and allow her to apply for a corporation herself, or you must incorporate her with the City of London.

1492. Which, in your opinion, would be the better of those alternatives?—I am hardly able to give an opinion, because I do not know the constituency of Southwark sufficiently well. There is one point which should be guarded against, and that is, that a large influx of men, active in election pursuits, should not come in and inundate the burgess-roll of the City; there is a great deal of apathy on the part of the livery; it might, perhaps, lead to some amount of good, inasmuch as it might stir up that apathy and make them active citizens instead of inactive. I should feel inclined not to extend the limits of the corporation.

1493. You think it would be better to sever whatever connexion may exist between Southwark and London, leaving Southwark to be provided for in other ways?—I think so; Southwark would be a formidable rival of the City. Having the advantage of the water-side, competition would go on between the City of London and Southwark, who should deliver goods the cheapest on the wharf; and I think that that rivalry would be productive of great advantage to the citizens. I would rather see Southwark in the position of a rival, than I would see her allied to the City.

1494. You have no means of judging what the opinion of the inhabitants of Southwark is upon the point?—Not at all.

Mr. George Hyde.

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Mr. GEORGE HYDE, having been sworn, was examined as follows:—

1495. You are a citizen of London?—I have been so for seventeen years.

1496. Are you in trade?—I am in trade, as a sealing-wax maker and stationer.

1497. Where do you reside?—At 61, Fleet Street.

1498. Are you connected with the corporation?—I am totally unconnected with the corporation.

1499. Have you taken up your freedom?—I was compelled to do so in 1846. I resisted it as long as possible, till, being a young man, I got frightened at a lawyer's letter, and I then paid 12*l.* 10*s.*, in conjunction with my brother, who has paid the same amount.

1500. You have never been a common councilman?—Never. From my knowledge of the working of the constituency of London, having taken a very active part in all municipal elections and in all parliamentary elections, which have some connexion with them, I should not feel honoured by being asked to take the office of common councilman.

1501. Have you paid particular attention to the working of the corporation system in the City of London?—I do not mean to say I have to the working of the corporation system in detail, as connected with the various duties which they levy, or as connected with the corporate accounts; but I have as connected with the working of the constituency upon the common council, the aldermen, the Lord Mayor, and the chamberlain.

1502. What do you mean by the working of the constituency?—I have seen the defects of the constituent body in the City of London. I think there are very many defects indeed.

1503. Will you state to the Commissioners any points to which you desire to advert?—I think almost all matters are decidedly imperfect. For instance, the wards are too large; the constituency is much too narrow; its composition, also, is not that which I think is at all worthy of the City of London.

1504. Is not the size of the wards so small that it would be difficult to increase the constituency?—I do not think there would be any difficulty in enlarging the constituency. I think there would be as little difficulty in doing so as there would be in approximating the size of the wards towards equality—making them bear a better proportion to one another. The ward of Farringdon Without is one-fourth of the City of London, returning only one alderman; whereas you may see a dozen small wards, each returning one alderman, although the combined constituency is not equal to that of the ward of Farringdon Without.

1505. You propose to equalize the size of the wards?—Yes. I think their inequality is one of the glaring defects now existing in the corporation of London.

1506. What alteration would you make in the franchise of the freemen?—I would certainly not take the liverymen as the basis for the franchise. I would go back to times somewhat remote in search of a constituent body. I would take as the freemen those who have a decided interest in the City of London—an interest as great as that of Mr. Baring himself, who comes there in the morning and goes away at night.

1507. Would you select occupiers paying rates as the constituency?—Yes.

1508. Would you preserve the franchise of the liverymen?—Only as occupiers.

1509. Not as liverymen?—Not as liverymen. I think it is a most defective body. It is only within the last 200 years that the liverymen have been an exclusive body, and I think that that exclusiveness has worked a great deal of evil. It has tended very materially to corrupt the representation—I do not mean in a pecuniary point of view—but it has tended to militate against the interests of the corporation of the City. I think the consequence has been that the corporation has become more and more exclusive, and their management is much less in keeping with the wants and wishes of the whole of the constituency.

1510. Would you propose to make any alteration in the Court of Aldermen?—I would certainly make the aldermen as responsible as it is possible for them to be.

1511. Would you propose that they should hold their office for life?—Unquestionably not. They should be elected every three years.

1512. You would maintain a separate Court of Aldermen?—Decidedly. I do not see, if you have aldermen in Liverpool, why London, a city so ancient, should be without them.

1513. Do they form a separate court at Liverpool?—No; but they are the magistrates for the time being; therefore they are for that time the same as aldermen of the City of London.

1514. Would you propose to keep up the magisterial powers of the aldermen?—Decidedly.

1515. Is there any other remark which you wish to make?—With respect to the division of the wards, my idea is this: the present number of wards is twenty-six; I would reduce that number to twelve, retaining the present names, or adopting others.

1516. You would combine some of the wards together?—Yes; such wards as Bassishaw and Cordwainers. I would combine three or four wards, in order to make a ward equal to half of the ward of Farringdon Without. I would divide the ward of Farringdon Without into two.

1517. Are there any other changes in the corporation which you desire to effect?—I

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think the radical defect in the corporation of London is its constituent body. I think you should go back to the old custom of the City, which is, that every occupier of a year and a day should be able to vote for the common councilmen, the Lord Mayor, the aldermen, and every corporate officer. I think the liverymen should have no exclusive privileges. As an instance of that, I may say that I had an apprentice who served seven years with me. I can only vote for the aldermen and the common councilmen; but my apprentice, serving seven years, gets his freedom by servitude. He expends 30*l.* to take up his livery; he then can vote for those officers, from the power of voting for which I am illegally and unjustly excluded. There is one grave objection to the livery being the exclusive possessors of the constituent power, which is, that a man in Glasgow can usurp my functions. He can vote in elections for offices which I cannot vote in.

1518. Would you abolish the elections in common hall altogether?—No; I would retain them, taking for the constituency the basis I have mentioned. I would retain everything which I think is useful in the corporation.

1519. You would not propose that the officers now elected in common hall should be elected by the common council?—No; I would propose that every corporate officer should be elected in common hall by the whole constituent body of the corporation.

1520. You think it desirable to make a difference in that respect from the system laid down in the Municipal Corporations Act?—Yes. I think there should be some difference between the City of London and the other towns of the kingdom.

1521. Are there any other points to which you desire to call the attention of the Commissioners?—I think the principle of taking the parliamentary constituency as the municipal one is open to very grave defects. The present municipal constituency is 7,000; the parliamentary constituency is 19,000. The paucity of the municipal constituency arises, in my opinion, from the defects which have crept into the corporation for the last 200 years. If you were to make an occupier of a year and a day a citizen of London, you would arrive at something like an approximation to a knowledge of the wants of the City. You do not do so now. There is sometimes very little responsibility attaching to a member of the common council. About two years ago we agitated the question of gas. We found that one of our common council was totally irresponsible. He opposed us, though we were unanimous on the subject, and brought us into print. I certainly thought, as a citizen, he misrepresented us, and I attempted to see whether it was not possible to prevent his re-election; but I found the numbers were so small (*i. e.*, the municipal electors), and ticket porters and publicans forming a large proportion of such constituency, that such men as myself were completely swamped.

1522. Would you make any alteration in the office of Lord Mayor?—I would preserve the title of Lord Mayor. I would do away with the tinsel of the mayoralty.

1523. And diminish the expense probably?—Yes; I would diminish the expense and increase the utility, thereby increasing the respect of the City for the office of Lord Mayor. I believe the aldermen as magistrates to be a very intelligent body of men; and I believe, looking to their opportunities and experience, you could get no better magistrates. Their opportunities of knowing the wants and wishes of the citizens are very great, and they have great means of obtaining magisterial knowledge from their lengthened experience. With reference to Southwark, I would certainly disunite it from London. Southwark was only united to London in consequence of the thieves of Southwark coming over the bridge, just as it has been stated they came from the metropolitan boroughs into London. I would make Southwark a municipal body, totally independent of the City of London. I may say with respect to the livery, that they exclude the great body of the municipal electors, that is, the citizens, from voting for the offices I have named. They are very rich, and they feed very well indeed. I wish that the constituent body of the City should have no connexion with the livery of the companies. If a man took up his livery, and was not an occupier, and had not an interest in the City, he should be excluded from the franchise. Those exclusive privileges, I would observe, are only of recent date. Prior to the 11th of George I. every man who occupied a year and a day was a citizen of London, and he voted for every office. That ancient law, which has stood for hundreds of years, was illegally abrogated at the instance of some half-dozen aldermen of the City of London, totally in the face of the protest of the municipality of the City, and in the face of the protest of members of the House of Lords.

1524. You propose to restore the law to the state in which it was before the Act of George I.?—Yes, unquestionably. I think you would then arrive at something like a pure government of the City of London. You would certainly destroy the present glaring defects in its management. The common law of the country has always presumed that all occupiers are freemen by right.

1525. Has your attention been directed to accounts of the City of London?—I have not examined the accounts, but I have been an inquest-man, and it is the duty of all inquest-men, by the ancient law, to do certain things: that is, to inquire into the state of the various houses in their wards; to see that the roll of freemen is perfect; recently to report any parties who may not have taken up their freedom. As an inquest-man, I went to the Guildhall, and reported certain parties who had not taken up their freedom—that is, who had not purchased their freedom. We found that the same parties had for three years consecutively been reported by our predecessors, but that nothing had

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been done, and that our presentation had not even been entered on the minutes of the corporation. I certainly thought that a very slovenly mode of doing business. From parties I have mixed with, I think that the accounts of the corporation are not kept in that business-like manner in which they ought to be kept.

1526. To the financial accounts you have not paid particular attention?—I know nothing of them except from conversation with some of the members of the Court of Common Council.

1527. Is there any other point to which you particularly wish to advert?—The common council should have in my opinion the command of the corporate funds. The aldermen should not have anything to do with votes of money.

1528. You mean that the power of voting money should be exclusively confined to the common council?—Precisely. I have already adverted to the paucity of numbers of the municipality of London. In my opinion, the effect of a return to the ancient constituency would be to render the corporation much more efficient than it is. I think the payment to the various corporate officers very high. There are too many corporate officers, and the payment in the aggregate is much too large. With reference to the office of chamberlain, it is a responsible office, and one of which the duties are not very hard. The emoluments of the chamberlain are about 3,200*l.* a year. The various contests for chamberlain have been very expensive, not only to the candidates themselves, but to the liverymen, who live at great distances, from 200 to 400 miles apart. The same remark applies to the election of Lord Mayor. The contest with Alderman Harmer cost a very large sum, and the liverymen must of course have expended considerable sums in coming long distances to vote.

1529. How is the money expended in expensive contests in the City?—I do not believe there is any direct money payment out of the corporate funds for any contest.

1530. To what purposes is the expenditure of the candidates directed?—The election of chamberlain is virtually for life; it is therefore worth his while to spend from 5,000*l.* to 10,000*l.* if he thinks he shall have a long life.

1531. Have you any acquaintance with this subject except from common rumour?—As a citizen of the standing I have mentioned, I have an intimate acquaintance with it.

1532. Have you taken any part in an election?—In the election in which Mr. Alderman Harmer was a candidate I took a considerable part.

1533. What was the nature of the expenses which were incurred in that election; to what purposes were the payments directed?—Indirectly, there was a great deal of what you may call bribery.

1534. Were you upon the committee of either candidate?—No.

1535. Were you a voter?—No. I have stated why I am not a voter; it is because am only a freeman by purchase.

1536. Have you a personal knowledge of what took place at the election to which you refer?—I have stated my general belief as to the expenditure of money.

1537. You believe that, generally, contested elections in the City are expensive to the candidates?—Unquestionably; very expensive indeed.

1538. Do you think that that expenditure could be diminished?—Very materially.

1539. In what way?—By creating a constituency which should be a wholesome one, not the narrow constituency which we have at present.

1540. You think if the constituency were larger, the expenses of the elections would be smaller?—I have no doubt about it.

1541. How are the expenses caused?—I think, if you were to bring the whole body of citizens to bear upon those elections, you would have much less expenditure, and you would diminish any corruption which may now exist.

1542. Is it your belief that at present there is much corruption in the City elections?—I think not; I think they are better than they were. I do not think the late election for chamberlain was such an election as would have taken place if you had had the whole body of citizens to have taken part in it. With reference to the constituency of the City, I desire to state that by the Act of the 2d of William and Mary, it is recited that the object of the Act was "for the restoring of the said mayor and commonalty and citizens to their ancient liberties, of which they had been deprived." That Act has never been repealed, so that I am supported by that Act in the assertion I made just now, that I had a right as a citizen to vote for all corporate offices; that the only constitutional body at the present time is the lord mayor, commonalty, and citizens of London, and that the livery as a body, whether having exclusive privileges or not, is a usurpation.

1543. Is there anything else which you desire to bring before the Commissioners?—I am not aware that there is anything further.

Mr. John Jones.

Mr. JOHN JONES, having been sworn, was examined as follows:—

1544. What is your connexion with the City of London?—I am a liveryman of the Turners' Company.

1545. Are you in trade?—Yes; not in the City.

1546. Have you ever resided in the City?—Never.

1547. Have you ever directed your attention to the concerns of the City?—Not to the

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general concerns of the City. I am a member of the court of my company. I was one of a committee appointed during the last parliamentary attempt on the part of some of the members of the corporation to reform the City by certain measures. I happened to be deputed from my company to attend the general committee to oppose that parliamentary measure.

1548. Are you a common councilman?—I am not.

1549. Are there any points to which you wish to call the attention of the Commissioners?—My desire is this. I wish to see the companies brought into greater activity.

1550. In what way do you propose to bring them into greater activity?—By giving more attention to the education of the apprentices of those respective trades which the companies represent.

1551. Would you propose to connect the companies more closely with the corporation?—Quite so. Of late it has been the design of the corporation to throw the companies out, and they have not elected men, or allowed men to buy their freedom, who are not members of the City. I think that is a great injustice to the City itself.

1552. When you say they are not members of the City, you mean they are not members of a company?—Yes; any man may go and pay so much money and obtain the freedom of the City.

1553. Would you prevent any person being on the list of freemen who is not a member of one of the companies?—Quite so.

1554. You would restore the law to the same state in which it was before the year 1835? I do not know much of the law. My impression is that the City of London is a combination of trades.

1555. What is your objection to allow any person who occupies a house in the City and is not a liveryman of a company, to be a freeman of the City?—If he has no trade, I would just as little allow him to have a voice in the City as I would allow an ignorant man to be a member of the colleges in Oxford or Cambridge.

1556. Supposing he exercises a trade, resides in the City, and pays rates, but is not a liveryman of a company, what would you say then?—I should have no objection to people who reside in the City, and carry on business there, voting for common councilmen. But for aldermen, and for all the higher offices, I think the livery alone ought to be called into requisition.

1557. Why do you make that distinction?—Because I think the livery is the most valuable body in the kingdom. They are the very choice men of all trades, and when the livery meet together and give their opinions in common hall, I do not think the Government of the country can get a better opinion as to what the respectable and intelligent public want, than by hearing what the livery of London say.

1558. Do you believe that the elections in common hall are conducted in a satisfactory manner?—When there is any public interest at stake they are, but otherwise not.

1559. It has been stated to the Commission, that in contested elections in common hall there is considerable corruption of voters: do you believe that to be the fact?—It is not so to my own knowledge. I have never been applied to, to be bribed.

1560. What is your belief as to the fact?—I have no belief upon it, because I have no knowledge. As far as my own observation goes, I should say there is no bribery. I have heard there is, but I do not think that that is worth listening to, unless it is stated on authority.

1561. Is it your belief that the elections in common hall are conducted in a satisfactory manner?—When there is any interest in the case, I think they are. With regard to the sheriffs, the liverymen do not seem to have cared about them. A man of any money, who desires to get into power, uses certain means of bringing a few supporters around him and so obtains the show of hands. I know that as a fact. I was at one time in the Guildhall at the election of the sheriff, and I saw a number of men come into the hall, and when they came in they applied to a tall stout man, I do not know his name, and he gave them all tickets. I offered one or two of these men 5*s.* for their ticket, and then I offered 10*s.* I did not like offering any more. I asked them if they knew anybody who had a ticket such as had been given to them. They said, "No." Then I said, "It was a great shame for men who were entrusted with the livery to be selling their votes in this manner." One or two came round me; we had a little conversation together. They justified it by saying they were no worse than other people higher in station.

1562. Those tickets must, from your statement, have been worth more than the 10*s.*; do you know at all what their value was, or how much they entitled the holder to obtain?—No.

1563. What was the election of which you speak?—It was the election of sheriff.

1564. In what year?—I do not know the year, it is but a short time ago; Mr. Croll was the sheriff.

1565. Was there a very small number of liverymen there?—Barely 150 or from that to 200.

1566. Including those ticket men?—All together.

1567. Do you believe that the elections of chamberlain have in general been conducted in a satisfactory manner?—Yes.

1568. At that election to which you allude, was not there a great neglect of duty on the part of the liverymen; ought they not to have attended?—Undoubtedly; but the

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office of late has fallen into dishonour. I do not know much of the elections. My wish is to maintain the connexion between the companies and the City, because I think that those companies are very valuable organizations for the purpose of promoting trade. I think the courts of the companies might exercise a very great and beneficial influence in causing apprentices in the respective trades to be well taught. I think that the courts of the companies themselves, and the whole system of the City, have fallen into a sleep, through the courts electing their own members. I think the members of the courts of the different companies ought to be elected by the livery. I believe that would put new life into them. The funds which the courts have at their command would then be more applied for the purpose of instructing the apprentices in all sorts of scientific acquirements connected with their respective trades.

1569. In point of fact, is it the case now, that those companies are connected very closely with the trades they profess to represent?—No; but they might be made so.

1570. What is the company to which you belong?—The Turners' Company.

1571. You are yourself a watchmaker?—Yes; there is some connexion between them.

1572. Do you believe that the watchmaking trade is closely connected with the corporation of Turners?—I do not.

1573. Is the same the case with regard to the other companies; are the Fishmongers closely connected with those who sell fish?—No; that is what I lament; it is what I would try and alter.

1574. You wish those companies to be brought back more nearly to what they were in former times?—And that all the members of the company should be carrying on the business of which the company is nominally the head.

1575. A barrister gave evidence before the Commissioners the other day, who is a member of the Spectacle Makers' Company?—Yes; the reason of that is, that he buys his freedom into the Company of Spectacle Makers, because it is a cheap company to buy into.

1576. You would not allow that to be done?—No. I would make the admission fee very small, so that a working man of good character could gain admission into those companies. The fees at present, in many companies, are very high for a man to take up his livery, but the reason of that certainly is, that he becomes a member of a benefit society. There are certain pecuniary advantages in the case of distress and old age, that lead to the admission fee being so high.

1577. Do you know anything of the trade privileges of the City of London considered as a corporation?—I know nothing beyond what may be found in books.

1578. You consider that the whole body of the citizens of London was originally a combination of a number of trades?—Yes.

1579. Have you turned your attention to the time during which those companies have existed; it is said the corporation of London existed hundreds of years before any company was established at all?—The companies are very ancient.

1580. The oldest company in London, it is stated in the report of the Commissioners, is the Mercers' Company, which was established in the reign of Richard II., whereas the corporation of London existed in Saxon times?—I do not know under what form it existed.

Adjourned to to-morrow, at 12 o'clock

Thursday, 17th November, 1853.

The RIGHT HON. HENRY LABOUCHERE, M.P. IN THE CHAIR.

J. Acland, Esq.
17th Nov. 1853.

JAMES ACLAND, Esq., made the following statement:—

Will you allow me to hand in to the Commission a memorial from the only resident magistrate, the churchwardens, six of the resident guardians, and 200 of the inhabitant householders of Croydon, calling your attention to what they deem the heavy and unjust coal duties levied by the City of London upon them, and in common with all the inhabitants of a circle of twenty miles, as the crow flies, round London; and begging that you will have the kindness to give that subject your consideration.

H.L. Keeling, Esq.

HENRY LEVY KEELING, Esq., having been sworn, was examined as follows:—,

1581. Are you an inhabitant of the City of London?—I am.

1582. What trade do you carry on?—Fruit and general produce broker.

1583. What is the firm to which you belong?—Keeling and Hunt.

1584. Where do you carry on your trade?—In Monument Yard, in the City of London.

1585. Are there any points connected with your trade which you are desirous of

bringing before the Commissioners?—My purpose is more particularly to direct the attention of the Commissioners to the exaction levied by the City meters upon the article of fruit.

1586. Do you mean fruit imported from abroad?—Fruit imported from abroad. The meters are not applied for by the importers of the article, but they claim the right of attending and superintending the cargoes, and making their claim for payment accordingly, which amounts to a considerable sum. For instance: we may have a cargo of nuts, consisting of 2,000 bags. Those bags are all of one measurement and weight. They are landed under the superintendence of the Customs authorities, who take the average of two bags in a parcel to levy the duty for the Crown, and upon those two bags the duty is charged.

1587. Do you mean that the Customs authorities are satisfied with that, without any other measurement?—Perfectly. But the City meters, by virtue of their office, attend unsolicited; and although two bags are measured by the Crown, who are satisfied to rate the duty upon the rest of the 2,000, upon those they claim a metage of twopence for each bag; and all the work they do for that amount is simply to look on with the Customs authorities. The amount that is claimed by the City meters of 16*l.* 13*s.* 4*d.*, is so much money taken from the importer without any benefit to him, inasmuch as their services are not required either by the Crown, or by the importer, or by the buyer or the seller.

1588. Do they invariably enforce that claim of measuring?—Invariably. We commenced to resist it some eighteen months ago; but finding that the case was being investigated by the committee of general purposes of the City of London, we could not interfere with it; but we were content to have the investigation properly gone through, confiding in the wisdom of the City of London, or the committee, to give us that redress that we consider we are entitled to.

1589. Has any decision been come to by that committee?—Not any that we have heard of. We have not heard of any report from it. It is now eighteen months ago that that committee was sitting, to which I was summoned, and gave my evidence. What I have stated may apply to every other article in the shape of fruit, with respect to which the City meters are never required, and, in fact, never applied for. But still they insist upon claiming that rate of payment, and the amount of charge becomes a very large sum.

1590. Does the same system apply to the trade in oranges and lemons?—They claim it upon all articles which are measured. With regard to the duty upon oranges and lemons, the duty was levied in a different manner before the reduction by the late tariff. When we were consulted by the Customs authorities, in their anxiety to levy a duty that would be satisfactory to the trade, we suggested that it should be levied by the bushel, the same as upon nuts, and we were met by an objection by the landing officers, as to whether that would not bring the City meters in contact with us, if it were measured in the same way as nuts. We requested them not to take that into their consideration, for we should feel ourselves in a position to resist it if it were claimed. In consequence of which, when the duty was carried into effect by the new tariff, the duty was levied by the bushel. The first measurement took place in our establishment, and the landing officers stated that they thought it was an act of courtesy to send for the City meters to attend as usual. Our reply was, "You may send for them on your own account, but with the distinct understanding that we shall resist any charge that may be made by them." They attended, and we then mentioned to the City meters who attended, that they were called upon by the Crown, and not by ourselves. But in the interim the matter was represented to the City, and they got a clause introduced into the Customs Act, subsequent to the passing of the tariff, that the City meters should not interfere with any produce that required measurement by the new system of duties, but should confine themselves simply to those which were secured to them by the City charters; consequently they have never attended with respect to those kinds of produce. The Customs authorities now became the meters. They attend with their own officers as meters, and we are saved the charge.

1591. What are the articles of fruit with respect to which the City claim to have their own meters employed, or at least paid if not employed?—They claim upon nuts, and there is this anomaly, that they claim it upon all articles of nuts except one, which are imported from Brazil in very large quantities, and upon which they never claim metage. When we ask why they do not insist upon their rights in that case, they cannot tell us.

1592. What is the name of that article?—Para nuts, which we imported from Brazil. The only way to account for that is simply that that was an article upon which the Customs levied the duty by the value, and not by measurement, and therefore it escaped them. But we contend that if they are entitled to claim the metage upon other articles which are sold by measurement, this ought not to escape; and that if this is entitled to escape, the claim cannot be enforced upon the others. The articles upon which they claim are nuts of all kinds, onions, apples, and pears.

1593. Potatoes?—That is a distinct trade, in which we do not interfere. We confine ourselves to fruit.

1594. The effect of the course which the City took upon the subject of oranges was, that they gave up their right to measure oranges and lemons under the new duty; but at the same time it did not weaken their claim with respect to articles which they had before been in the habit of measuring?—Decidedly not.

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1595. Do you believe that the clause in question emanated from the City or from the Government?—It emanated from the City, from representations that I myself made to several parties connected with the trade; and one gentleman, being a common councilman, who is interested in the trade himself, took the matter in hand, and I believe, through his means, a deputation having waited upon the common council, this clause became introduced into the Customs Act, which of course excludes the City now from any claim upon fruits of any kind, upon which the duty is levied by measurement, by an act of the Crown.

1596. In levying the duties, the Customs proceed by measuring a small portion which serves as a sample, and then estimating for the rest according to the amount of the sample?—Precisely.

1597. Do the City meters, in fact, measure the whole of the cargo, or do they merely charge you for it, and spare you the trouble of measuring?—At this moment they superintend the measurement of all cargoes brought in bulk; and up to the present period the meters interfering on behalf of the Crown take a report of their measurements; they measure so many barrels out of a cargo. The Crown keep a check upon the landing, and when the measurements are made up they agree with the meters, and upon their return the duty is levied.

1598. Do the City meters compel you to submit to actual measurement as well as to payment?—They do.

1599. If it were not for the existence of the metage would you require that the whole of your cargo should be measured?—Decidedly.

1600. The Customs would be content with measuring only a portion of it?—The Customs would employ their own officers, who are bound to do it, provided the meters were not in existence, as is done in the outports. At Liverpool no metage is required, and consequently the Crown have to do the work for which they are paid.

1601. The landing waiters would measure a few barrels to serve as samples of the whole cargo?—If it were levied by the bushel they would have to measure every barrel which represents three bushels. But at the outports the officers of the Crown take the place of the meters, as they would do in the City of London if the meters were not in existence.

1602. Would the Crown measure the whole cargo?—Decidedly, if it came in bulk. I will give an instance in the article of chestnuts. During the famine year, the Government judiciously thought proper to remove the entire duty on chestnuts, thinking that by that means they would become an article of food, as they are on the Continent. In consequence, we should have been content to land them without the Customs measurement, because no duty was levied. All that the Customs would require would be a return made out for the statistical account. But though no duty is levied upon that article, the meters still asserted a right to levy a tax of 2*d.* upon every bushel when it was not required to be measured.

1603. Then if the duty were altogether abolished on nuts, or any of those articles, the City would still claim the right of measuring them?—They do.

1604. Do those articles pay any City dues?—There are dues connected with the metage. For instance, in the nine months from the 1st of October 1851, to the 30th of June 1852, it appears, according to a statement which was drawn out for the guidance of the City authorities in their investigation by the committee of general purposes, that we paid 208*l.* 15*s.* 11*d.*, without any value being received, or any assistance to us.

1605. Was that for metage, or in the shape of dues?—£183 13*s.* 5*d.* was paid for metage, 22*l.* 1*s.* 5*d.* for Lord Mayor's dues, and 3*l.* 1*s.* 5*d.* for corporation dues. Now with regard to the Lord Mayor's dues, we neve could ascertain why that amount was levied. Formerly the Lord Mayor used to claim the right of taking a sample upon every cargo of fruit or parcel of fruit and vegetables coming to the port of London. Two men used to come, the one with a sack and the other a measure, and take their sample from the cargo or parcel. But finding that for the sake of getting that sample great injury was done to the package which they might select to draw it from, a compromise was made, and we preferred giving money instead of kind; that is, half-a-crown upon each parcel, which is regularly collected, called lord mayor's dues. We never could ascertain when that custom originated, or to what account this amount is paid, but it is regularly applied for and paid. The great objection to those small items arises in this way: that in making our sales to our correspondents we are obliged to add these different charges which are paid, and when they are compared with the charges in the outports, the discrepancy is so great that it is constantly calling for explanation. For instance, I will give you a case in point: a client of ours sends an article of chestnuts from France by means of railway conveyance, say the South Coast Railway or the South Western, and he sends also a small cargo by vessel to London. The cargo that is brought to the port of London becomes subject to all the charges of metage, corporation dues, and lord mayor's dues. Upon the cargo that is brought by railway to Monument Yard, in waggons, no metage is charged or claimed; no lord mayor's dues or corporation dues. Our consignor receives the separate accounts of sales, perhaps by the same post. He sees an account of sales with all these items charged, because it has come to the port of London, and he sees the other exempt from them because it has come by railway conveyance, and he questions it because they are both sent to the City of London, and we have great difficulty in making our foreign friends understand it. Again, if he sends a similar cargo to one of the outports, there he is exempt from all those charges, and we have constant complaints of the

discrepancy arising from the vexatious charges, as they call them, in one port, while they are exempt in another. It is those points that we complain of, and consider that they require redressing.

1606. Has not the difference a tendency to drive importations of this kind from the port of London?—It has. In these days, when profits are calculated almost to a fraction, the saving of 10*l.* upon a cargo of nuts by that means would be taken into consideration as to the sale, because if you sent it to Liverpool you would have 10*l.* less to pay than in the port of London. I speak more positively as to fruit, because we suffer from this claim with respect to fruit, and the grievance is greater in our trade than it may be in others. When we came to consider the question of the right of the fruit meters, we understood that three of them have purchased the right from the City, and hold the office in perpetuity. The fourth has been appointed recently. The City purchased the right of the fourth, and have appointed this party in his place, with a fixed salary. The residue is to go to a fund, that it may accumulate to purchase out the other three. I believe that can be established as a fact. Then this grievance must go on until the City have a sufficient fund collected to pay the other three out, or to compensate them and get rid of the grievance altogether.

1607. Do the City meters attend personally, or do they perform the duty by deputy?—They could not do it entirely, and therefore they appoint deputies;—for instance, in consequence of the increased importation of French fruit from France, from Holland, and from other parts, which is brought by steamers twice or thrice a week: those steamers arrive frequently after business hours, but being a perishable article, a board's order has been passed at the Customs to allow the fruit to be landed before the regular time of business, or over the regular business hours, in order that every facility may be given to perishable articles that they may be worked round to the different markets for sale the next morning. The consequence is that a great portion of the packages which pass the Customs arrive in the absence of the meters. The meters come down quietly the following day, and collect the statistical account from the Customs officers, and levy the duty without rendering any assistance to the article in question.

1608. Do you happen to know what amount of purchase money was paid for the office?—I never could ascertain that; but the City officers of course have the means of ascertaining it, but I know that the revenue which those same gentlemen have from the metage of fruit and potatoes is stated to be about or upwards of 5,000*l.* per annum.

1609. You mean the four meters together?—The four together.

1610. Do you mean the gross receipts?—Yes; from the taxation levied upon those particular articles.

1611. Then they have to pay the deputies out of that?—I expect they have, but that can be a very small proportion of the sum; but upon that particular article of metage their revenue is supposed to be about, if not quite, 5,000*l.* per annum, divided amongst the four, upon fruit and potatoes, because they are retained for this specific duty.

1612. The same meters that measure fruit measure potatoes?—Yes; they do not interfere with corn, but fruit and potatoes only

1613. Does the inconvenience which you suffer from the metage limit itself to the money payment, or are you ever compelled to submit to measurement when it is inconvenient to you to do so?—We are compelled on all occasions to submit to it, because in our business the buyers seldom buy from the ship. The goods arrive, and the Customs themselves, for their own protection, would see that everything was properly delivered, and levy their duty without the interference of a second party. Then the goods are deposited in warehouses, and when they are sold they are all re-measured.

1614. Does it ever happen that in consequence of the City regulations with respect to metage, you are compelled to have your goods measured by meters when otherwise they would not be measured?—They claim the right to measure.

1615. Do they exercise the right?—They do, thoroughly.

1616. In cases in which you are unwilling they should exercise it?—Yes; supposing now to-day I was going to land a cargo of chestnuts at the quay, and I were to say, "These chestnuts do not pay duty, and we do not require them measured; we shall have them landed in bulk;" they would compel us to have them measured by their officers, and charge us for it.

1617. Would they go through the actual process of measurement, or would they merely make an estimate?—They would go through the process of measurement.

1618. Then in the case of a cargo of chestnuts you would be subject to a double inconvenience; you would have to pay for the metage when it was not required, and you would be compelled to suffer the delay of having your cargo measured?—Yes; it would not be any particular delay, because we could not land more in a package than the porter would be able to carry, but we should not require meters to interfere with the operation.

1619. Does the measurement never cause delay when you would wish to land rapidly?—No; I do not think it would affect that.

1620. Then the inconvenience reduces itself to the payment?—Precisely. That is an unnecessary charge, and not required.

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1621. Do you know anything about the measurement of corn?—No. That is a distinct trade.

1622. Is there anything else that you wish to state to the Commission?—The only point I have to mention is, that at one time we threatened resistance to the claim of the meters, and in fact withheld the payment for a period. But we felt averse to take the law into our own hands, and preferred to agitate the question to get it redressed generally, not individually. And we were acquainted with the instance of Combe and Delafield's opposition to the claim in the case of their corn, which bore something like a resemblance to our own case, inasmuch as they did not require their corn to be measured. And they brought us a copy of the charter of James II. (I think it was), to which I have always given a very different reading to what the City meters have done, inasmuch as at that period many of the articles upon which they levy duty at the present day were unknown, and were never likely to be brought to this country. I have always read the charter as giving a right to levy it only upon those articles of production that were the growth of our own country, having no reference to any importation, inasmuch as at that period several articles which are enumerated, and which form part of the claim, were not in existence, or not known in this country.

1623. You consider that it applied only to the coasting trade?—Yes; for keeping up the wharf property. I may mention with regard to the wharves, that when they all became private property, the proprietors took the labour of the fellowship porters into their own hands. We pay them to a large amount. In nine months we paid them 2,000*l.* In the case of the fruit, which now goes to St. Katharine's Wharf and Blackwall, and other places, the proprietors of those different places take the labour of the fellowship in their own hands, and do it at a consolidated rate; whereas if the same description of fruit were brought to the legal quays, we should be subject to the charge that the fellowship now make. It becomes identified with the metage question.

1624. Were you rightly understood to say that you paid so much as 2,000*l.* in nine months to fellowship porters of the City of London?—Yes; 1,939*l.* 4*s.* 8*d.*

1625. Are their charges higher than those of ordinary porters?—With regard to fruit I do not think their claim is of an exorbitant character; but what we have to complain of is, that we should not exercise our own right of employing the men that we thought proper.

1626. You do not mean to say that you were losers to the amount of 2,000*l.*, but that that was the whole amount that you paid to those men?—Just so. But we should like to exercise the right of employing such men as we thought proper.

1627. Do you believe that you were losers, in a pecuniary point of view, to any amount by employing the fellowship porters instead of employing others, if you had been at liberty to do so?—I think labour, like any other article, should be a subject of competition, and if we could employ such men as we liked, and either pay them a regular fixed salary, or pay them so much a day, we could get the labour accomplished at a cheaper rate.

1628. Can you make an estimate of what your pecuniary loss may be by the difference between the two systems?—I could not at the moment.

1629. Do you believe it to be considerable or insignificant?—As far as the fruit trade is concerned, I think it is well managed, because we take it into our own hands and get it well done. Therefore, with regard to our trade, we do not consider it to be overpaid.

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EDWARD HALES, Esq., having been sworn, was examined as follows.

1630. (*Chairman.*) You are engaged in the corn trade?—I am.

1631. Where do you carry on your business?—At the Corn Exchange. My office is in Bush Lane, Cannon Street.

1632. How long have you been engaged in that business?—Twenty-five years in London.

1633. Do you reside in the City?—I do not.

1634. You were a member of the committee appointed recently at a meeting of the corn trade, for the purpose of supporting a memorial presented to the lord mayor, aldermen, and common council of the City of London, on the subject of the charge for metage on corn?—I was.

1635. Are there any points, with reference to that memorial and the subjects to which it refers, to which you desire to call the attention of the Commissioners?—I have a few copies of the memorial, which I will hand in (*the same was delivered in*), and if you will allow me to elucidate the position of the matter, I will read the memorial seriatim, because I think these documents which I have here contain all the grievances which we have to complain of. This committee was appointed about eighteen months ago by the corn trade, on account of the grievances we felt we were under, in paying a heavy charge for metage and porterage.—(*The witness read the memorial, as follows*):—

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"To the Right Honourable the Lord Mayor, Aldermen, and Common Council of the City of London.

"We, the undersigned merchants and factors interested in the corn trade of the City of London, think it due to ourselves and to the public to draw your serious attention at this time to the very heavy charges on all corn delivered within the City, arising from old municipal privileges, and comprised under the heads of 'Metage, Tillage, Porterage, Holdage, and Lastage.' These charges are not only out of all proportion to the amount of actual labour performed, and of actual benefit derived from such labour, but are in all cases much heavier, and in many nearly double the rates charged for the same description of labour at most of the other ports in the United Kingdom.

"The increase of railway communication, the advancement of commerce, and the competition in trade all over the kingdom, fostered by the facilities of intercourse, and the swelling population of this country, have all tended to equalize business throughout the realm, and consequently to interfere more or less with metropolitan dealers. Of this interference we do not complain; but we desire that in the new, and we trust improved, state of things, brought about by these means, aided by modern intelligence and enlightened views, these old-fashioned burthens and restraints should be revised and adapted to the existing position of our commercial relations.

"It is wished that the supervision of the measuring and delivering of grain should remain with your honourable court; and there is not any desire on the part of your memorialists to escape payment of a fair price for the labour performed.

"What we suggest is, that in lieu of the present complicated system of charges, comprising no less than twenty-five distinct rates or heads of charge, and which causes great expense and confusion in the collection, a uniform and more direct and simple mode of charges should be substituted, and that such charges should be paid by the sellers or importers.

"Your memorialists have no doubt that if a proper charge were made, a large proportion of the grain delivered from granaries in the port of London, and from railway termini, and which now pays nothing, would, in that event, be metered by sworn meters, and paid for at a fair labour price, as the trade would obviously in all cases prefer the certificate of a sworn meter, a security which they are now obliged to forego, owing to the heavy expense; and many cargoes of grain now diverted altogether from this port, would be brought here, to the benefit of the trade, and metered in like manner.

"Your memorialists therefore respectfully submit to the consideration of your court, whether the time is not now passed when such charges can be fairly enforced (they have become obsolete). They fall oppressively on the merchant, and unjustly on the consumer; and owing to the increased competition in business, and the diminished profits under the operation of causes we have already partially referred to, they now form an item of impost in the corn trade within this City, which cannot longer be borne without a firm and determined attempt at its removal.

"Your memorialists therefore trust that you will be pleased to take this matter into your earnest and immediate consideration; and they are prepared to form a committee from their body, to meet and communicate with a like number of gentlemen appointed by your honourable court, to discuss the subject, and to arrange and carry out a plan for alleviating the grievances in question, against which they feel they have so just and such unanswerable grounds of complaint.

"And your memorialists will ever pray, &c."

1636. Do you consider that that committee fairly represented the corn trade of the City of London?—Undoubtedly so; and we decided upon drawing up this memorial, drawing the attention of the City and the corporation to our grievances, and asking them to relieve us.

1637. What is the prayer of the memorial?—We complain in the memorial of the heavy rate of charge for metage and porterage, and the way in which it is collected.

1638. What do you ask the City to do?—To reduce the charge, and to collect it in one uniform way. There are now twenty-five different modes of charge. We wanted them to make it uniform, and to make one, or at the most, two modes of charge, that is to say: one for heavy corn, and one for light corn, and to levy the charge upon the seller. In some instances it is levied upon the seller, and in some upon both seller and buyer.

1639. Do you name any rate to which you propose that the charge should be reduced?—We did in our report. When the City received this memorial, we received a communication from them, inviting us to embody our views in a report, and that report states very fully what we require.

1640. Will you have the kindness to read the report?—(*The same was read as follows*):—

"REPORT of the Committee appointed at a general meeting of CORN FACTORS of the City of London, held at Jack's Coffee House, Mark Lane, on the 21st day of October, 1852, for the purpose of supporting the memorial presented to the right honourable the lord mayor, aldermen, and common council of the City of London, on the subject of the charges for metage, &c., and complying with the invitation contained in the letter of Mr. Serjeant Merewether, dated 16th October, 1852, relative to the objects specified therein.

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" The committee, having taken the subject into their serious consideration, find as follows :—

" That the corporation of the City of London have for a long period of time, and by virtue of several charters granted to the said corporation, particularly a charter of James I., dated 20th August (3d James I.), 1604, claimed the exclusive right of measuring all corn delivered within the City and port of London, and of charging for such admeasurement.

" That an order or byelaw, emanating from the common council of the City, and dated 5th October, 1620, created a body called the fellowship porters, which body claim to perform all the porterage work connected with the loading and unloading of cargoes of corn, &c., within the port of London, and of charging for the same.

" That the total amount of the said two classes of charges for such measurement and porterage since the reduction was made on the 3d day of May, 1852, average 4*d.* per quarter ex ship, and $2\frac{3}{4}d.$ per quarter ex granary.

" That on the arrival of a cargo of corn in the port of London, the consignee of the said cargo gives to his lighterman, granary keeper, or purchaser, as the case may require, an order on the captain for the delivery of the corn, and the holder of such order then proceeds to the meter's office to procure a sworn meter, upon receipt of which intimation the meter summons to his aid and proceeds with six, seven, and sometimes eight fellowship porters on board the vessel to perform the work of unloading the cargo, which is done by three of the porters descending into the hold of the vessel with the meter. The meter stands with a shovel in his hand. Two porters hold the bushel and force it into the bulk of corn, the meter filling it simultaneously with his shovel. A third porter holds the sack whilst the first two porters fill it, one of them strikes the bushel, the meter at the same time taking tally with a chalk mark on his shovel. Three, four, or five other porters are on deck to hoist the sack up out of the hold of the ship into the barge.

" That in cases where corn is delivered out of granary, and a City admeasurement is required, an order is given to the buyer, who applies for and proceeds with a meter and three or more porters to the granary. The meter and porters merely fill and strike the bushel and fill the sacks, leaving the remainder of the labour and the delivery to be performed by the granary keeper, and for this metage ex granary a charge of about $2\frac{3}{4}d.$ per quarter is made.

" That the following are the rates of charge for metage, &c., in several of the outports of the United Kingdom. No doubt in many instances the same objectionable system prevails as in the port of London, for it must be apparent that corn can be measured for 1*d.* per quarter, as well at most if not at all the other ports of the United Kingdom, as at Wakefield, Bristol, Plymouth, Portsmouth, or Lynn :—

		s.	*d.*	
" Liverpool	Metage and porterage	0	2	per quarter.
	Weighing	0	$0\frac{1}{2}$	„ „
Wakefield	Metage and weighing	0	1	„ „
Bristol	Metage alone	0	1	„ „
Glos'ter	Metage, with trimming, bagholding, weiging, and landing	0	$2\frac{1}{2}$	„ „
Ipswich	Metage and porterage	0	$2\frac{1}{4}$	„ „
	If weighed in all	0	$1\frac{1}{2}$	„ „
Wisbech	Metage and porterage, about	0	$1\frac{1}{2}$	„ „
	If weighed $3\frac{1}{2}d.$ per ten quarters extra.			
Boston	Metage and porterage - wheat	0	2	„ „
	oats	0	1	„ „
Portsmouth	Metage	0	1	„ „
	Sackholding 6*d.* per twenty quarters.			
Plymouth	Metage, bagholding, and weighing	0	1	„ „
	Delivery over ship's side	0	$0\frac{1}{2}$	„ „
Lynn	Metage and hombling per ten quarters	0	6	„ „
Southampton	Metage and porterage, about	0	$1\frac{3}{8}$	„ „
Hull	Metage, labour, and weighing	27	10	„ „
Glasgow	Measuring and porterage	0	$2\frac{1}{4}$	„ „

" That it is the duty of the master and crew of every vessel, arriving at any port of the United Kingdom, pursuant to the ordinary terms of the charterparties and bills of lading in use amongst merchants, to assist in the delivery of all cargoes entrusted to their care ; and in the port of London all goods (including even flour) except corn are delivered by or at the expense of the captain ; and it is obvious from this that the practice which has prevailed (however originating) with respect to corn has imposed upon the merchants and consignees of the City of London a burthen and expense which does not of right belong to them, and which has tended and is continuing to divert business from this port, and in fact a very large quantity of corn is now brought to London by railways chiefly to avoid the heavy charge of metage.

" That as evidence of the result of the charge for metage in granary, and in support of the general views of the trade on the entire effect of the system complained of, it should be added that from 20,000 to 30,000 quarters of grain were, only a few years since,

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measured weekly, ex granary, in the port of London by sworn meters, whilst not more than 2,000 quarters are now so measured.

" That there is no doubt that if the merchants and factors engaged in the corn trade of the City of London were left quite unfettered to make their own arrangements with respect to the measuring and delivering of corn, they could procure responsible parties to perform the whole for $1\frac{1}{2}d.$ per quarter ex ship, and $1d.$ per quarter ex granary. The committee, however, desiring to take an extremely liberal view of the remuneration to be paid for the work done, and having regard to the guarantee afforded by the superintendence of the City of London, recommend that the present numerous charges, amounting in the whole to the before-mentioned sum of about $4d.$ per quarter ex ship, and $2\frac{3}{4}d.$ ex granary, should be reduced to $2d.$ per quarter on heavy grain, and $1\frac{1}{2}d.$ on light grain ex ship; and $1\frac{1}{2}d.$ on heavy grain, and $1d.$ on light grain ex granary, to be paid by the importer or seller, thus avoiding the great expense and trouble of collection from buyers in all parts of the country.

" That as the result of the elaborate and expensive manner in which the privileges claimed are carried into effect, a profit income, as the committee are assured, of from 15,000*l.* to 20,000*l.* a year is derived by the corporation; and, however meritoriously this annual sum may be applied, it is submitted that the levying of any such impost, even if sustainable in point of law, is wrong in principle and prejudicial in effect, amounting in fact to a tax on the consumers of grain throughout the most populous part of the United Kingdom; and further, it is submitted that the charge complained of can only be sustained as a reasonable compensation for the measuring, to perform which the corporation claim the exclusive right, and that any charge beyond such reasonable amount could not be enforced in a court of justice.

" This committee, however, wish to express in the strongest manner their confident hope that the corporation, by voluntarily reducing the charge to the amount above suggested, as enough and more than enough amply to pay for the services rendered, will themselves do justice to all parties concerned.

" Dated the 11th day of January, 1853.

" (Signed) " Daniel Birkett.
Edward Hales.
John Garford.
Robert Wright.
John Hutchinson.
W. Bardgett.
Millis Coventry.
John Johnson.
K. Kingsford.
James Giles."

1641. Has any step been taken by the corporation in consequence of that memorial?—If you will allow me, I will read the substance of the correspondence which took place between us upon it. With that memorial was transmitted a letter by me (I being appointed to manage this thing for the corn trade) to Mr. Alderman Finnis, who was the alderman of the ward in which the Corn Exchange stands. I stated to him, "I now transmit " to you a memorial, signed by the principal merchants and all the factors engaged in " or connected with the corn trade of the port and City of London. In so doing, I beg " leave to request your valuable and cordial assistance towards the promotion of the " object which it embraces. I may observe, that on my part, and on the part of the " gentlemen with whom I act, I should wish to be clearly understood that there is no " desire to infringe or affect the ancient municipal institutions of the City of London; " but that our views are, that these institutions will be best and most effectually sup- " ported by timely concessions to the active spirit of progressive improvement which " distinguishes the age in which we live. It will be apparent to you that so large a " body of gentlemen of experience and property would not have moved in this matter, " had not a change been (in their opinion at least) imperatively called for. For " that opinion, so expressed, I would solicit your careful attention and consideration, " being well assured that the City authorities cannot fail to perceive that the true " interests of this great commercial metropolis, and its ancient corporation, will be well " consulted by an enlightened, liberal, and wise adjustment of the question we have " deemed it our duty to agitate.—I have the honour to be," &c. That was presented to the common council, by Mr. Alderman Finnis, on the 26th of July, 1852, according to the minute I have of the common council. On the 15th of October I received a note from Mr. Serjeant Merewether, the town clerk, in which he states, " I am directed by " the general purposes committee of the common council to communicate with you (on " behalf of the members of the corn trade, who have memorialized the corporation upon " the subject of metage and porterage), and to invite a proposal, embodying the views of " the trade upon the question submitted, at as early a period as may be convenient; " which proposal will receive the earnest consideration of the committee."

1642. Then, was the memorial in consequence of the letter of Mr. Serjeant Merewether?—No, the report was. That letter invited us to make a report, and that report was the consequence. We had a meeting, which appointed a committee to draw up this

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report, and then came a letter from Mr. Serjeant Merewether, expressing the desire of the City committee (as I believe they were very desirous themselves) that this matter should be settled. He wrote to me, "10th November 1852.—I am directed by the "general purposes committee to draw your attention (on behalf of the corn trade) to "their letter of the 15th ultimo, relative to the pending inquiry in respect of metage, "&c., and also to the invitation therein expressed." I replied to him, saying that the gentlemen engaged in drawing up the report were engaged in business, and that it would require some time to get the documents together, but that we would let him have it as soon as possible. We received another letter on the 6th of December, urging us to give in that report. On the 21st of January I addressed the following letter to Mr. Serjeant Merewether:—"I now beg leave to enclose you a copy of the report of a committee "appointed by a meeting held at Jack's Coffee House, on the 21st of October last, on the "subject of the metage of corn, &c., at this port. This report has been adopted by a "meeting of the trade, held at the London Tavern yesterday, and presided over by John "Masterman, Esq., M.P., and is forwarded to you to be submitted to the general "purposes committee, and by way of reply to the intimation conveyed in your letter to "me of the 15th of October, 1852. It may be proper for the original report to be "presented by the committee of corn factors to the general purposes committee of "the corporation, and if this be thought desirable, the gentlemen constituting the "former committee will attend at the Guildhall at any time you may appiont for "that purpose. I annex you a copy of the resolutions passed at the meeting yester-"day." Mr. Masterman attended at that meeting, which consisted, I believe, of about 100 or 120 merchants and factors connected with the corn trade of London, and if you will allow me I will read the resolutions:—"At a meeting of the merchants and "factors interested in the corn trade of the City of London, held the 20th day of January, "1853, at the London Tavern, Bishopsgate Street, London, John Masterman, Esq., M.P., "in the chair; it was moved by Mr. Edward Hales, seconded by Mr. Garford, and carried "unanimously: That the report of the committee appointed by the meeting held at Jack's "Coffee House on the 21st day of October last, having been read, shall be adopted by this "meeting, and forthwith presented by the committee to the corporation through its proper "officer. It was moved by F. W. Russell, Esq., M.P., seconded by Mr. Waugh, and carried "unanimously: That the thanks of the meeting be given to the committee for the care "taken, and the time devoted by them to the preparation of the report which has been "adopted by this meeting. It was moved by Mr. Hales, seconded by Mr. John Woodley, "and carried unanimously: That the resolutions be printed and advertised in one or two "of the leading public journals. It was moved by Mr. Moore, seconded by Mr. Birkett, "and resolved unanimously: That the thanks of the meeting be given to Mr. Masterman "for his kindness in presiding as chairman on this occasion." I received from Mr. Serjeant Merewether an acknowledgment of the report on the 25th of January, in which he says, "I beg to acknowledge the receipt of your letter of the 22d instant, together with "a copy of a report of a committee of the corn trade, and to assure you that the same shall "be submitted to the proper authority at the earliest opportunity." A few days afterwards we received another letter, stating, "I am directed by the committee for general "purposes of the Court of Common Council to request that you would be good enough "to furnish them with about twenty copies of the Report of the Committee of the Corn "Trade, in respect of the charges for metage and porterage of corn." That is dated the 1st of March. Not hearing anything from the general purposes committee, I wrote a letter to Mr. Serjeant Merewether on the 11th of April, stating, "The committee of the "corn trade request me to remind you that they are anxiously awaiting a communication "from the committee for general purposes on the subject of the charges for metage and "porterage of corn, and they trust it will be in your power to inform me what steps have "been taken with reference to the report submitted." On the 14th, I received Mr Serjeant Merewether's reply, stating, "I beg to acknowledge the receipt of your letter of the "11th instant, and to inform you that the report of the corn trade has been laid before "the committee for general purposes, and will receive from them due consideration; and "so soon as the important inquiries instituted by the committee have been proceeded with, "so as to enable the committee to confer with the corn trade upon the subject, you will "have proper notice, to give the trade an opportunity to attend the committee for the "purpose mentioned." That is the last communication we have received from the City, dated the 14th of April, and the reason why the corn trade has not moved further in the matter up to the present time, has been this: knowing that this Commission was appointed to inquire into these matters, we thought it was better to have this thing settled amicably if possible, and we desired to delay pushing the matter to extremities; but we are fully determined to take the same position exactly as Messrs. Combe, Delafield, and Company have taken. We shall refuse to pay the charge for metage, at least we shall not refuse to pay it altogether; but we shall tender a proper sufficient payment for the work done. We shall refuse to pay the exorbitant charge which the City have hitherto insisted upon, and let them show their right to levy it,—a right which we believe they cannot maintain. And as regards the fellowship porters, they themselves are almost falling to pieces in consequence of the peculiar nature of their institution, being an exclusive body. I believe they used to number about 3,000. They were always liable to be called upon to do this work whether work existed for them to do or not. The consequence was,

that a great many of those men, not being able to get sufficient to keep them, got into great distress; that is a notorious fact. But in consequence of the improved demand which has taken place for labour during the last twelve months, I believe many of those fellowship porters have left the fellowship, and are not to be found. The dock companies, when they obtained their acts, obtained power to shut out the fellowship porters from claiming the privilege of doing the porterage in the docks, and they have completely succeeded in shutting them out; but they themselves created as great a monopoly as the City had, and we have the docks to settle with as well as the City, because while they shut out the fellowship porters, they charge the same rate for doing the work that the fellowship porters did. For instance, I know as a fact that the great dock companies have been in the habit of paying men for the porterage of corn a penny per quarter, whilst they have charged 3*d.* per quarter, and that has brought an enormous income to the West India Docks and to the London Docks.

1643. In the paper which you have read the rates of charge for metage and porterage at Liverpool and other ports are given. Are those rates of charge connected with the corporations of those places?—I should say not generally. In some instances they probably are.

1644. Do you think there is any advantage in the corporation of the City of London having anything to do with the work of metage?—I think that the trade in the port of London would be satisfied to have the supervision of the City corporation, provided they had it at a moderate cost.

1645. What are the advantages of that supervision?—The advantages are, that with the immense trade now carried on in London in corn, some protection is required, both for buyer and seller. I may say that the quantity imported into London is equal to the whole consumption of England 150 years ago, for I think it would amount to four millions of quarters a year. The numerous transactions growing out of these large imports render it necessary for buyers and sellers to have a protection upon the sale of what they sell; and I think the certificate of a corporation standing so high as the City of London would be a great satisfaction to the public, even if they had to pay something more for it than they would have to pay otherwise.

1646. You think it is a great advantage to have the metage performed by some independent authority?—I think it is. That is the result of my experience.

1647. Independently of the charge for metage and porterage, is there not a City due levied upon corn imported into the City of London?—The City have very ingeniously contrived to amalgamate those charges together. I have been twenty-five years in the City of London, and I have not been able to unravel all those charges. There are no less than twenty-five charges made.

1648. How do you manage that upon such an article as corn?—Here are the charges (*producing a paper*). That is their own statement.

1649. Do you believe that that complexity is intentional?—I believe it was so originally. I think the City authorities now are anxious to set the whole of this thing to rights, but such a number of abuses have crept in under this system, that there are some persons who might be injured by the alteration, and it is natural that they should wish to keep the system as it is. For instance, the buyers on wheat pay a large portion of the metage, &c., but not upon any other grain, and upon barley and not upon oats. Now supposing a buyer comes from Cornwall or from Leith, the City have to send to this man to get the charge, and I believe they lose a very large portion of it, that the people will not pay it.

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1656. Then if the charge for metage by the City were further reduced, is it probable that a similar reduction would take place in the charges of the docks?—I presume that the docks find it to their own interest to follow that precedent, but I think the docks cannot maintain it. That subject is referred to in the report, inasmuch as all our charterparties are made out, saying that the captain shall receive from alongside and shall deliver from alongside any corn that he may take in. Now, in consequence of the City having established these fellowship porters about 200 years ago, they stepped in between the captain and the merchant, and

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report, and then came a letter from Mr. Serjeant Merewether, expressing the desire of the City committee (as I believe they were very desirous themselves) that this matter should be settled. He wrote to me, "10th November 1852.—I am directed by the "general purposes committee to draw your attention (on behalf of the corn trade) to "their letter of the 15th ultimo, relative to the pending inquiry in respect of metage, "&c., and also to the invitation therein expressed." I replied to him, saying that the gentlemen engaged in drawing up the report were engaged in business, and that it would require some time to get the documents together, but that we would let him have it as soon as possible. We received another letter on the 6th of December, urging us to give in that report. On the 21st of January I addressed the following letter to Mr. Serjeant Merewether:—"I now beg leave to enclose you a copy of the report of a committee "appointed by a meeting held at Jack's Coffee House, on the 21st of October last, on the "subject of the metage of corn, &c., at this port. This report has been adopted by a "meeting of the trade, held at the London Tavern yesterday, and presided over by John "Masterman, Esq., M.P., and is forwarded to you to be submitted to the general "purposes committee, and by way of reply to the intimation conveyed in your letter to "me of the 15th of October, 1852. It may be proper for the original report to be "presented by the committee of corn factors to the general purposes committee of "the corporation, and if this be thought desirable, the gentlemen constituting the "former committee will attend at the Guildhall at any time you may appiont for "that purpose. I annex you a copy of the resolutions passed at the meeting yester-"day." Mr. Masterman attended at that meeting, which consisted, I believe, of about 100 or 120 merchants and factors connected with the corn trade of London, and if you will allow me I will read the resolutions:—"At a meeting of the merchants and "factors interested in the corn trade of the City of London, held the 20th day of January, "1853, at the London Tavern, Bishopsgate Street, London, John Masterman, Esq., M.P., "in the chair; it was moved by Mr. Edward Hales, seconded by Mr. Garford, and carried "unanimously: That the report of the committee appointed by the meeting held at Jack's "Coffee House on the 21st day of October last, having been read, shall be adopted by this "meeting, and forthwith presented by the committee to the corporation through its proper "officer. It was moved by F. W. Russell, Esq., M.P., seconded by Mr. Waugh, and carried "unanimously: That the thanks of the meeting be given to the committee for the care "taken, and the time devoted by them to the preparation of the report which has been "adopted by this meeting. It was moved by Mr. Hales, seconded by Mr. John Woodley, "and carried unanimously: That the resolutions be printed and advertised in one or two "of the leading public journals. It was moved by Mr. Moore, seconded by Mr. Birkett, "and resolved unanimously: That the thanks of the meeting be given to Mr. Masterman "for his kindness in presiding as chairman on this occasion." I received from Mr. Serjeant Merewether an acknowledgment of the report on the 25th of January, in which he says, "I beg to acknowledge the receipt of your letter of the 22d instant, together with "a copy of a report of a committee of the corn trade, and to assure you that the same shall "be submitted to the proper authority at the earliest opportunity." A few days afterwards we received another letter, stating, "I am directed by the committee for general "purposes of the Court of Common Council to request that you would be good enough "to furnish them with about twenty copies of the Report of the Committee of the Corn "Trade, in respect of the charges for metage and porterage of corn." That is dated the 1st of March. Not hearing anything from the general purposes committee, I wrote a letter to Mr. Serjeant Merewether on the 11th of April, stating, "The committee of the "corn trade request me to remind you that they are anxiously awaiting a communication "from the committee for general purposes on the subject of the charges for metage and "porterage of corn, and they trust it will be in your power to inform me what steps have "been taken with reference to the report submitted." On the 14th, I received Mr Serjeant Merewether's reply, stating, "I beg to acknowledge the receipt of your letter of the "11th instant, and to inform you that the report of the corn trade has been laid before "the committee for general purposes, and will receive from them due consideration; and "so soon as the important inquiries instituted by the committee have been proceeded with, "so as to enable the committee to confer with the corn trade upon the subject, you will "have proper notice, to give the trade an opportunity to attend the committee for the "purpose mentioned." That is the last communication we have received from the City, dated the 14th of April, and the reason why the corn trade has not moved further in the matter up to the present time, has been this: knowing that this Commission was appointed to inquire into these matters, we thought it was better to have this thing settled amicably if possible, and we desired to delay pushing the matter to extremities; but we are fully determined to take the same position exactly as Messrs. Combe, Delafield, and Company have taken. We shall refuse to pay the charge for metage, at least we shall not refuse to pay it altogether; but we shall tender a proper sufficient payment for the work done. We shall refuse to pay the exorbitant charge which the City have hitherto insisted upon, and let them show their right to levy it,—a right which we believe they cannot maintain. And as regards the fellowship porters, they themselves are almost falling to pieces in consequence of the peculiar nature of their institution, being an exclusive body. I believe they used to number about 3,000. They were always liable to be called upon to do this work whether work existed for them to do or not. The consequence was,

that a great many of those men, not being able to get sufficient to keep them, got into great distress; that is a notorious fact. But in consequence of the improved demand which has taken place for labour during the last twelve months, I believe many of those fellowship porters have left the fellowship, and are not to be found. The dock companies, when they obtained their acts, obtained power to shut out the fellowship porters from claiming the privilege of doing the porterage in the docks, and they have completely succeeded in shutting them out; but they themselves created as great a monopoly as the City had, and we have the docks to settle with as well as the City, because while they shut out the fellowship porters, they charge the same rate for doing the work that the fellowship porters did. For instance, I know as a fact that the great dock companies have been in the habit of paying men for the porterage of corn a penny per quarter, whilst they have charged 3*d.* per quarter, and that has brought an enormous income to the West India Docks and to the London Docks.

1643. In the paper which you have read the rates of charge for metage and porterage at Liverpool and other ports are given. Are those rates of charge connected with the corporations of those places?—I should say not generally. In some instances they probably are.

1644. Do you think there is any advantage in the corporation of the City of London having anything to do with the work of metage?—I think that the trade in the port of London would be satisfied to have the supervision of the City corporation, provided they had it at a moderate cost.

1645. What are the advantages of that supervision?—The advantages are, that with the immense trade now carried on in London in corn, some protection is required, both for buyer and seller. I may say that the quantity imported into London is equal to the whole consumption of England 150 years ago, for I think it would amount to four millions of quarters a year. The numerous transactions growing out of these large imports render it necessary for buyers and sellers to have a protection upon the sale of what they sell; and I think the certificate of a corporation standing so high as the City of London would be a great satisfaction to the public, even if they had to pay something more for it than they would have to pay otherwise.

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London, buyers finding that they can buy five, or ten, or twenty quarters on board ship buy those small quantities in retail; and they go to the meters' office, and the meters are obliged to send six or seven men at an expense double the amount which they receive for measuring that small quantity. I think the alteration of the system would do away with that, and prevent great delay in the discharge of ships, because a person buying such a small quantity can hardly expect that the work should be done at the same price as it would be done for a person who buys a large quantity. In ordinary cases if you ask for eight men to work five quarters of oats for you, we know there would be a charge made sufficient to pay them for the labour. Instead of that, the City have introduced this anomaly, that they feel themselves called on to measure even the smallest quantity, as low down as Gravesend. Hence they hold up as an evil what, I say, has been brought about by themselves. If a man wants to measure a small quantity of corn he ought to pay such a charge for it as would amply remunerate the man sent to do it.

1674. Supposing the power of meting corn brought into the port of London were confirmed to the corporation upon the grounds which you have stated, how do you think it would be possible to obviate the occurrence of such cases as that of Messrs. Combe and Delafield?—I would say, if English corn comes to London (foreign corn must be measured for the purpose of the Customs), and is not sold, I would advise the City to give the parties to whom it belongs the right of having it measured or not, as they may prefer; if sold, I would insist upon the right.

1675. Supposing anybody who wished to have his corn measured might have it done, but anybody who did not wish it, might be free to do without it: how would that act?—That would act very well if buyers and sellers choose to agree to that arrangement; but I think the charge should be so low that it would be to the interest of all parties to have it done. If a miller receiving a cargo of wheat from Boston, coming to his own mill, does not require it measured, it ought not to be so.

1676. Might not the whole be left to the operation of individual interest, so that there might be public meters provided by the corporation, and the trade left free to resort to them as they think fit?—Yes; and I am satisfied, even though the charge were higher than it ought to be, the trade would, in 99 cases out of a 100, resort to them. I would beg to read to the Commissioners a letter from Mr. Stead, who was forty years established in the corn trade in Norfolk. He used to malt very largely for Barclay and Co. It is dated June 28th, 1852. He states: "Dear Sir,—I understand that some inquiry is about "to be instituted as to the inconvenient modes and charges upon the importation of corn, "malt, &c., through the river Thames. I need not assure you, as you know, that those "matters militate much against the London trade, and divert it to other ports and "harbours where antiquated charges and distinctions have disappeared. Railroads have "altered the feature of the trade, whilst, protection being removed, profits become less, "and losses more frequent. People did not formerly stop to inquire what were the "charges of porterage, workage, metage, lord mayor's farthings, and such other trifles. "But the time has arrived, that if they be not altered, the trade of London is now and "will become more and more limited; and I submit good reasons there for. Of late "years I have used Hull and Yarmouth in preference to London for the importation of "grain from the Baltic ports, which are nearer. At Hull the finest granaries in the world "have been lately built, and many more are now building; the facilities are greater, "charges less, restrictions extinguished. Great Grimsby Docks have now been opened, "and that port will tread upon the heels of Hull; it is allied with the great arterial rail-"ways, leading to the great district of consumption; inquire where can there be a greater "inlet for importation. Lowestoft is likewise treading upon the heels of Great Yarmouth; "that harbour is attached to the Norfolk railway; it belongs to, and under the wing of "Mr. Peto, with granaries now building. Railways, as you know, have altered the "feature of the entire kingdom. Navigable rivers, subject to detention by floods, winds, "and frost, were formerly the means of transit; railways, subject to neither, have "removed all such obstructions; they will not admit of restriction; the transit through "air offers less resistance than the transit through water. London brewers make, per-"haps, nearly a million quarters of malt per annum in Hertfordshire, Suffolk, and "Norfolk, where they purchase their barley,—the malt does not require to be measured "or sold. From Hertfordshire the malt is transmitted in sacks from the malt-"house there to the brewery in London, without breakage, by the river Lea, and "it is not subject to the intrusion of the fellowship porters, and pays no dues, work-"age, or metage. From Suffolk and Norfolk I have sent my malt in sacks to "Wapping; the sacks must be emptied out by the fellowship porters, thus losing one "and a half to two per cent. breakage amongst the porters' feet, &c.; heavy dues are "imposed; and I have sent ships into the river Lea, not subject to dues or intrusion, the "consequence of such charges and trouble; the most of the malt goes from Norfolk and "Suffolk by railway. As Barclays use 100,000 quarters of malt per annum, if 2,000 "quarters are lost, as above, it makes more than 5,000*l.* yearly loss, besides vexatious "intrusion, restriction, detention, and charge, not likely to encourage trade. Combe and "Company have beaten the corporation and paid no dues for many years. The corporation "are required by the Lord Chancellor's injunctions to produce their charters; till their "charters are produced, Combe and Co.'s suit is sent by the corporation to sleep at Win-

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"chester for many years past. I would inquire why Norfolk maltsters pay, and not "Hertfordshire maltsters; and why inflict an imposition on Barclays and not on Combes; "such matters surely require inquiry; and one of the corporation bills were stopped in the "Commons, five years ago, by the petition from the brewers to inquire before the Com- "mons passed the bill." That letter is from a very practical man, who has taken a great deal of trouble about the matter. Here is also a letter from Plymouth, from very intelligent merchants there, Messrs. Treeby and Co., who say: "Sir,—We are in receipt of your "favour of yesterday, and trust you may prevail on the corporation of London to reduce "their exorbitant charge for metage on grain. In the event of success, all the world "will be indebted to you for the removal, in part, of a great piece of injustice and "oppression." The charges on corn in London are so high, that we seldom think of "Mark Lane for purchases; and the metage in general is very short, and the lighterage "and wharfage oppressive." This is a letter from Wakefield:—After giving the charges. the writer says, "If I can assist you in reforming the charges made by the London "corporation, I shall be very willing to do so." This is a very important letter from Boston, from which place we received enormous quantities of corn into London a few years ago:—The writer says, "I send you particulars of charges for working grain at this "port; your charges have been a great bar to our sending more grain to London by "ships, particularly oats; and now the railway gives us such facilities, that I may say "the whole now is sent by that route; but should your extravagant charge of metage and "porterage be reduced to something like that of ours, we may then send a great portion "again by water." If the Commission require it, I can leave an actual account sale of corn shipped to Glasgow, Liverpool, and Wakefield, showing the actual charges made for this very work. I mentioned a short time ago that we had a difference with the Commercial Docks respecting the question of porterage, which resolves itself into the question of metage. In order to test it, I made an engagement with a respectable granary keeper in London to do the work of this vessel, for which the Commercial Docks and the fellowship porters required 3*d.* a quarter, for 1½*d.* a quarter, and I have his letter to that effect. That letter I intend to keep, in case the Commercial Docks should go on with the action. It shows that it could be done for half the price by respectable people; and I have no doubt that responsible parties might be found to do the whole work performed by the fellowship porters and meters of London at the rates mentioned in that report, if not lower. The reason I state that it would be more desirable for the City merely to undertake the charge of the metage is, that supposing you were to fix any charge for the porterage as well as the metage, we know very well that the City rates of labour, like everything else, vary; therefore if you fix the rate this year, it might be too much or too little next year; so that it would be desirable to have it free, in the way I have suggested.

1677. Your suggestion is, that there should be a metage establishment connected with the corporation of London, but that it should be at the option of the parties to resort to it or not, as they might think fit?—I would make it compulsory with regard to foreign corn, because the Customs would require all foreign corn to be metered by a sufficient authority that they might depend on.

1678. Do the Customs measure foreign corn?—No; they take the meters' bills in London; they supervise it in the outports, but it is wretchedly done. I have no hesitation in saying that if the meters' charges were reduced in the same proportion that the granary charges have been reduced since 1828, which is to the extent of 50 per cent., I believe a very large proportion of the corn imported by the great merchants, who are a very influential and wealthy body of men, would be brought to London, merely for the satisfaction of having it measured here, and then transhipped from here to other ports, because we can generally get freights so low that the satisfaction they would get by having it measured in London would induce them to pay some extra charges.

1679. Must not the Customs measure the corn which comes into the port of London for their own purposes?—No; they trust to the City measure; the duty of course is very low.

1680. What do they do in the case of Indian corn, on which there is no duty at all?—They take the same trouble as they do with the other; a tide-waiter goes down once or twice a day to see the work going on, and if there was anything wrong they would soon discover it.

1681. Is the mode of selling corn in London uniform; is it invariably sold by measurement?—No; during the last few years we have sold a great deal by weight, and my opinion is that ultimately almost all corn will be sold by weight.

1682. Is not it sometimes sold both by weight and measurement?—Yes; and that is the best mode in my opinion.

1683. If the element of weight is introduced in the sale of corn, a metage alone by the City meter would not be sufficient, would it, for buyer and seller?—It would be a very simple system; it would work in this way: you have 1,000 quarters of wheat on board a ship. You have nothing to do but to take a small scale, prepared for the purpose, put it on deck, and as the sack was hoisted out of the hold place it on the scale. A meter in good work would not make a difference of a pound a sack in his weight in six hours' work; therefore you can weigh as fast as you can measure. It would only entail the expense of another man, for which one halfpenny a quarter would be ample.

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1684. There is a great difference between the weight of good wheat and bad wheat, is not there?—Very great; 10 lbs. a bushel often.

1685. Is it the common practice to put the wheat into sacks when taken out of the ship, and afterwards to distribute it in bulk in the granary?—In large quantities we cannot do that; we endeavour to get as much in the sacks as we can, for the sake of saving a second measurement. The City have taken a great deal of trouble in the matter latterly, and one of the gentlemen who has lately been elected an alderman has, much to his credit, been giving a great deal of information before the general purposes committee, Mr. Alderman Muggeridge; I think he could give the Commission a great deal of information if he were so inclined. Another party, who has been the collector of the metage for the last fifty years, could also give you a great deal of information. I speak of Mr. William Ruston, of the City Meters' Office. His office is in doubt, in the prospective alterations, and therefore he might be unwilling to communicate the information in his power. To show the interest which is felt in this matter in the country, I was talking to one of the Gloucester merchants the other day; he said he hoped sincerely we should not get the metage charges reduced, for it would interfere with the trade of Gloucester. I was asked just now if the Customs exercised any supervision over the metage on board ships in the river; I think I replied, "No"; the fact is, they always put an officer on board.

T. Hankey, jun., Esq.

THOMSON HANKEY, Jun., Esq., having been sworn, was examined as follows:—

1686. You are a merchant of the City of London?—I am.

1687. Did you not fill the office of Governor of the Bank of England last year?—I did.

1688. How long have you been engaged in trade?—I have been a merchant upwards of twenty-five years.

1689. You have never resided in the City, have you?—Not regularly. I have rooms n the City, where I occasionally sleep.

1690. Have you ever been connected with the corporation of the City of London?—Never, in any way.

1691. Have any of your partners been connected with the corporation?—None.

1692. It is notoriously the case, is it not, that the leading merchants of the City of London are not generally connected with the corporation?—They are not. There are scarcely any of the leading merchants who take any part in the corporation.

1693. To what do you ascribe that indisposition on their part?—It has arisen partly from the merchants of London having withdrawn their residences from the City of London, and partly from the very onerous nature of the duties which attach to the members of the corporation; at least, that part of the body with which they would probably be connected—the aldermen of the City. Their duties are so heavy, and are so much mixed up with magisterial duties and other duties which occupy so large a portion of their time, that I think there is a general indisposition on the part of the merchants to undertake the office.

1694. Do you think it would be desirable that any attempt should be made to connect more closely the great branches of the commerce of London with the corporation?—It has always appeared to me very undesirable that the merchants, as a body, should have no voice and take no part whatever in the corporate affairs of a town with which they are so intimately connected, and in which they carry on the whole affairs of their business.

1695. Can you suggest any means by which it would be rendered more likely that the great merchants should take part in the municipal affairs of London?—I do not think the merchants of the City of London would consent to take any part in the corporation duties of the City of London willingly, while the corporation is conducted as it is at present. I think they consider that there are a great many abuses connected with it. As long as there are a great many persons who are connected with the inferior branches of trade in London, and not with the wholesale departments of trade, who are ready and anxious, for the sake of the honour connected with it, of undertaking those duties, so long the merchants of London will not consider it a matter of duty to undertake them themselves. It has appeared to me with respect to that part of the duties which could be better done by other parties than by those who at present undertake them, that the merchants would not be more unwilling to take their share of the duties of the corporation then they are now in their several capacities to act as income tax commissioners, and to perform the other duties which devolve upon them in their respective positions as private individuals.

1696. Do the great merchants of the City of London take any part in the parish business within the City of London?—Not in the City of London; but I think there are very few of them who are unwilling to take their share of the parish duties in their own respective parishes where they reside.

1697. Do not you think a considerable obstacle is created by the unwillingness of the great merchants and bankers to give up their time to duties of a municipal nature?—I have no doubt they are unwilling to give up their time, and they admit that as an excuse for not attending to duties which they would feel themselves bound to attend to if it were made a matter of emulation and pride on the part of those on whom such duty should devolve.

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1698. When you say that in order to induce the great merchants to become connected with the corporation, certain duties which are now imposed upon the members of the corporation should be taken from them, do you allude to the magisterial duties?—I allude to the magisterial duties, and I think also a great many of the ceremonies connected with the corporation give annoyance to the merchants, and that they would not consent to go through them.

1699. You refer to the description of pageanty which surrounds the great offices of the City?—Yes; and the necessity which would be imposed upon himself, unless he would appear singular, of going through what appears now to be the regular duty of an alderman.

1700. Do you refer to the duties of hospitality which are exercised by the Lord Mayor?—Partially so. The duties of hospitality might be discharged certainly in a much less ostentatious manner than they are at present.

1701. Do you think there is a certain fitness in the chief magistrate of the City sometimes presiding at entertainments on public occasions?—So long as there is a corporation in the City of London and a chief magistrate, or chief by whatever name he may be designated, if the magisterial duties were removed, I think the duties of hospitality, as exercised by the present Lord Mayor, are by no means undesirable; but I think the annual entertainment at the Guildhall is a very heavy expense, and a very useless one. I do not know how many thousands of pounds are spent in that entertainment, which scarcely gives gratification to anybody but the idle boys about the streets of London.

1702. Has not the large number of persons who are invited to the annual entertainment at the Guildhall rather a tendency to prevent the speeches, which are delivered by the Ministers and other public persons at that dinner, from being heard, which would not be the case if the number were less?—I think, as far as bringing the members of Government into communication with the citizens of London goes, that object would be much better attained by confining the entertainments to the Mansion House than giving them at the Guildhall. I have always witnessed, on occasions on which there is any political excitement, that the guests who have been invited have taken great interest in the speeches, and in the opportunity of meeting with the members of the Government and the distinguished foreigners who may be invited on such occasions to the Mansion House, but I never could see any good whatever in the entertainments at the Guildhall.

1703. Is not it the fact that the speeches delivered at the Guildhall are totally inaudible to the great majority of the persons present?—During the time I was in office as Governor of the Bank I was always invited to those Guildhall dinners, and I can only say that, although I had what I believe was a seat of honour assigned to me, I could never hear a single thing that was said in the hall.

1704. Do you know what is the general feeling in the City with respect to what is called "The Lord Mayor's show"?—I believe there is no interest taken in it whatever, except by mere idlers in London, and the children who are brought up to see it.

1705. Do you believe it is considered generally acceptable to the persons who witness it in the streets?—I should think not. I should think the tradesmen of the City of London must consider it a great inconvenience and annoyance. The upper classes, certainly, can derive very little gratification from it. It is only a gratification to children and idle boys, and to a great number of idlers who are brought into London and waste the day; there is a great deal of drinking and dissipation going on.

1706. Do you think it conduces to the dignity and consideration of the office of Lord Mayor that he himself should form a portion of that procession?—I think so long as there is a Lord Mayor he ought to move about in a carriage of sufficient state to show the importance attached by his fellow-citizens to the office; but as at present conducted it is a mere show without any use whatever. I do not think it adds to his importance at all, but rather makes him ridiculous.

1707. The procession has altered its character of late years. It used to be at all events a memorial of antiquity; it is now a sort of allegorical procession, is not it?—I think it has altered its character during the time I have lived in the City. Every year it appears to become more ridiculous.

1708. It no longer calls to mind former times in any manner, does it?—Except the antiquity of the coach; that is the only thing. The attendants generally and the allegories are those which are got up by people from Astley's and other establishments of that kind.

1709. It is no longer like the processions of the middle ages, is it?—I should think not.

1710. Assuming that some persons might think it desirable to keep up an ancient amusement of this kind for the sake of the spectators, do you think it desirable to connect the Lord Mayor with the procession?—I should think it still more absurd than at present, if the Lord Mayor were left out; it would degenerate into a procession without a meaning.

1711. You are of opinion that the chief magistrate, however, ought to exercise decent and even splendid hospitality?—Yes; I think, so long as there is a corporation of London, the chief of that corporation, whatever his title may be, whether chief magistrate or any other name, ought to have a position, and maintain that position with dignity, so as to command respect from those who attach importance to matters of that kind.

1712 Are you aware of the nature of the entertainments given by the mayor of

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Liverpool?—I never dined on state occasions with the mayor of Liverpool. I believe they are conducted in a much quieter manner than in London; but I have always understood that they have been conducted in a respectable manner, and in a manner which does ensure respect and esteem by the corporation of both Manchester and Liverpool.

1713. It is the habit of the mayor to entertain distinguished visitors, who go to Liverpool, in a public manner, is it not?—I believe so.

1714. At the dinner at the Guildhall, the body of the hall is filled with a great many persons and their families. Are they common councilmen?—Yes, I believe so.

1715. They are not guests at the Mansion House?—No; but as far as the opportunity of hearing or even seeing much goes, it is almost a farce. It is merely an opportunity of giving a certain number of people a dinner. It is impossible for them to hear anything that is going on, and I should doubt whether they could see the guests of importance, except perhaps when coming into the room.

1716. Supposing it were not necessary, to be capable of filling the office of Lord Mayor, that he should belong to the body of aldermen, do you think the leading merchants of the City of London might be induced to accept the office of Lord Mayor for a year?—I think the corporation might be so framed, and its duties so arranged, that the merchants would not be unwilling to undertake the duty of acting in conjunction with the corporation.

1717. Do not you think it possible that a merchant might be willing for a year to accept the office of Lord Mayor as a matter of duty, who might not be willing all his life to be an alderman?—I think it is very possible it would be so; but I cannot conceive why the office of an alderman should involve duties for life any more than the office of a churchwarden, or many offices of a public nature of that kind, which men will accept for a year, but which they would be as unwilling to undertake for life as they are now to undertake the duties of an alderman.

1718. Have you ever given your attention to what would be the best system to be adopted in regard to the municipal government of the City of London?—I have often thought of it, and it has appeared to me that the duties of the corporation are by no means useless in London; but I think they are inapplicable to the present state of affairs, as confined to the City of London alone. I think there are certain corporation duties which ought to be undertaken, and which could be better done by a corporation throughout all London. I would have corporations for all London, whether there were one corporation for the whole of London, or whether you introduce what appears to me would be very much better, the same kind of system that there is in Paris. The town is divided into certain arrondissements or departments, and each department has a mayor and a certain number of officers connected with him. They attend to the municipal duties connected with their particular departments. I do not know what influence they have over the whole body in their corporate capacity, or whether each mayor with his subordinate officers attends to the duties only of his own department; I think that is the case. But in London it has appeared to me that a system of that kind might be devised. London being divided into a certain number of departments, each department having its mayor or chief municipal officer, and a certain number of officers who would be elected annually, and would meet for certain other municipal purposes in a general capacity. There are certain things which it appears to me could be much better done in a great town by a corporation than in any other manner. The improvement of the streets, for example. In the City of London that part of the duties is to a certain extent well and usefully done, and I should be very sorry to see the corporation of the City of London done away with, till I can see some other system devised by which those corporation duties could be performed, not only in the City of London but throughout the metropolis, in a more effective manner. I think it is at present subject to considerable abuses; but I am no advocate for doing away with the system altogether; on the contrary, I think the system ought to be extended to all London. I think the duties of a magistrate are no necessary part of a corporation; they have nothing to do with the duties of a corporate character, which I would limit to that which can be better done by a general body than by individuals. I think the paid magistracy of the metropolis generally works well to the satisfaction of the people at large, and I can see no object whatever in devolving magisterial duties upon a certain set of men who cannot be so well fitted for them as those who have been educated for the purpose, and who devote their whole time and attention to those duties. This is particularly true in the case of an alderman, who is selected from men actively engaged in business, and generally in a position in which their time is fully occupied. I think certainly that part of the duties should be taken altogether away from the corporation or its members; but there are certain other municipal duties, such as the improvement of the streets, lighting, sewerage, paving, and general attention to the cleanliness, care, and comfort of the inhabitants of a town, which can be always better done by persons in a corporate capacity, because the system can be made uniform. At present, if any parish were to alter a street, they might be stopped half way by a quarrel with another parish. There would be an advantage in acting in a corporate capacity generally for such purposes.

1719. As a merchant, have you ever found any reason to complain of the conduct of the corporation?—The business with which I have always been connected, has had no connexion with the corporation, and there has been no necessity for applying to them.

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My business is that of a West India merchant, and I have not had anything to do with the corporation. But it appears to me that the corporation of the City of London cannot interfere in any way to do good, and that any interference must be rather prejudicial than otherwise. I do not think we want, in the existing state of affairs, any corporation to tell us what we had better do, or take charge of any affairs connected with our business, or protect us as traders. The more we are left to ourselves the better we manage our affairs.

1720. When you speak of the mayors of different departments, you allude to the whole metropolis?—To the whole metropolis.

1721. Do you think the City of London, properly so called, is large enough to make it necessary to divide it?—I think, if corporations were formed for the other parts of London, the City of London might remain one also. I see no advantage in limiting the City of London to any particular boundary. If all London were on one uniform system, there would be no necessity for the barrier being at Temple Bar or Bishopsgate Street. It would be according to such arrangement as would tend to work for the general benefit of the whole.

1722. Do you think it desirable that there should be a corporation which should have power over the whole metropolis?—I think, if there were a corporation for the borough of Marylebone; a corporation for the borough of Finsbury; a corporation for the borough of the City of London, and the other parts of London, it might be very desirable for certain purposes that there should be an aggregate union of the bodies for joint action.

1723. Your view seems to be that London might be divided into a number of municipalities?—Yes.

1724. Some to the north of the river and some to the south?—Yes.

1725. That certain objects of municipal government, for instance, paving and lighting, and such like functions, should be assigned to each municipality separately; and that there are certain other objects for which they should be combined?—Yes.

1726. Are there not some objects in which the entire metropolis has a common interest, for example, the widening of the great thoroughfares, or the building of bridges?—Undoubtedly. It is for that reason, I think, that though particular corporations would attend to certain things in their own locality, they should act as a general corporate body with respect to others. There might be a deputation from each mayoralty, to meet in common as to certain things where the supervision of the whole might be required. There are two things particularly interesting to the whole of the metropolis: one is the supply of water, and the other is the sewerage and drainage. I think those two subjects call loudly for the interference of either some special board of the Government, or some public body, which would take cognizance of the interests of the whole of the metropolis.

1727. Has not the whole of the metropolis a common interest in the building of bridges over the Thames?—Yes; and nothing shows more the inaptitude of the corporation of the City of London for its purposes, as protecting the general interests of the inhabitants of London, than its conduct towards the bridges. Any person in the habit of walking over London Bridge will see that the thoroughfare is not sufficiently large for the traffic using it. Close by there is Southwark Bridge, which is comparatively empty. I know nothing further about it than I have seen in the papers; but we have heard that the corporation have been long considering the subject of buying it, but they have been doubting whether they should give 250,000*l.* or 300,000*l.* It appears to me to be a paltry and foolish thing to dispute about such a trifling sum. It is a matter of public interest that the great thoroughfares should be made public and free. I think they ought never to have been granted by Parliament as monopolies originally; and having the opportunity of buying them which the corporation certainly has in the case of one bridge, that of Southwark, I can hardly understand how any set of men who have an object in promoting the welfare of the City of London, can hesitate in purchasing that bridge, and thereby affording an immense accommodation to the public at large. Certainly it appears to me to be a step antecedent to any proposed alteration or widening of London Bridge, which I see is now talked of in the newspapers.

1728. Has not there always been found in practice a great difficulty in providing funds for the construction of bridges in London?—I think that is a question which rather affects the Government than individuals. I think if the Government consider the metropolis to be under the charge, as I presume it is supposed to be, of the Home Secretary, or some functionary of the Government,—for there is no one else who takes charge of it, except in the case of the City of London proper,—they ought to take care that there are public thoroughfares and good thoroughfares, suitable to the traffic and the wants of the people; but they seem to me never to have taken that subject into consideration, but to have left it entirely to private enterprise to build bridges over the Thames.

1729. If the Government desired to come forward to build a bridge, have they any means of building it, other than by asking Parliament for a vote of money?—I presume not.

1730. Would not that money be paid out of the general exchequer, and therefore from taxes levied over the whole of the United Kingdom?—It need not be so. At the present moment the Government have granted very large taxation, not only on London but on the suburbs of London, in the way of coal dues, and they have allowed the income derived from that source to be applied in building streets in Westminster and elsewhere.

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They are called the City dues, and the City has the discredit of the taxation, but I believe I am correct in saying that it is applied in improvements all over the metropolis.

1731. The coal tax is a coal tax levied upon the inhabitants of the entire metropolis, and upon the inhabitants of the metropolis alone?—The limit of the coal dues extends, I believe, to twenty miles round London.

1732. They are levied upon the inhabitants of what may be called the metropolitan district?—I believe so.

1733. Would it in your opinion be desirable that there should be a power of levying a rate upon the inhabitants of the metropolis at large for purposes of public utility, such as that of building bridges, or forming parks, or constructing public works useful to the entire metropolis?—I believe if, either through the medium of corporations, or through some public department of the Government, attention was paid to the general improvement of the metropolis, both as to building bridges, sewering, lighting, and water, the inhabitants of London would cheerfully consent to pay any taxation which was necessary for that purpose.

1734. At present there is no means without a special Act of Parliament, is there, of levying a tax which extends over the whole of the metropolis, but is confined to the metropolis?—I am not aware of any.

1735. You must resort to one of the two funds, either to the City or to the general exchequer?—As at present constituted, because there is no corporation whose powers are co-extensive with the metropolis.

1736. Do you contemplate that by some such union of municipalities as that which you have sketched out, it would be possible to levy a tax upon the entire metropolis, for purposes of general metropolitan utility?—I think it would.

1737. Have you attempted to form any idea of how that object could be accomplished?—I think, if the taxation were raised in the shape of a house tax, or anything like a property tax, it would be far more cheerfully paid, and appear more reasonable and comprehensible to the minds of the inhabitants of London, and its immediate neighbourhood, than the present mode of raising a tax by coal duties. I think the coal duties are not a generally acceptable tax; it is little understood; it is considered generally to be a City tax, and that it is intended for the purposes of the City. I believe a great deal of odium has in that way been brought upon the City, which is very undeserved.

1738. Do you think it would be possible to form a metropolitan board of works, with a power of taxation co-extensive with the metropolis?—I can see no reason why it should not be.

1739. Would it be possible to form such a body without infusing into it the element of popular election?—I think the element of popular election would make it work better in many respects; it would certainly make it more popular if the people had a voice in the election of those who were to have the power of taxing them. That has been generally considered to be a sound principle, whether it has worked to the benefit of the people or not.

1740. Supposing London were divided into municipalities, could you form such a board by taking one or two members from each municipality, and giving that combined board the power of taxation?—I can see no difficulty in it. You have now the power of raising taxes in parishes for lighting, paving, and watching.

1741. Do you think the public would submit to a system of that sort willingly?—They would like it much better, I think, than the present tax on coals.

1742. Might not either the First Commissioner of the Board of Works, or some other person appointed by the Government, be ex-officio a member of such board, so as to guard whatever interests the Government might have in the protection of the metropolis?—I can see no reason why that should not be so.

1743. Is there any other point to which you wish to call the attention of the Commission?—The only other point to which I wish to allude is this: I observe, though I have not read attentively the examination of several gentlemen before the Commissioners, one or two merchants of London have alluded to the formation of a chamber of commerce.

1744. The Commissioners would be very glad to have your opinion upon that point?—As far as I have been able to give the subject consideration, it has appeared to me that neither chambers of commerce nor tribunals of commerce would be at all desirable in London. I can conceive no practical use to arise from them; but, on the contrary, I think they would lead to a great deal of harm. I read with astonishment that two of my brother merchants entertained a different opinion, because those with whom I am daily associating, and I associate with a great many of the merchants of London, are, I should almost say, unanimous in an opinion that neither tribunals of commerce nor chambers of commerce are desirable in London. With regard to tribunals of commerce, I have always thought, supposing they were sanctioned by the Government and made into tribunals of any importance, they would be the formation of a third or fourth court of law, whic would be a court of law having the position of an inferior court, and would never command that weight and influence, and give that satisfaction which the superior courts of law now do. Unless it were presided over by judges of as high character as the judges who now preside over our courts of law, there would be constant appeals to those tribunals, and that would rather add to the expense of litigation than diminish it. With regard to a chamber of commerce, as far as I understand the meaning of a chamber of commerce, it

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gives an opportunity for meeting and discussing matters in which commercial men have a common interest, and forms a medium of communicating with the Government of the day, or between different classes of the mercantile community, on subjects of general interest. I do not know whether those chambers are generally found to work well on the Continent, though, from the almost universal existence of them, I suppose they are found to be of some use. Some of our towns in England which have risen to great commercial importance have made use of those institutions, particularly Manchester and Liverpool. But I have observed that the chambers of commerce in those places have a tendency to become mere political bodies. At Manchester, I believe, the chamber of commerce was an extremely well organized body, and did a great deal of good at the time of the discussion of the corn laws, and created great interest throughout England. It was at the chamber of commerce that such subjects were most discussed; and either pamphlets emanating from that body, or persons connected with that body, conveyed a great deal of information to the community at large. But the result of their particular attention to that subject has been, that I believe now those gentlemen who are connected with trade in Manchester, who take different views from those which are held generally by the members of the chamber, have ceased to take a part in it. The chamber of commerce has become now, I will not say exclusive, but far too exclusive a body to attend to the general affairs of the town. I think chambers of commerce will always have that tendency in large towns; as the towns increase, they will cease to be of any use as a means of collecting together general information on commercial subjects.

1745. What has been the case at Liverpool; has the chamber of commerce taken a useful and active part in commercial subjects, and united the merchants, irrespectively of party differences and political opinions?—I am not aware of the working of the chamber of commerce at Liverpool, but I can well fancy that the chambers of commerce in country towns would be more useful than they would be in the metropolis. In London now commerce is so sub-divided, that there are very few subjects in which we have a common interest. For instance, in the trade with which I am connected we have no common interest with the large trade to the Baltic; we have no common interest with the Levant trade, nor with the East India trade; but we all have, in fact, our own chambers of commerce in our own trades. We have the West India Association; there is the Baltic Coffeehouse; there are places of meeting in almost all the trades. Ever since I have been in business I have been connected with shipping, and we have always had a shipping association, and we have an association which is well known under the name of "Lloyd's," where anything with regard to shipping can always be brought forward, though it could not well be discussed. I think as a chamber of commerce it would be on too large a scale. At present the merchants connected with the northern trade assemble at the Baltic Coffeehouse, others meet at the Jamaica Coffeehouse, others at different places, and they there discuss all matters connected with their particular business. And then as to the means of communicating with the Government, ever since I have been in business I have never found the slightest difficulty in communicating with every member of the Government, from the highest to the lowest, on any matter relating to the trade in which I have been interested, and I believe that other merchants connected with London would say the same thing. If that be the case, I think it is more likely that a chamber of commerce would either become a political body, or would soon become effete for the purposes for which it was intended, namely, the consideration of matters in which traders have a common interest.

1746. Do you know how it has worked in Liverpool?—No.

1747. Liverpool resembles London very much in most of the particulars which you have mentioned; the chambers of commerce there are very various?—Yes; but they have not the same means of communicating that we have in London with the Government. We can always communicate with the members of the Government within an hour. It requires more formality to constitute a deputation, though that deputation may have more weight, as coming from an aggregate body of commercial men. Even at Liverpool, I believe, now almost all the different trades have their own exclusive unions. I know they have an East India Association and a West India Association.

1748. Have not they also a chamber of commerce?—Yes; I do not know whether it works well or not. I do not think that any of those men with whom I am in the habit of associating are of opinion that either chambers of commerce, or tribunals of commerce, would be any benefit to the City of London.

The witness then withdrew.

Mr. G. F. Allcock.

Mr. George Frederick Allcock, having been sworn, was examined as follows.

1749. You are a citizen of London?—I am.

1750. Do you reside there?—I reside in the City.

1751. Do you carry on trade in the City?—I carry on the trade of a gold refiner and bullion dealer, and have done so for the last thirty years.

1752. Is your trade wholesale or retail?—It is partly both.

1753. Have you ever been connected with the corporation?—I have not been connected

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with the corporation, but as a liveryman of London I have taken an active part for many years in the elections of the various officers.

1754. Is there any point with reference to those elections to which you desire to call the attention of the Commission?—The first point to which I should wish to call the attention of the Commissioners is this: that the constituency is so extraordinarily narrow, that it does not fairly represent the citizens of London generally. The franchise now lies with the freemen householders for all wardmote officers, such as the election of common councilmen and aldermen. Those freemen householders do not comprise more than about 200 out of 1,000, or one-fifth of the general inhabitant householders. The consequence is, that where you come to reduce that 200 by various circumstances, you find, that if a common councilman goes to an election, he will get perhaps 110, or 120, or 130 votes. You therefore see perhaps 1,000 inhabitant householders reduced to that small constituency, by that word "freemen" being introduced. That is the great objection all inhabitants have, that the freemen householders disqualify every other inhabitant, merchant, banker, wholesale dealer, and private resident. Unless those persons occupy houses in the City and are free of the City, they have no vote.

1755. What constituency do you propose to substitute for the one which you object to?—The extension of the franchise to every inhabitant householder of the City of London paying scot and bearing lot, with six months' occupation.

1756. Is there any other point to which you desire to call our attention?—I have found, in consequence of the narrowness of the constituency, it is almost impossible for any new candidate to attempt to make any alteration by being introduced into the corporation. There is a close combination of the old members to keep out new ones. If a death takes place, a sort of house list is made up by the old members, who select one of their own friends, who is nominated. He is put in nomination at a sort of hole and corner meeting called a precinct meeting; and then he is sent forward as one of the number. If any gentleman, upon independent principles, fancies he should like to get into the corporation, for the sake of carrying out some useful reform, he is immediately met with the statement, "We are very comfortable as we are, and do not want any reform." I have had that answer given to me upon many occasions.

1757. What do you propose with respect to the livery companies; would you retain the electors in common hall as they are at present?—I think the liveries generally ought to have no influence whatever in the election of the corporate officers. They have their own municipal rights, which they exercise very stringently. For example, some of the poorer companies had various rights conferred upon them in early ages, which they exercise at the present day, to the great detriment of young beginners in trade. The bakers can compel any young man who wishes to set up in business, to take up his livery in their company. The Founders' Company have the control over all weights and measures which are manufactured in London; and, unless they are taken to Founders' Hall to be stamped, they are illegal, and may be seized and destroyed. That is an evil, which I believe every class of trade feels. It is possible to get weights and measures made at Birmingham, or any great manufacturing town, much better and cheaper than in London; but they must be previously taken in London to Founders' Hall to be stamped. A few weeks ago the Founders' Company, for some reasons, which of course are not apparent to me, thought proper to send inspectors round to all the bullion dealers in the City who are using troy weights. Now, they never enforce inspection in other weights than in avoirdupois weights; the consequence was, that all the bullion dealers were told that every weight they were using was illegal, because it had not been stamped at Founders' Hall. I said, "I give my orders to my scalemaker to provide me weights and everything else wanted "in the business. I do not ask him whether it is right or wrong. I trust to him."

1758. The privilege to which you now refer is a company's privilege, and not a corporation privilege?—It is a livery privilege. The Vintners' Company, I believe, has the power of compelling a vintner to take up his livery. All this tends to cripple a young beginner in trade.

1759. Would you think it desirable that the liverymen of the companies should be the electors in common hall?—I think not. I think the electors of the City generally, as I have just proposed, namely, all the inhabitant householders, should have the option of going to the Guildhall, or to the wardmotes, and choosing those persons whom they thought fit and proper to represent them.

1760. Would you deprive the liverymen of their municipal franchise?—All those who resided in the City would still possess it; but there may be persons who reside a considerable distance off—they may be in Germany or in Paris—but they can come over and exercise the right, because they have paid for it, although they do not pay one farthing in corporation rates and taxes.

1761. You would not allow the liverymen to vote as such, unless they occupied a house in the City?—Certainly not; they ought, I think, to vote only as householders.

1762. In what ward is your house of business?—The ward of Aldersgate.

1763. How many voters are there at present?—There are about 900 inhabitant householders who would all be entitled to the franchise if the word "freemen" were not attached to it.

1764. How many freemen are there?—The freemen householders are less than 200, according to the last list that was made out; and when the last contested election took

place for ward officers, there were only 110 who polled out of an influential and large ward containing a great many wholesale houses; those were brought up by the eight common councilmen who represent the ward.

1765. The alteration you recommend would increase the constituency of your ward from 200 to 900?—Yes.

1766. If such an alteration were extended to the whole City, do you think the constituency would be sufficiently large, preserving the City boundaries, to secure a good representative body?—Yes. It would make an entire alteration in the body who are now elected. You would have a better class. The franchise now resting in the smaller class of shopkeepers and traders, they generally have a predilection for men of their own class. If a merchant or a banker should feel inclined to put himself forward, they would say they do not want merchants and bankers as common councilmen. By the proposed alteration you would enable every gentleman who thought proper to go and support a friend, or a man whom he thought would better represent him, but he cannot do so at present. The next point which I wish to call your attention to is the election of aldermen. I think the election of aldermen stands upon a very wrong basis. Very often they receive no vote at all. Sir Peter Laurie never recorded a vote in his life; it was by a mere chance that he became an alderman. No one at that moment could be found to stand forward as a candidate when the late Alderman Cox died, and therefore, as a matter of course, he was elected. In a great many wards the constituency is so small, that I believe if there should be a contest the number of votes would not amount to above thirty or forty for each. When I consider that thirty or forty persons have the power of creating a magistrate, who is afterwards to be the chief magistrate of the City, I never can imagine that that can fairly be called the representation of the City of London. The extension of the franchise would remedy that.

1767. Would it remedy it so long as the present inequalities of the wards continue?—No. Then we come to the next point, which is the equalization of the wards. In some wards there are not 200 electors. Bassishaw does not contain above fifty or sixty. In Walbrook ward, where there was a contest some years ago, I believe, upon a scrutiny taking place, one candidate had thirty votes and the other thirty-four. If you carried out an equalization of the wards, you would not want half the present number of aldermen. Put those smaller wards together, and you might reduce the number of aldermen from twenty-four to twelve. Another evil with respect to aldermen is, that they are elected for life. You have no means of getting rid of an alderman however much you may disapprove of his conduct. It has happened in the course of my experience that if an alderman is unfortunate in business, his brethren are exceedingly kind to him. They have always good berths to command, and he is put into one. That was the case with the late Alderman Thomas Wood; he is now chief clerk at the Guildhall. That gentleman, I believe, was very much injured by his contests to become Lord Mayor. It is true the corporation opposed him, because there were certain rumours afloat which did not redound much to his advantage. They opposed his being the Lord Mayor, but they soon afterwards made him the consulting legal officer of the corporation.

1768. Will you proceed to the next point which you wish to mention?—If the wards were equalized, in my humble opinion you would have a far better constituency. You would not require the same number of aldermen, and I would likewise suggest that there should be paid magistrates to the two police offices in the City of London; men who understand the profession, and who are not dependent upon a solicitor who may be, by the influence of certain members of the corporation, made a clerk, from whom the magistrate or alderman has to take his law. He has no one else to consult. I think those are matters which would very materially conduce to mend the corporation, but not destroy it.

1769. Would you propose to maintain a separate court of aldermen?—I should allow the aldermen to remain a part of the corporation, but not a detached part as now. They have now a separate chamber, and they have certain means at their command uncontrolled by the common council. They can make grants of money; they can, in fact, grant pensions to some of their own relatives.

1770. You would propose to diminish the number of the aldermen, to make them periodically elective, and to abolish their separate court?—I should certainly abolish their right of presiding as magistrates in administering the law, because they are not men, from their former habits of life, competent to perform the duty.

1771. You would deprive them of their magisterial duties, and, in addition to that, abolish their separate court. You would incorporate them with the common council, and cause them to be periodically elected?—Yes; a common councilman is elected annually, an alderman for life.

1772. Do you see any advantage in keeping up the election of chamberlain and bridgemasters, and one or two other petty officers in common hall?—The various evils which have arisen from these elections would be remedied by the extension of the constituency, because if all the citizens took an interest in those elections, you would not find men who would have the temerity to come forward for a situation of 3,000*l.* or 4,000*l.* a year, and literally buy it. The bribery and corruption in the City is so great that it is thought only a very venial offence. In the late election for chamberlain a person was brought, in

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my presence, from the workhouse to vote ; he was no liveryman, but he was brought from the workhouse and paid for coming.

1773. If the common councilmen were elected by the constituency you have described, might not they be trusted to elect the chamberlain and the bridge-masters ?—I think so. You would, in the first instance, have the choice of the citizens in the common council.

1774. Would it be desirable in your opinion that the Lord Mayor should be elected by the whole constituency or by the common council ?—As the principal officer of the corporation, I think he ought to be elected by the citizens, and that would prevent anything like partisanship in the common council.

1775. In the event of a contest, it would probably increase the expense, would it not ? —Not more than it would in the case of a member of Parliament. There is no necessity for going to great expense, unless they resort to corrupt means ; that is where the cause of the great expense lies. In any reform of the corporation which may take place, if that bribery clause were inserted which is now applied to members of Parliament, it would have a great effect. If every man had the bribery oath put to him who was brought up to the poll, it would send back a vast number, but I believe there is no check whatever to it.

1776. Is it the general belief at the City elections that bribery is not illegal ?—It is. It is notoriously done in open day ; in fact, they make a boast of it.

1777. Do both the candidates at contested elections in general act upon the belief that bribery is not illegal ?—I believe, at the last election for chamberlain, the thing went on very well for a day or two, but a certain party was determined not to be beaten, and the consequence was, that money was let fly and a great many persons were bought and carried up to the poll without caring a straw who was chamberlain. I believe two guineas were given to some of the butchers in Newgate Market for a vote. I know one or two who, it was stated, took the bribe.

1778. Is there anything connected with your trade to which you wish to call the attention of the Commissioners ?—The bullion business has nothing to do with the corporation.

1779. Have you never found any reason to complain of the corporation connected with your own trade ?—No ; the only thing I can refer to is the Founders' visit, which after all produced no advantage. They withdrew all their charges. They went into the bullion office of the Bank of England, and gave them notice that they should seize all their weights, because they had not been stamped at Founders' Hall ; the weights of the Bank of England being well known to be the best in the kingdom.

1780. Is there anything further which you wish to state ?—With respect to the election of aldermen, I would beg to say that some years ago there was a contested election for the ward of Bassishaw. The constituency was found to be very small, and it occurred to one of the candidates that he might make half a dozen friends liverymen and present them with their freedom, and so carry the election. The opposite party heard of it, and instead of six he made twelve, and the consequence was he gained his election. That is not exactly bribery, but it is very close to it.

1781. He paid the fees on the admission to freedom of those persons ?—Yes.

1782. Do persons become entitled to vote immediately on taking out their freedom ?— They do.

Adjourned to to-morrow, at 12 o'clock.

Friday, 18*th November*, 1853.

W. Cotton, Esq.

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WILLIAM COTTON, Esq., having been sworn, was examined as follows.

1783. You are a director of the Bank of England ?—I am.

1784. Are you a merchant of the City of London ?—I have never been engaged as a merchant. I have had a counting-house in the City, but my principal occupation has been that of a shipowner and a manufacturer, carrying on business at Limehouse.

1785. Have you long been connected with that branch of business ?—About forty-five years.

1786. During that period has your attention been at all directed to the operation of the proceedings of the corporation of London ?—My attention has been directed rather to the general constitution of the corporation of the City of London, than to any minute details of their proceedings.

1787. You are doubtless well acquainted with the division of the governing body between the Court of Aldermen and the Court of Common Council ?—I am aware of the general constitution of the corporation.

1788. Does it appear to you that that division is a desirable one ?—I think a division, but not constituted as it is at present, might be advantageous in every corporation ; I mean that there should be one body superior to another.

1789. What do you conceive to be the general nature of the business transacted by the Court of Aldermen, as distinguished from the business connected with the Court of Common Council?—The Court of Aldermen are magistrates of the City of London, and from what I have observed, they have peculiar duties which devolve upon them with reference to the election of certain officers, and the general management of the City. I can only judge of their duties by what I have seen recorded in the newspapers. I have no other knowledge of them.

1790. You are aware that the aldermen sit together as a court, and that the separate aldermen also sit as magistrates?—I am.

1791. Do you think it expedient that the aldermen should exercise the functions of magistrates?—I think there is an inconvenience in it. From the number of cases which come before the Lord Mayor and aldermen, parties are not well disposed to become aldermen in consequence of the heavy tax upon their time in the administration of justice. I think there is always an advantage in having the administration of justice, where it can be efficiently accomplished, in the hands of independent persons, rather than paid magistrates. I have observed this in respect to the administration of justice in counties, and I think it would be the case in the City of London; but the circumstances of the City of London of late years have been so completely changed, that there is great difficulty now in getting competent persons to undertake the duty of alderman, who at the same time can devote their time efficiently to the discharge of their duties as magistrates.

1792. Taking the circumstances of the City of London, and of the office of alderman, as they exist, do you think it desirable that the aldermen should continue to exercise the functions of magistrates?—I think not. I think there ought to be responsible magistrates appointed. I would not deprive the aldermen of the office of magistrates of the City of London; but there should be some competent person, like the ordinary police magistrates, to preside in the Courts, and the aldermen should not be dependent upon their assessors for that information which is necessary for the due administration of the laws.

1793. At present are the Lord Mayor and the aldermen, to a considerable extent, dependent upon the advice of their paid assessors?—I think they are; but as far as I can judge, they have been fortunate in the parties they have had as their assessors.

1794. Then, though the system is nominally one of an unpaid magistracy, it is in reality one of a stipendiary magistracy?—It is one of a stipendiary magistracy, without the responsibility which I think ought to devolve upon the legal advisers.

1795. Do you think the aldermen of London, acting as magistrates, are more dependent upon their officers than the county magistrates are upon their clerks?—The county magistrates, generally speaking, have more time, and have less to do, and from their position in society, and from other circumstances, are better acquainted with the laws which they have to administer, than gentlemen who are elected as aldermen, and who have had no previous instruction in the law.

1796. The result of the present system is, according to your view, that the paid assessor of the alderman is practically the magistrate, though without an efficient responsibility?—I think he is. The responsibility certainly rests upon the alderman, but for legal knowledge he very much depends upon the assessor.

1797. What are the duties which you contemplate the Court of Aldermen, supposing it were maintained separately, ought to discharge?—It appears to me that the whole constitution of the City of London should be materially altered. I should be very sorry indeed to see the corporation of London no longer in existence, for I think great good might result from it under proper regulations. The circumstances of the City of London have materially altered within my recollection. Formerly, some of the leading bankers and merchants of the City were aldermen. I believe the first person who threw up his gown was a friend and acquaintance of mine, Mr. Robert Williams, who was a banker in Birchin Lane. Another banker also gave up his gown, and from that time there seemed to be a sort of slur cast upon the position of alderman; and merchants of consequence in the City were not disposed to undertake the office. Many circumstances have also combined to separate the merchants who carry on trade in the port of London from the corporation. Formerly, many of the merchants resided in the City; there is scarcely one who resides there now. The City of London, I believe, has considerably diminished in population, I mean the population of that description of persons who ought to undertake the important duties of alderman. If the City of London remains in extent of population as formerly, this must arise from the lower class of the population having been crowded into a fewer number of houses; because the number of houses pulled down is very considerable; and many of those houses which were formerly residences have been converted into counting-houses, into public offices, and Manchester and other warehouses. The opportunity of persons engaged in trade residing in the City of London has therefore unquestionably been materially diminished.

1798. At the time to which you refer, did not the corporation, to a considerable extent, represent the principal bankers and merchants of the City?—Referring to my early days, I think that such was the case.

1799. You say that the merchants have ceased to reside in the City?—Yes.

1800. Are you acquainted with the residences of the present aldermen of London; do any of them reside in the City?—I do not think they now reside in the City; and I do not know where the residences of many of the present aldermen are. They have their

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houses of business in the City, but they do not, I believe, reside there. The temptation to be an alderman is much greater to a person who is keeping a shop, or carrying on a retail business in the City, than it is to a merchant. Our merchants, during the war, chose to leave their counting-houses as soon as possible, and reside at a distance, and they have no longer the attachment to the City which they formerly evinced. The other parties, having their business in the City, take an interest in City proceedings, which, it appears to me, the merchants for some years, and I regret it, have altogether neglected.

1801. Do you consider that the corporation rather represents the retail trade than the superior branches of commerce and banking in the City?—Yes. The aldermen, with few exceptions, I believe, have been concerned in the retail trade, or in business which is not generally undertaken by merchants; and I believe the corporation represents the retail rather than the superior branches of commerce. There is another circumstance to which I beg to call the attention of the Commission, that even with regard to the retail trade the City of London is materially altered in its position. Formerly the great retail shops were in the City; the great retail shops are now more numerous at the west end of the town than in the City of London. Parties used to come from the country and from the west end of the town to purchase articles in the retail shops in the City, who now go into Regent Street and Bond Street, and places of that sort; the consequence is that the retail trade of the City is very materially altered from what it was in my early days.

1802. Are there not still in the City some considerable shops carrying on what may be called a wholesale retail trade; that is to say, retail shops whose operations are very extensive in the way of supplying other shops?—There are several which carry on a large retail and wholesale business; but persons who have these very large concerns on their hands, are not disposed to undertake the ordinary duties of magistrates, or any of the duties which devolve upon the City authorities.

1803. Are the Commissioners to understand that the state of things which you describe, dates from a comparatively recent period, and almost within your recollection?—I think it dates very much within my recollection. I remember Mr. Williams throwing up his gown, and one or two others doing the same; and I also recollect a growing disinclination on the part of the merchants and bankers of the City of London to take any part in the proceedings of the City; and if my memory does not fail me, there were violent attacks, by a party in the House of Commons, made upon the citizens of London, which brought them into ridicule and disrepute.

1804. Are you acquainted with the constitution of the common council?—Yes; I am aware that the election of the common council is in the freemen in the different wards who pay a certain rent. Formerly, the merchants being generally free of the City of London, the class of persons who elected the common council were of a different grade from what they are at present; and in many of the wards, in consequence of improvements in the City, and of the houses being converted into counting-houses and into warehouses, there are fewer electors, and fewer persons who are in such a position as to render them suitable to be elected on the chief council of the City.

1805. Do you believe any change has taken place in the class of persons elected to the common council of late years?—I think a material change. I am not able to give the details, but that is my impression.

1806. That change you would consider to have been rather for the worse than the better?—Yes.

1807. Do you know anything of the manner in which committees of the common council are appointed and discharge their duties?—I do not know the way in which they are appointed, but it has always appeared to me that every committee appointed by the common council has too many members. The common council itself is too numerous for an executive body; and their committees, I believe, consist of forty or fifty members; any business cannot be well conducted when there are so many responsible.

1808. Are not the members of the common council rather suited to a legislative body than an executive one?—Certainly. I consider it a very bad executive body. I have heard from those who have been in the common council frequent complaints of the disorder to which there is necessarily a tendency in all large bodies.

1809. The members of the common council might be suited to a deliberative body for the purposes of legislation, but not to a body of an executive character?—That is my opinion.

1810. Have you ever had any business to transact with the navigation committee of the common council?—I never have had anything to do with them. I know very little about them.

1811. What is your opinion as to the elections in common hall; have you had any experience upon the subject?—I am not a freeman of the City of London, but I have always considered the elections in common hall to be very unsatisfactory. It is always a scene of the greatest confusion; and if the elections are to be in the hands of a large number of persons, it would be very much better done in any other way than by assembling them in common hall. They might give their votes in their own wards and their own districts for that purpose.

1812. The plan laid down by the General Municipal Corporation Act, is that the burgesses elect the town council, and the town council elect the officers. Does that appear to you to be preferable to the plan which is pursued in the City of London?—I think it

is; and in the City we have not sufficiently considered the advantages of electing the parties who are afterwards to be the selectors of the proper officers to perform important duties.

1813. If the town council or the common council, whatever may be its name, possesses the confidence of the commonalty at large, does not it seem reasonable that it should be entrusted with the power of selecting the executive officers?—If you were to establish a system by which the common council could have the confidence of the metropolis from being elected by a great number of persons interested in the prosperity of the City of London, it would be very much better to vest the election of the officers alluded to with them rather than with the liverymen.

1814. Are you at all acquainted with the relation of the trade companies to the corporation?—I am to a certain extent acquainted with it. I have known parties engaged in several of the companies. They were established for the purpose of encouraging their own craft; but their position is now completely changed, inasmuch as the larger companies have very few of their own craft among them. The livery are merchants and others engaged in various occupations. It appears to me not desirable that the parties who are made free by those companies should be the parties who are to act as freemen in the election of the Lord Mayor, for those companies which are the least select are the most disposed to add to the number of their freemen; and the companies like the Goldsmiths', the Mercers', Grocers', Drapers', and Merchant Tailors', and other large and important companies are more particular as to the admission of liverymen.

1815. According to your view it would not be desirable that a liveryman as such should have any municipal franchise in the corporation?—My impression is that a better description of party to have authority in the corporation might reasonably be arranged.

1816. Might not the same franchise dependent upon the occupation of a house for a certain time combined with the payment of rates as under the general Act, be taken without reference to the companies?—I think it would be very much better. It would lead to a greater number of persons being interested in the support of the City of London, and you would have on the whole a better description of electors.

1817. At present I understand you to say, that the companies have lost all special reference to the trades whose names they bear?—I would not say all, because I believe the Goldsmiths' Company has reference to the trade whose name it bears, as also the Apothecaries' and Stationers'; but generally the occupations of the members of the companies have no reference to the name they bear. There are the Bowyers', the Cordwainers', and a variety of other companies which I cannot remember, who have nothing to do with the business for the support of which they were originally constituted.

1818. Have you any knowledge of the privilege of the City with respect to porterage and metage?—I have no further knowledge than what I have seen in the public papers.

1819. In your business, you have never had occasion to employ them?—No.

1820. You are rather of opinion that the constitueney of London for the election of the common council and the other municipal officers, should be in householders of a certain class?—I think so, rather than in the livery.

1821. Would you think it at all necessary that those persons should become freemen of the City independently of the companies?—I think there is no object whatever in their becoming freemen of the City of London. Formerly it was considered that everybody carrying on business in the City must be free of it.

1822. Then they passed through the companies. Now the corporation of London admit to the freedom of London without reference to the fact of the parties belonging to any company; is there any object in that?—None whatever, as the City cannot compel all parties carrying on trade to take up their freedom. In common with others, I had a notice to take up my freedom; but I imagine that it is out of the power of the City to compel me.

1823. Has the City made any attempt to compel you to take up your freedom?—They have never taken any proceedings that I am aware of to enforce the notice.

1824. You are of course aware that the corporation possesses a large income independently of rates or taxes of any kind levied upon the public?—Yes.

1825. Do you think they have employed that income in the manner most conducive to the interests of the commonalty which they represent?—My impression is, that the City of London have employed their money honestly; that they have acted with perfect honesty; but I do not think they have employed their money in the best possible way. My wish would have been to see them employing a large portion of their money in the improvement of the social condition of the inhabitants of the City over which they preside; and from what I know of the wretched state of some parts of the City, I do not consider that they have done so. The corporation of Liverpool have devoted very large sums of money towards promoting an object, which, I believe, tends greatly to the comfort and health of the inhabitants, namely, the establishment of baths and wash-houses. They have devoted a large portion of their income towards the establishment of model lodging-houses and sailors' homes, and other improvements; but the corporation of London have only voted small sums of money upon application for such objects.

1826. Do you consider that the corporation of the City of London have in general stood forward as the promoters of purposes of general utility?—I do not think they have; certainly not in the degree in which I think from their position they ought to have done

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The corporation of the City of London should have put a stop to many things which interfere generally with the commerce of London. I allude to porterage and a variety of matters of that sort, which are no benefit to the general trade of London, though they may be advantageous to individuals. I think also they would have done better if they had taken a more prominent lead in promoting those social improvements which are so desirable in this great City.

1827. What great objects do you think they generally have had in view?—A great exertion has been made of late years towards the improvement of the thoroughfares of London.

1828. Is not that an object of general utility to the metroplis?—I have mentioned that as an object of general utility, and some of the members of the corporation have taken a very active part in its promotion. At the same time I think they might have proceeded even more rapidly in that direction than they have done, for it is only of late years that any very great improvements have taken place.

1829. Have they shown a disposition to identify themselves with the general interests of the metropolis, or do they look only to the separate interests which they may possess as a corporation, whose territory comprises only a small portion of the town?—They appear to have considered it their duty to attend more to their own portion of the town than to the general interests of the metropolis, and it is natural that it should have been the case.

1830. You think the funds which they possess ought properly to be employed in local improvements within the City?—The property which they possess, and which was left to them for that purpose, the City has a prior claim to; but there are other sources of income which the whole of the commercial world have a fair right to expect they should devote to the general improvement of the metropolis.

1831. At one time the present City of London was nearly the entire metropolis, was it not?—At one time it was nearly the entire metropolis. The greater part of the business was carried on there. It is now only a very small portion of the metropolis.

1832. Since the time when many of their endowments were acquired, the character of the City has been entirely changed, has not it?—It has.

1833. So that endowments which might have been originally intended for the benefit of the entire City, have now become appropriated to a very small portion of the metropolis?—Yes; for the metropolis has outgrown the City.

1834. Have you ever considered whether it would be possible to devise any plan of municipal government for the whole of the metropolis?—I think a plan might be devised for the municipal government of all parts of the metropolis. If a certain number whom I would denominate the common hall, or the electors, were to be elected by a large portion of the metropolis, they, the common hall, might elect a small number for the executive council, and also elect the different officers connected with the City. But to bring any large number of persons into the common hall, or into the general constituency of London, without a good arrangement as to the mode in which their votes are to be taken, would be a very serious inconvenience.

1835. Is there not now a great practical difficulty with respect to the funds for defraying the expense of any public work which is a metropolitan object; for instance, in the case of a bridge over the Thames, or a new park, you must go either to the Chancellor of the Exchequer for a vote of money, or you must ask the City for a grant from their funds: do you think it would be possible to provide some intermediate fund from which a supply would be obtained?—I think it would. The whole of the metropolis ought fairly to be called upon to contribute towards those improvements from which the metropolis generally would benefit. At present there is no means of accomplishing that object.

1836. At present there is no mode of imposing a tax which shall be co-extensive with the entire metropolis, but which shall be limited to the metropolis?—There is no means whatever.

1837. If you ask the Chancellor of the Exchequer for a grant, he will answer, "If I "build bridges in London I must build bridges in Edinburgh, and Dublin, and in other "parts of the kingdom," will he not?—He will; and I had frequently that observation made to me by Chancellors of the Exchequer, when I have wanted certain improvements made in the City of London, which I thought would tend to improve the social condition of the inhabitants in the poorer districts.

1838. In London you have the most wealthy community in the world, and yet the present state of things supplies no machinery by which a tax can be imposed upon it?—I have always regretted that those who occupy the metropolis, and who are possessed of great wealth, cannot be called on at present to do that which would be of essential benefit to the health and to the social comfort of the great mass of the population.

1839. Do you think it would be possible to arrive at that end by some municipal institution?—I think it would; it would require very great consideration, which I do not feel myself competent to give; but I think that such an object can be accomplished.

1840. Have you ever turned your attention to the question of a chamber of commerce?—I have had my attention directed to it, but I am very far from thinking it desirable in the City of London. I do not apprehend any good whatever there could result from a chamber of commerce. We should have a great deal of talk, but little good resulting

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from it. The merchants of the City of London have such free access to the Board of Trade and to the other authorities of the Government, that no good result would attend a chamber of commerce in London, and I believe that such is the general opinion of the principal merchants of the City.

1841. Is not the variety of branches of trade which have their head-quarters in London very great?—Very great.

1842. Is not each branch of trade in many cases extremely important, taken by itself?—No doubt of it.

1843. Under those circumstances do you think it likely that a certain small body, representing all the branches of trade, could be satisfactorily formed in London?—I do not think it could. I think the members of the chamber might be chosen by the majority, but they would not give satisfaction to a very large minority.

1844. Separate branches of trade now have associations of their own, have they not?—Yes; by means of which they hold communication one with another; and they have meetings when anything is proposed which they think likely to conduce to the common welfare.

1845. Among the shipping interest is there not an association?—Yes; there was one, of which Mr. George Frederick Young was chairman.

1846. Does that body now exist?—I have not heard anything of it lately, and I very much doubt if it does.

1847. In the case of any public measure affecting the shipping interest as a whole, probably an association would be formed for the time, which would communicate with the members of the trade?—I think it would be much better that an association should be formed for the time than that there should be a permanent association. I have always found that permanent associations after a little time carry out their own views, and do not give general satisfaction to the trade by which they were originally established.

1848. Is there any other subject which you wish to mention to the Commission?—I am not aware of any; I do not profess to have a very deep knowledge of the City and its proceedings. My observations have been made with reference to the general arrangement of the constitution. I would only add, that having observed the conduct of the aldermen and common council, I think they have acted very honestly, but the objections which I have to them rather depend upon the constitution of the corporation than upon the proceedings of the individual members of it.

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ALEXANDER PULLING, Esq., was further examined as follows.

1849. Are there any peculiar jurisdictions in the City of London?—There are very peculiar jurisdictions in the City of London, both civil and criminal. Under the ancient custom of the City of London there exist peculiar laws, exempting, as I humbly conceive, the citizens of London from the jurisdiction of the Queen's ordinary courts. There are also powers which the citizens enjoy of choosing their own magistrates and judges. They have also, under a very ancient law which I shall venture to assert is still in existence, a peculiar mode of trial. The City magistrates and authorities have also, fourthly, a very peculiar power of trying persons without the ordinary forms prescribed to secure the liberty of the subject in the rest of the kingdom. Those are all City customs and City laws, confirmed as all the other City customs and City laws are by Act of Parliament, and therefore I conceive that they still exist as laws unrepealed. I will call the attention of the Commissioners to certain charters which confer those rights upon the citizens of London. The first is the charter of Henry I. By the charter of Henry I. the citizens of London have the power "To place whomsoever or such one as they will for themselves " for the keeping of the pleas of the Crown, and of the pleading of the same, and none other " shall be justices over the same men of London." This charter is repeated on two or three occasions subsequently, and there are upwards of twenty-two charters granted to the City of London, all of which are confirmed by Act of Parliament. With respect to this privilege, first of all, of the citizens pleading within the walls, it is a privilege which the citizens enjoy both with regard to civil and criminal business. With respect to civil business, we know that certain questions have arisen whether it should extend to transitory actions, and difficulties have suggested themselves; and if this plea in abatement were now put forward, that the defendant is a citizen, great difficulties would arise. It has very rarely occurred that this question has been raised of late years, but it may be raised. It is a law which admits at least of doubt, being a right confirmed expressly by Act of Parliament with regard to civil business. Under the words of the charter it also extends to criminal business; and therefore, if a person who was a freeman of London should happen to commit a felony in York, it might be a question whether he would not have the right to be tried in London, because the citizens of London are not to plead "Without the walls " of the City for any plea."

1850. If such a case were to occur, it would excite so much attention that probably there would be an end put to the right claimed at once?—Probably that would be the case.

1851. Do you refer to the plea in any proceeding by the Crown?—I am not aware of

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any such a plea in a prosecution by the Crown. There are instances of such pleas in civil actions. In Mr. Tidd's Book of Practice there are a great many cases collected with respect to civil pleading. The same charter of Henry I., so confirmed as I have already mentioned, enables them to place "whomsoever or such a one as they will for themselves "for keeping of the pleas of the Crown." It is in consequence of this that the Lord Mayor is chief justice in the commission of the gaol delivery at the Old Bailey. This gives the citizens the power of appointing their own judge; and therefore, if the Queen's commission should not be issued, I conceive the citizens would have a power to appoint a judge themselves; at all events the charter gives them that power; whether there would be any practical machinery for carrying it into effect may remain doubtful. There are other charters which provide that "All inquisitions from thence to be taken by our justices "or ministers of the said City, shall be taken in St. Martin's le Grand, in London, and not "elsewhere." That is by the charter of Edward III. in Parliament. The charter excepts the gaol delivery at Newgate. Now the gaol delivery at Newgate is merely for the delivery of persons actually in custody; therefore the question would arise upon criminal cases which were presented by the grand jury, where the parties were not in gaol, and were not delivered according to the commission of gaol delivery, whether that trial was right, inasmuch as the Act of Parliament provides, that all inquisitions to be taken of the men of the City should be taken at St. Martin's le Grand, and here would be a trial taking place at the Old Bailey contrary to the charter. That is an Act of Parliament which is not repealed; it is the same Act which gave the City the monopoly of the markets. It came before the House of Lords in the Smithfield Market case, who declared this to be an Act of Parliament. This Act provides that all inquisitions shall be taken by the justices or ministers of the King at St. Martin's le Grand. Therefore, in all cases not coming within the commission of gaol delivery, the question might arise whether they were properly tried. The place was altered by the charter of Henry VIII., not in Parliament, from St. Martin's le Grand to Guildhall. The charter provided that all inquisitions, by the justices and ministers of the Crown, should be thenceforth taken at Guildhall instead of at St. Martin's le Grand; that is not a charter in Parliament, and the question is, whether they should not still be taken at St. Martin's le Grand. The same charter also provides that the citizens should not serve on inquests out of the City. That appears to give them a general exemption from serving on juries out of the City of London. Questions might arise whether every citizen of London, wherever he resides, would not be exempt. Such is the power which magistrates and judges have within the City of London, based on the right which the citizens have, to plead only within the City walls, and to elect their own magistrates. But there is a peculiar mode of trial, which is stated to be an ancient custom of the City of London. I have heard no mention of it, and seen no record of it for a long time, but I find it still to be an ancient custom of London, and it may possibly be recorded by the recorder of London, one of these days, as an ancient custom. The custom is thus stated: "According to the "ancient customs and liberties of the City, there were three purgations in the pleas of the "Crown, whereby such as were called in might acquit themselves; the first was, de morte, "of death or murder; the second, de maihemia, of maiming; the third purgation was, "de insultis, baculis tostis, vulnerationibus, &c., of assaults, battery with staves, burnings, "woundings, and such like injuries done in the time of the Lord's Nativity, or in Easter "or Witsun weeks. By the great law, the appealed and accused made six oaths in his "own person, that he was innocent of felony and breaking the King's peace, and of the "whole crime laid upon him, and so let God help him, and those holy things; after that, "six men were to swear that the other swore a sound and safe oath, according to their "consciences and understandings, and God help them, &c.; and this order was to be "continued to the number of thirty-six men complete: so that, first, the accused swore, "and then after him, the six, until the numbers above noted were full. He that was "accused of maiming took three oaths in his own person, that he was free and innocent "of felony or breaking the King's peace; and then six men swore that he made a just "and true oath, according to their consciences and understandings. And this order was "continued to the number of eighteen. He that was accused of assault, battery, burning, "wounding, blows, bloodshedding, and other injuries, done at the holy times before "mentioned, made an oath in his own person as before; after him, six men swore as "before, who were chosen out of the neighbourhood where he dwelt." At the time that this prevailed, the trial by ordeal prevailed throughout the rest of the kingdom, and there was only one exemption, as the judges of Westminster Hall were in the habit of believing, and that was in favour of the clergy,—a peculiar mode of purgation being incorporated into the privileges of the clergy called the benefit of clergy. At the time when the trial by ordeal prevailed, the citizens of London being, as Sir William Blackstone says, a peaceable set of men, who claimed to be exempted from the trial by battle, and from the ordinary ordeal of fire and water, it was a great advantage to them to have this privilege.

1852. The citizens of London were always exempted from the trial by battle?—Yes; it was a great advantage to them. The charter of Henry I. provides that "If any of the "citizens shall be impleaded concerning the pleas of the Crown, the man of London shall "discharge himself by his oath, which shall be adjudged within the City." That charter is in the reign of Henry I., alluding to this very custom, a custom to be found in the City

books, and which can be authenticated by the City records. Now it would appear that after this charter of Henry I. the Crown did not always observe it, for there is a record mentioned in Hoveden, of a citizen of London who had failed in the water ordeal, and he was barged in the time of Henry II. That is set forth in Wilkins's Leges Saxonicæ. Then comes the charter of Henry II. to the citizens of London confirming their ancient right. The charter of Henry II. provides that the citizens of London shall discharge themselves of the pleas of the Crown, according to the old usage of the City of London. That charter of Henry II. is confirmed and incorporated in the charters of Richard I., of John, and Henry III.; and in the 8th charter of Henry III., at the very end of his reign, Henry III. in his charter provides "That none of the said citizens may wage "battle, and that for the pleas belonging to the Crown, chiefly those which may chance "within the said City and suburbs thereof, they may discharge themselves, according to "the ancient custom of the said City. This, notwithstanding, except that upon the "graves of the dead, for that which they should have said if they had lived, it shall not "be lawful precisely to swear. But instead and place of those deceased which before "their deaths to discharge those which for concerning the things belonging to the Crown "were called and received, there may other free and lawful men be chosen which may "do and accomplish that without delay, which by the deceased should have been done "if he had lived." That was the charter granted in the fifty-second year of the reign of Henry III. after the trial by ordeal by fire and water had been generally abolished in the rest of the kingdom. The purgation of the clergy, which very nearly resembles this, is mentioned by civilians as part of the common law. That was not abolished till the time of Elizabeth,—the eighth of Elizabeth, chapter four; but there is no mention in the Act or ordinance of Henry III. with regard to trial by ordeal about this custom of London. It may be a question whether this trial by purgation is not still in force in the City of London, and some criminal may some day claim to put it in force.

1853. Was not the law by purgation the law of the whole country in former times?—No; wager of law in civil cases generally prevailed, but not in criminal. In ancient times the general law throughout the whole of the country recognized in criminal cases the trial by ordeal, the trial by fire and water, and the wager of battle. Having referred to the subject of trial by wager of law which prevailed throughout the whole of the country in civil cases, I may mention that it was generally abolished by the third and fourth William IV., chapter 42, London not being there mentioned. I once had had the honour of urging before the Court of Queen's Bench that the City of London having a peculiar custom of wager of law, it may happen that that is still in force, and that the reform made in the law has not taken effect in the City of London. Then another peculiar jurisdiction which prevails in the City of London in criminal cases, is the power to try without any indictment. This is a right which very few lawyers have paid much attention to in modern times, the old right of infang thieft. It is mentioned in Bracton, and in the old authorities. It was a right to try a robber taken within the franchise, and was an old Saxon regulation; it was a seignorial right to try a robber taken within the franchise if he were taken in the mainour. There is an express grant of this right to the citizens of London by that same charter in Parliament which I have already alluded to, the charter of Edward III. The citizens of London have an express grant of infang thieft and outfang thieft. The mode of trial in infang thieft described in Hawkins' Pleas of the Crown appears to have been this: "If the thief or robber had, on fresh pursuit, been taken in the "mainour, or the goods found on him brought into Court with him, he might be tried "immediately without any indictment." This being a peculiar mode of trial specifically pointed out by a charter in Parliament, which the judges at Westminster have declared to be an Act of Parliament, the question is open whether this mode of trial, never having been abolished, is not still in force in the City of London.

1854. Do you mean a person taken under the circumstances you have described would be arraigned at once, without a bill having been found by the grand jury, or any committal by a magistrate?—He might be tried by the City magistrate without a jury. As Sir John Patteson knows, this mode of trial of infang thieft was expressly abolished in Edward III.'s time. The 28th of Edward III., chapter 3, and the 42d of Edward III., chapter 3, are both mentioned in Sir Matthew Hale's Pleas of the Crown. I have looked at those Acts, and they provide that no persons should be punished without being brought to trial in due process of the law. Those are the peculiar privileges with regard to jurisdiction which prevail within the City of London. The rights of the citizens to plead within the walls, and not to plead elsewhere; only to serve on juries within the walls, and not elsewhere; to appoint their own magistrates, and to be tried by their own magistrates; to purge themselves of criminal charges in a peculiar way, on oath; and the franchise of infang thieft, or right to try prisoners without the usual formalities.

1855. The corporation of London, as a corporation, of course would not trouble themselves about such matters, if they were to arise?—Probably not; but they are laws prevailing within the City, as part of the custom of London, and they remain in force, not having been repealed

1856. They are customs affecting the City of London, but not rights or privileges of the corporation?—They are rights and privileges of the citizens; at least many of them are. Infang thieft is a grant to the citizens of London. There are, I find, within the City of London, Courts both civil and criminal of a very peculiar jurisdiction. There are

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all the Wardmote Courts, which are rarely noticed at the present time; there are Courts Leet, with all the ancient jurisdiction of a Leet. The Court at one time, as is well known, was a criminal Court of extensive jurisdiction. Whether the jurisdiction may be ever resuscitated in the City of London, whose privileges and customs are confirmed by statute, remains a question. At present the Court Leet simply consists of some gentlemen dressed up in fur, who go about collecting money at Christmas. There are twenty-five of these Courts in the City of London. Then there is the Central Criminal Court; that valuable Court to which jurisdiction is given, not only within the City, but over the whole of the metropolis. But then, conflicting with the jurisdiction of the Central Criminal Court, there is the London sessions within the City, and also a great number of sessions throughout the metropolis.

1857. Do you know whether any amount of business is transacted at the London sessions?—Practically, I believe there are very few cases tried at the London sessions except assault and petty cases of that sort; but civil business is transacted. Appeals against rates, convictions, and orders of removal.

1858. When are those sessions held?—They are held I think eight times a year.

1859. Is the recorder of the City a judge of the Court?—The Lord Mayor and aldermen are the justices; the recorder also being a justice, and acting as the assessor of the Court.

1860. Is the common serjeant a judge in that Court?—He is not. The common serjeant rarely comes there.

1861. What is the reason there is so little criminal business in that Court?—The Central Criminal Court Act took away the jurisdiction from the Middlesex sessions, and from all the metropolitan sessions, except in some very petty cases. The section taking away the jurisdiction was repealed two years ago, and the Middlesex sessions then revived, and they now try a very large number of cases. The same is the case with the sessions held at Westminster. Within the City there are also police courts, of which the Commissioners have heard a good deal, presided over by the aldermen of London; there are also the petty sessions and the wardmotes. Then there is the Lord Mayor's Court of Conservancy, which is a penal court relating to the Thames. I am not aware of any great tyrannical exercise of power on the part of the Lord Mayor as conservator of the Thames. The corporation go up in barges, but I do not know that any great power is exercised. The Lord Mayor also is escheator, and then there is the Coroner's Court.

1862. The City of London being a county in itself, it has a separate coroner?—It has a separate coroner, who is coroner also of Southwark. The Lord Mayor is the coroner; the gentleman who officiates is only the deputy coroner.

1863. How is the deputy coroner appointed?—He is appointed by the Court of Aldermen; he is the gentleman who is now the steward of the Southwark Court There is also a custom upon this subject, which creates a sort of distinct court in the Lord Mayor personally, acting neither as a justice nor as a judge, but as a sort of arbitrator of differences. "The Lord Mayor for the time being may cause any person inhabiting within "London or the liberties, to be summoned to appear before him upon the complaint of "any citizen, and for non-appearance may grant his warrant to bring such person before "him, and then (which is more than other justices of the peace can do) he hath "power to hear and determine the differences arising between them." That is an ancient custom of London which is set forth in Strype's Stow, where the records are very accurately copied; the Lord Mayor may ex mero motu summon any person inhabiting London and the liberties to appear before him on the complaint of any citizen, and upon non-appearance may grant his warrant to bring such person before him, and he may determine the differences arising between the parties.

1864. Is that power ever exercised?—There is no doubt that the gentlemen who sit both at the Mansion House and at the Guildhall are in the habit of entertaining questions which the police magistrates would not entertain. For instance, any complaints which are made at the Mansion House would be listened to, and it is very possible with the best feelings in the world that the Lord Mayor may send for the tradesman who is charged, and bring him before him. That power is practically exercised; it is done for the best motives, but it is a power which is not usually exercised by other magistrates.

1865. It seems to describe a court of arbitration?—It does. Then the civil courts having jurisdiction in the City of London I find are very numerous. The first court, I find, is the Court of Hustings. There is the Mayor's Court, which is a double-branched court, a court of law and a court of equity. Then there are the Courts of the Sheriffs', the Courts of the Sheriffs' Compters, as they are called, being two courts by the custom of London, but one court practically by the will of the common council. Then there is the Small Debts Court, which is an emanation from the Sheriffs Court created by Act of Parliament to assimilate it to the County Courts elsewhere. There is the Appeal Court of St. Martin's-le-Grand, where the justices of Westminster usually preside under a commission. It is a Court of Appeal from the Court of Hustings or from the Mayor's Court.

1866. That Court very seldom sits, does it?—Very seldom. The leading case is Green and Cole, in 2d Saunders. It has not been convened for many years, I think. There was a case about the livery, which occurred some time ago, and it became likely that the Court would be convened in the case of Brown and Sturt, which came before the Court

of Queen's Bench. Then there is the Court of Orphans, and an ancient court called the Court of Policies of Assurance. There are two ancient courts of Piepondre, courts specifically granted in London and in Southwark.

1867. In the Lord Mayor's Court, and the Sheriffs' Court, in civil cases, was the trial as in other courts, by a jury?—Always by a jury, excepting the court of equity of the Mayor's Court. Then there is the Court of Record, in Southwark, and the Chamberlain of Apprentices' Court; that is the last of the courts. The Lord Mayor, however, is admiral of the port of London; and it may be a question whether he has not an Admiralty Court also. The Court of Hustings has, by ancient custom, an extensive jurisdiction: it is the highest court in London. It is mentioned in the charter of Henry I., and the oldest charters. It has original jurisdiction in real actions which have been abolished elsewhere, but which may yet be supposed to continue in the City of London, never having been expressly abolished there. They are ancient customary actions, mentioned in Fitzherbert's Natura Brevium, and in the books of the City of London. There are a great number of real actions by the custom of London. This Court of Hustings has also, besides its original jurisdiction in real and mixed actions, and such actions as gavelet for rent, a power of enrolling wills, conflicting with the jurisdiction of Doctors' Commons. There is a peculiar custom in London with regard to wills. A citizen of London might make a parol will, unattested, without any of the formalities which usually accompany wills, and which are now required by Act of Parliament to accompany wills, and by enrolling it in the Court of Hustings it becomes a good will. That custom is also confirmed by the charters and statutes to which I have already referred. There is a charter of Edward IV., which declares that the citizens of London should make their wills as heretofore. According to the custom, that enrolment of a will was held to prevail against an act of Henry VIII., as to enrolments. They have also the power of enrolling deeds. A document conveying land, enrolled in full hustings, would have the effect of passing a fee. If an acknowledgment were made within the hustings by parol, and that acknowledgment were attested by witnesses, and the attestation enrolled in the hustings, it would become a good conveyance of land. It is usually set forth in the collection of the customs of London, as a good custom of London to convey goods by parol. It possibly may yet have to be decided by the judges at Westminster, unless the Legislature interfere, whether this power of enrolling wills, and this custom as to deeds, will prevail against the Statute of Frauds, and against the late Wills Act, which contain no express repeal of the customs of London. The same may be said with regard to this custom of passing lands by parol. It remains an open question whether the custom of London is to prevail. Then there is also a peculiar custom as to distress and replevin. There is a peculiar custom with respect to a tenant under 40*s.* having certain notice; and a peculiar custom as to distress and replevin, different from that which prevails in the rest of the country. There was a return of probates of wills in the hustings, made to the House of Commons on the 31st of July, 1843, which contains a long list of wills in London, which go back to the time of the 43d of Henry III., and in the time of William and Mary.

1868. Are there no wills of a later date than William and Mary?—No; it appears from the return of the town clerk that no wills are to be found later than William and Mary. There was no act in William and Mary's time which altered the law of wills. There is an enrolment of deeds also; how far they extend I do not know, but they go back for a very considerable time. There is an enrolment of deeds as far back as Henry I. At all events, it is mentioned in the book of the abbot of Ramsey, quoted in Coke's 4th Institute.

1869. However ancient the enrolment of wills in the City of London may be, it seems to have been disused for a considerable number of years?—Yes; but the Commissioners must always remember that the customs of London, usi vel abusi, will prevail; therefore they may be raked up by any one who wishes to set up a fraudulent title. For instance, a man getting a will or deed enrolled in the hustings, might years afterwards use that as evidence of title, and raise a question whether a gentleman's title to his land was good. The next court is the Mayor's Court. This Court has a general unlimited jurisdiction in civil cases, in personal actions, but not in real actions. It also has, under the custom of London, particular powers with respect to distribution. It has a very peculiar mode of proceeding by concessit solvere. It is laid down in the customs of London as a mode of proceeding upon covenant without deed under seal, that an action might be brought without showing a consideration. The question would arise whether that was good against the Statute of Frauds; whether, upon a man simply saying, "I undertake to pay," without showing for what, such a covenant would be good under this concessit solvere. I believe in the Court in Bristol, where this custom of concessit solvere was raised, it was held not to be good; but it does not follow that it is not good in London, where the customs are confirmed by Act of Parliament. Then there is a peculiar mode of proceeding as to femmes covert: a married woman may sue and be sued as a femme sole. A married woman trading in London, who might have an idle husband, or a bankrupt husband, or a man of bad character, might be put forward as the real trader, and thus sue and be sued, and thus protect him in fraudulent practices. Sometimes it is productive of good, but it may be productive of great harm. Then there is a peculiar custom in the distribution of intestate's estates: the old right with respect to distribution was given at a time when the law of testacy and intestacy was very different to what it is now. That this custom

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prevails we have the best proof, for a question was sent by the master of the rolls to the recorder within the last two months, to certify the custom of London as to distribution.

1870. Is not the custom of London expressly saved in the statute of distribution?—It is expressly saved. This custom of distribution gives a wife a greater share than she would get elsewhere; she has half or a third by the custom, and then when the other half or two thirds comes to be distributed under the statute of distributions, she comes in for her share under that statute. This custom of distribution prevails in all cases where the party is a freeman of London, though only an honorary freeman, even though his family might not be aware that he had ever been a freeman, and he lived a great many miles away. A peculiar case on this custom was the case of Serjeant Onslow: he had married the widow of Sir Francis Drake, who was made an honorary freeman of London and of the Grocers' Company, on the occasion of Lord Rodney's victory. Sir Francis Drake had all the honours of the freedom of London conferred upon him. I suppose, when he made his settlement, and when he was on his deathbed, he did not think of the accident of his being a freeman of London. He died in 1789. His widow married Serjeant Onslow, and the serjeant looked into the law; and in 1826 he raised the question, and it was brought before the master of the rolls. The case is reported in 1st Simons, and the serjeant as representing Lady Drake, his then wife, claimed to be entitled to a greater share, in consequence of his wife being the widow of a freeman of London. That case is Onslow v. Onslow, in 1st Simons' Reports.

1871. Was there any decision upon it?—The ground of the decision was that the custom applied to honorary freemen; the custom itself is indisputable; the only question was with respect to its applying to honorary freemen. There are two courts of the Sheriffs' Compter. The two sheriffs of London have attached to them what is called a Compter. The Compter is a court to which a prison is attached, but it is a distinct court; and Lord Coke, who is so accurate upon all subjects relating to London, he having been recorder of London, speaks of those two sheriffs' courts of London as being two distinct courts of record, which had existed from time immemorial. There were formerly two under sheriffs, or judges, of the Sheriffs' Courts, one attached to each court; they were distinct officers, and the courts were as distinct courts as the Court of Queen's Bench is distinct from the Court of Exchequer. But the Court of Common Council of late years, without passing an act of common council, or obtaining an Act of Parliament, resolved that they would not fill up the vacancy of one of those judges. The consequence was, that a judge was appointed who has gone by the name of the judge of the Sheriffs' Court. Mr. Bullock had the appointment before he was common serjeant, Mr. Serjeant Arabin being the judge before him; now my friend Mr. Russell Gurney, who is a most efficient judge, has the appointment. He was appointed long after the event had occurred of there being only one judge instead of two. There are two distinct courts, but the Court of Common Council have resolved that they would not appoint a judge to one, so that they call the judge who is appointed the judge of the Sheriffs' Court, in the singular number. Assuming that there was one judge of the Sheriffs' Court when Lord Coke told them there were two judges of the Sheriffs' Compters, and that the one judge who was appointed only represented one side of the court, the corporation obtained a private Act of Parliament, entitled the City Small Debts Act, which was obtained considerably after the County Courts was obtained, applying to the rest of the country. They recited that there was an ancient court called the Sheriffs' Court. That is a false recital. There is the Court of Giltspur Street Compter, and the Court of the Poultry Compter, but there is no court called the Sheriffs' Court.

1872. What is the title of that Act?—The City Small Debts Act is the 10th and 11th of Victoria, chapter 71, local and personal, and the 11th and 12th of Victoria, chapter 153. The two Sheriffs' Courts have also, like the Lord Mayor's Court, a jurisdiction in personal action. They have a very extensive jurisdiction, and they have some peculiar process of attachment, sequestration, and arrest. I will say one word, with the permission of the Commissioners, upon this peculiar process of attachment and arrest. The attachment is almost peculiar to the City of London. It prevails in Exeter and in Bristol, and some other places, but it is almost peculiar to the City of London. The custom extends only to debts arising within the City. By this custom a creditor can seize goods within the City belonging to his debtor. This is continually resorted to in the case even of west end bankers. The banker coming in east of Temple Bar may be met by an officer of the Sheriffs' Court and served with an attachment, which will have the effect of attaching money out of the City, because the debt follows the person of the debtor. I would say a word upon the law of arrest. There prevails both in the old Sheriffs' Court and the Mayor's Court, by the custom of London, a particular mode of arrest. That custom is laid down by Lord Coke, and it is found in all collections of the customs of London. It is a power to arrest debtors fugitive; a power to arrest before a debt becomes due. It is a particular customary mode of arrest, which has been certified by an ancient recorder of London in the time of Henry IV. There is a certificate of the recorder of London as to this peculiar mode of arresting debtors fugitive. The Imprisonment for Debt Act assumes to deal with the whole power of imprisonment for debt upon mesne process; that is, the power of arresting the debtor before the debt has been declared to be due by the judgment of some court; but a question will arise whether this custom of London is repealed, and whether there is not still a power which may be exercised of arresting the

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party before the debt is declared to be due, and arresting him contrary to the express provisions of the 1st and 2d of Victoria, chapter 110. There is also an observation that I would make with regard to the practice of the Mayor's Court, that there have from ancient times been attached to the Court particular practitioners. There were four gentlemen who were common pleaders of London, and there were four attorneys. In ancient times there were six. Sir John Patteson knows that the question about the attorneys was raised in the Court of Queen's Bench some time ago, in which I had the honour of being engaged, and the question of the pleaders was also raised. I had the honour of being engaged in that also. In both cases difficulties have arisen, and those difficulties are even yet not decided. To regulate the profession of an attorney, a public general Act was passed so far back as 1843, the 6th and 7th of Victoria, chapter 73. That Act gave a right to all attorneys of the superior Courts to be admitted in the inferior Courts. Throughout the whole land, in every Court in the kingdom, this law was obeyed, except in the City of London, where the law was disobeyed, and the custom of having only four attorneys and having only four pleaders prevailed; whereas even the ancient Common Pleas was opened to all the bar, against the exclusive monopoly of the serjeants.

1873. When you say the law was disobeyed, do you mean anything more than that it was held that the custom of London not having been expressly repealed, prevailed against the general Act?—It was doubted. The question was raised by Mr. Ashurst three years afterwards, I think about the monopoly in the Mayor's Court being repealed by the Attorneys' Act of 1843. He raised that question in the year 1846. The question came before the Court of Queen's Bench, and the Court held that the public Act did repeal the local custom of London. The case went afterwards to the Exchequer Chamber, and there the judges doubted upon it. At all events no decision was come to upon that point, there having been a bye point upon the pleadings, the form of the mandamus.

1874. Is it the fact that in the Court to which you refer the practice is still exclusive?—Certainly not. In 1843 the public general law was altered. In 1846 a suggestion was made that the public general law did not apply to the City of London. Great expense and great litigation arose, and ultimately, when the Court of Queen's Bench had decided that the City of London ought to give way, and the Court of Exchequer Chamber did not upset that judgment, but decided that particular case upon a bye point, then the Court of Common Council considered the question. The Act was passed in 1843, and in 1852 I believe the corporation came to a resolution that the Court should be thrown open to all attorneys and to all barristers. I believe that was the resolution, but the question has arisen whether that resolution of the corporation is good, and I believe an action is still pending at this moment, whether the attorneys of the Mayor's Court have not still a monopoly.

1875. In what Court is that action pending?—In the Court of Queen's Bench.

1876. Was it an ordinance of the common council?—It was an act of the Court of Aldermen, they being the judges of the court.

1877. Were those offices of the attorneys of the courts in question and of the pleaders, formerly bought and sold?—They were formerly, but the corporation were anxious to do away with that practice, and they commenced a system of election; and I do not think any one of the attorneys holds his office by purchase now. The attorneys have been treated with, but an arrangement has not been come to with them, and there are legal proceedings pending. In the case of the pleaders the corporation took the same course that they did with regard to the judges of the Sheriffs' Court, and simply refused to appoint any more. When the last vacancy occurred, they did not appoint any one to the office, so that there was a custom of giving a monopoly to four, and there were only three to discharge the duties. The next court is the one which has been framed by the Act of Parliament I have referred to, the Small Debts Court. That court emanates from the Sheriffs' Courts, but it assumes incorrectly the existence of a court called the Sheriffs' Court of London; there being no such court that I can discover. Then it confers jurisdiction on the judge of the Sheriffs' Court. The 9th and 10th Victoria, chapter 95, is the County Courts Act with regard to the rest of the country. The corporation of the City opposed that Act, as they oppose, on principle, Acts generally which may be supposed to affect their franchise and their rights, and a clause was inserted that no court should be established under that Act within the City of London. The consequence was, that in the next session a bill was brought in by the City remembrancer, and it passed into a law under the 10th and 11th of Victoria, chapter 71, to establish a Court for the City of London. In that same session an Act of Parliament was obtained to alter the County Courts Act; but inasmuch as the superintendence of the City bill was a business quite distinct from the public general bill which affected the rest of the country, there were clauses introduced into the City bill which did not exist in the general bill. It was necessary to alter it again, and so the City came to Parliament again, and obtained the 11th and 12th Victoria, chapter 152; and ultimately they obtained the Act of the session before last, the 15th Victoria, chapter 77, local and personal, which now regulates the Sheriffs' Court. The Small Debts Bill of the City of London was brought in at the time when the public general bill was under discussion; and the question was raised, as to what the new jurisdiction should be, and how far the penalty for suing elsewhere should extend. By some inadvertence, the clauses in the City bill entirely conflicted with the clauses in the general bill. The City bill con-

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tained provisions, that any person suing for 50*l.* and recovering less than 50*l.* in the superior courts, should be deprived of his costs; and it adopted, introducing the word 50*l.* instead of 20*l.*, the very words in the 9th and 10th Victoria, chapter 95, the original County Court Act, but substituting 50*l.* for 20*l.* The amended Act, relating to County Courts generally, contained a clause, that any one suing for 20*l.* in the superior courts should recover no costs. That section was worded differently from the section in 9th and 10th Victoria; and the remembrancer, anxious to do full justice to the City of London, took the clause of the County Courts Act as it originally stood, and put 50*l.* instead of 20*l.*; and he took the amended clause in amending the County Courts Act, and left it 20*l.* Of course litigation arose. I had the honour of being engaged in a case upon that point arising from the conflict of the two Acts of Parliament, in which it was a question whether, a creditor who sued in the superior courts for 50*l.* a person, who at any time during six months should have dwelt and carried on business within the City, was subject to the penalty of costs for so doing. The judges of the Court of Common Pleas, after considering the conflicting clauses, decided that the Legislature had, in express words, declared that it was compulsory to sue in the City Court in Cases under 50*l.*, though it was not compulsory in the rest of the kingdom, and that the poor plaintiff must take the consequences, and must be deprived of his costs.

1878. There is no County Court in London, is there?—There is no County Court. The Small Debts Court is engrafted upon the jurisdiction of the Sheriffs' Court.

1879. The state of the law is this, that the City of London is exempted from the general County Courts Act, and it has a Small Debts Court under a local Act?—Yes. The only inconvenience is, that there are clauses in the City Court Act which conflict with the clauses in the general Act, producing an exception to the general law of the land. There is another court, the Court of Appeal in St. Martin's-le-Grand.

1880. That is not a permanent court; that is a court pro hâc vice, is it not?—Yes. Then there is the Mayor's Court as a Court of Equity; that court appears to have a very considerable equitable jurisdiction, in fact an unlimited equitable jurisdiction. I do not think, from the practice of removing equity proceedings by certiorari into the Court of Chancery, or from some cause or other, decidedly not from any want of confidence in the judges, the general jurisdiction of the Court of Equity has been resorted to.

1881. Has it been the practice, while the number was limited to the four pleaders, for other counsel to be called in specially?—It was the practice when the four pleaders had the privilege, to take in other gentlemen specially, the pleaders always having a brief in the case.

1882. Have you ever yourself practised there?—Yes.

1883. From what you have seen of the practice of those Courts, the Mayor's Court and Sheriffs' Court, has any prejudice arisen from the circumstance of the judge being appointed by the citizens?—Certainly not.

1884. There is nothing like suspicion of partiality prevailing?—Most certainly not. I know on every occasion where the customs of London or the rights and privileges of the City of London have been in question, the judge of the Sheriffs' Court and the judge of the Mayor's Court, the recorder, have taken a most impartial and unprejudiced view.

1885. No suspicion has prevailed among the suitors that there was any unfairness?—No; I believe none at all. The Mayor's Court as a Court of Equity has an unlimited jurisdiction I believe, however, that its practical jurisdiction is confined to cases of apprenticeship, where upon a bill being filed for a return of premium, the recorder, after consulting perhaps with the chamberlain, gives an equitable decision upon the rights of the parties. I think there is very little equitable jurisdiction exercised except that.

1886. In the case of an action in one of the superior Courts and judgment by default, so that a writ of inquiry goes to the sheriffs of London, where is that executed?—It would go to the Secondaries Court, they being the permanent officers of the sheriffs of London.

1887. Are the secondaries appointed by each sheriff?—The secondaries are appointed by the common council.

1888. They are then deputies of the sheriff without having any power of appointing them?—That is so. They are generally experienced parties, and they sit as judges. There is only one at present; the common council having refused to fill up the other vacancy. Besides this Court of Equity sitting with a regular judge, namely, the recorder of the City, there is also a Court of Equity held before the Lord Mayor, who really appears to have the power to act without the sanction of the recorder at all. It is a peculiar custom of markment. Lord Coke says, the Lord Mayor should, in all cases before him, decide them according to equity. It is not the equity of the Court of Chancery or any other equity; but it is something, neither law nor equity. It appears to be in fact almost an arbitrary power. The Lord Mayor may call before him any cause in the Sheriffs' Court, and he may mark it either by reducing it indamages or depriving the plaintiff of what he has obtained by the verdict of a jury. I know that that custom exists, because I have been engaged in a case during the time of the late recorder, where this custom was held to prevail; and there are other cases in which this custom has been held to be good. I believe, generally speaking, now the Lord Mayor would call the recorder before him, and probably would be guided by his advice. Emanating from the Lord Mayor's Court, there is a peculiar court, called the Court of Orphans. The Court of

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Orphans is a court which the Court of Aldermen can call into existence, in order to vindicate that ancient right which they have of the guardianship of the estates, and the persons of orphans of freemen of London. This is an ancient custom, which appears to be expressly confirmed by an Act of Parliament, appearing upon the rolls of Parliament, in the 1st of Richard II. I have looked at the Act, and it appears expressly to confirm the jurisdiction. The right of the City of London, in the case of orphans, is exempted in an Act of Henry VIII., relating to the general law of orphans throughout the kingdom; and the City, it would appear, could exercise it in the case of a person running away with a ward of the Court of Aldermen. I will suppose the case of the orphan of a gentleman who had been made an honorary freeman of London; they might declare the young lady a ward of the Court and imprison her suitor or her husband. This right was reserved by several Acts of Parliament relating to orphans. It appears to have been exercised up to the time of William and Mary. The Court of Aldermen were in the habit of taking possession of the property of orphans. It appears that by the shutting up of the exchequer great losses were incurred; and what was called the Orphans' Act was passed. This Act provided that no person should be compelled by virtue of any custom of London, or by order and process of the Court of Orphans, to pay into the "chamber of London any sum of money or personal estate belonging to any orphan, "any custom, or usage in force, to the contrary notwithstanding." This statute it will be seen does not destroy the power of the Court of Aldermen over the person herself, nor does it destroy the power which the Court of Aldermen had of compelling the orphan's money to be paid not into the chamber of London, but into some other depository. It does not destroy the jurisdiction of the Court of Aldermen as the guardians of orphans, but it merely prevents them from compelling the money to be paid into the chamber of London. I remember a case where this question was raised some ten years ago, whether the jurisdiction did not still exist, and certainly it does appear to me that the Court of Aldermen still enjoy that jurisdiction. The Court of Policies of Assurances is a Court created by an Act of Parliament in Elizabeth's time. It was regulated by another Act in Charles the Second's time. There were defects in the working of this Court, which are pointed out in a case in Shower, and the consequence has been that that Court has never been called into existence since the time of Charles II. It is however always mentioned as a Court of the City, it never having been abolished, and it is possible that its powers may still be called into existence. Then there are those ancient Courts, the Court of Pie Pondre and of the Clerk of the Market, which do not require any comment. Those are the Courts civil and criminal of the City of London, and the jurisdiction which they exercise; and now I will proceed with the leave of the Commissioners to point out the inconveniences which arise from this conflict of jurisdictions. I have already had occasion in some measure to allude to them. It certainly does appear a very great inconvenience that, with those numerous Courts existing in the City of London, to the number of twelve or thirteen, parties should always be subject to be sued in different places, and to a doubt whether the City Court has jurisdiction, or the general Courts of the land; whether the accident of a person residing in the City or being a freeman of London, would subject him to the jurisdiction of those particular Courts, and thus deprive the plaintiff of the benefit he would have from the general law of the land. Those Courts were established at a time when justice was supposed not to be fully administered in the Queen's Courts, and there does not appear to me to be any reason for now continuing such peculiar jurisdictions to those City Courts.

1889. The peculiar jurisdictions are rather local regulations of the City, than privileges of the corporation, are they not?—They are confirmed as privileges of the City, the right of holding Courts is a franchise of the City, it would be a corporation right.

1890. The corporation as a corporation cannot be considered as deriving any benefit from them?—I conceive not.

1891. Whatever advantage may be supposed to accrue from them, must accrue to the citizens at large?—It must accrue to the citizens at large, either the advantage or the disadvantage. Whereas these Courts were created or were in existence at a time when justice was not fully administered over the rest of the country, we have now local Courts established throughout the whole of the country, namely, the County Courts; and it does not appear to be advantageous that such a number of Courts should exist in the City of London as we find there. At the same time, I cannot but think that, in addition to the County Court existing in the City of London, supposing the local Act were repealed, and it were declared that the Small Debts Court in the City of London should be regulated by the County Court Act, which I think would be a very simple and advantageous change, it still would be an advantage to have out of the wreck of all the other Courts one good Court established for trial by jury in the City of London. There does appear to be a reason why in the City of London there should be a Court in which persons could have cases tried by jury which the Mayor's Court could be really made into. The Mayor's Court is a most useful Court, and if it were regulated by Act of Parliament, and the jurisdiction of the Court of Hustings and other Courts were done away with, an appeal being given from the Mayor's Court to the Courts at Westminster, it would be a very desirable change.

1892. You would recommend that the various petty peculiar jurisdictions should be consolidated into one general and useful Court?—One general and useful Court. That

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does appear to me to be a very desirable change with regard to the Mayor's Court. Whether it should have jurisdiction in foreign attachments admits of very considerable doubt; it is productive of great good and also of considerable evil. The amount of inconvenience is more a question for merchants of the City of London to decide than a mere lawyer, but it does seem a very anomalous system, and it appears to me very doubtful whether there is any reason why foreign attachment should prevail in the City of London when it does not apply over the rest of the kingdom.

1893. Do you think that the custom of attachment could be advantageously modified without being entirely abolished?—It would be very difficult to do anything else than to destroy the custom altogether, unless you apply it to the rest of the kingdom. It does give a creditor an unfair advantage in the City of London which he has not elsewhere.

1894. Is not it very much contended that it would be an advantageous thing to extend it throughout the whole of the kingdom?—It is. It does apply to a great extent in Scotland, and is often a very considerable advantage. I would certainly abolish those particular customs which prevail in the City of London, and I can see no reason at all why property under an intestacy should be distributed in a different way from that in which it is distributed over the rest of the kingdom. I cannot see what advantage is derived from the widow taking a greater share, or the children a different share, from that which they would take in the rest of the kingdom; and when one finds that the custom extends to honorary freemen, it does appear to be a very harsh rule indeed. I would put an end to any doubt as to the power to arrest on mesne process; and, in fact, to all those customs of the City which conflict with the general law of the land. I can see no advantage in having this customary jurisdiction different from the general law of the land.

1895. Do you believe it to be good law, that a custom of the City can be only taken away by the express provision of an Act of Parliament; take for example the custom of the City upon parol wills, or upon parol conveyances, or some peculiar mode of replevin, do you believe a custom of that nature would prevail against general words in an Act of Parliament?—I am incompetent to answer that question; for I can only say that I have argued on both sides. I have been engaged in cases where it has been elaborately argued that a custom was destroyed by a general Act of Parliament, and in other cases where it has been also argued the other way, that it was not.

1896. Those cases may have depended on their special circumstances. I observe it is laid down in your Treatise on the Law and Customs of the City of London, at page 7, that no City customs can be now taken away except by the express provisions of an Act of Parliament; do you believe that to be good law?—I may state that that is the law, as far as I am competent to decide it, that a custom cannot be taken away except by the express provisions of an Act of Parliament.

1897. If that be so, a local custom of the City of London would be stronger than a local Act. If a local Act were in existence in reference to any particular district, and a subsequent general Act were passed, which general Act contained words which were inconsistent with the local Act, the provision in the local Act would be repealed, would not it?—The question would always arise, in that case, whether the general law conflicted with the special law.

1898. If the subsequent general Act conflicted with the prior local Act, the prior local Act would be repealed, would not it, though it were not specifically mentioned?—I do not think, as a general rule, the special law would be repealed because it merely conflicted with the general law; but if the words used by the Legislature were comprehensive enough to include the clauses of the general law,—if, for instance, the Act were to recite, "It is desirable that the laws should be consolidated,"—then I take it that all special laws would be repealed by the conflicting provisions of the general law. But if, without any such recital, the Legislature were merely to declare one thing, the special law having declared another, there would be an implicit reservation of the special law. It is a question, however, which is open to very grave doubts, and has been elaborately argued up to the present time in Westminster Hall.

1899. It appears from your statement to be generally agreed, that a custom of the City of London, unless it be expressly recited and set forth in the Act, and repealed, would hold good against general words in an Act of Parliament?—It certainly is my opinion that the greatest doubt would exist, whether it were repealed or not.

1900. At all events, it would be a question which would be probably raised in argument at the bar?—It would.

1901. Have you ever known instances in which a debt sued for by a plaintiff in foreign attachment has been of much larger amount, or stated to be of much larger amount, than the value of the property attached; for instance, the plaintiff might be suing for 5,000*l.*, and the property attached might not be worth more than 500*l.*, how is that attachment to be got rid of; what bail is required to be put in?—I believe the bail must be for the whole amount of the debt.

1902. Have you ever known that lead to great practical inconvenience, inasmuch as the defendant or the garnishee might be able to put in bail to the amount of the 500*l.*, but not for the 5,000*l.*?—Then he must abandon the goods. I think that inconvenience will inevitably arise.

1903. If the custom were dealt with at all, would it be possible to alter it in the way of allowing the defendant to come in and defend without giving any bail, the attachment standing as a security to the amount of the value of the goods?—I think if the defendant were only compelled to give bail to the amount of the goods attached, it would be an advantage.

1904. Then the attachment should stand as a security; that is to say, the garnishee should keep the goods in his hands till the ultimate decision?—Yes; I think that would be an improvement, certainly.

1905. Questions have arisen frequently whether property attached is liable to attachment; for instance, supposing the garnishee has in his hands goods to the amount of 1,000*l.* belonging to the defendant, but himself is a creditor of the defendant to a large amount, has he any lien for his own debt as against the plaintiff, or if it be money could he set off?—Yes, clearly, he could set off his own debt; it is only the balance which could be attached, I take it.

1906. Is there any appeal from the recorder?—Yes; to the Court of St. Martin's le Grand.

1907. Would it be right in your opinion to allow that a case should be removed by certiorari, so as to bring it before one of the Courts at Westminster?—I think it would be a great advantage to have questions of that kind at once removed by certiorari. At present you only remove the cause. I would remove the attachment itself by an alteration of the law, so as to give the Courts of Westminster control over the Court in London.

1908. Your opinion is that it would be right to consolidate the various Courts, and to have a Civil Court in the City for the recovery of debts?—Yes.

1909. Do you think that that would be better than at once to destroy any such Courts, and above a certain amount to compel the parties to sue in the Courts at Westminster?—I think there is an advantage in allowing parties to sue in the City, having the option to sue in the superior Courts. It would be optional only with the plaintiff, and the defendant, not residing in London, could always remove the case.

1910 Are there similar Courts in other places?—There is the Passage Court at Liverpool, in which many cases are tried, and which is a very excellent Court. Then there is the Tolzie Court at Bristol; and the Court at Exeter.

1911. You seem to think that it would be extremely difficult merely to modify the custom of attachment by any Act of Parliament?—I am not prepared to say that it could not be modified; for instance, it might be modified in the respect which has just been pointed out by your Lordship. Very considerable difficulty arises from those customs of London not being repealed. I would direct the attention of the Commissioners to the cases which I have already mentioned: arrest, real actions, the case of the distribution of an intestate's property, and the case of a married woman trading. There are a great many other instances in which the customs of London are preserved. The practice is for an officer called the remembrancer to attend in his place in the House of Commons and watch every bill. His duty, I believe, is to watch every bill, public or private, which is introduced into Parliament. It is his duty to see that no bill directly or indirectly touches the rights and privileges of the City of London. The remembrancer is at the same time the Parliamentary agent of the corporation; and every year the corporation have a certain number of private Bills, which require as much vigilance and anxiety as can be bestowed by parliamentary agents in the management of a railway bill; the consequence is, that the remembrancer's time is very considerably taken up, and it is necessary for him to be watchful of public bills; and he sometimes discharges his duty by getting a clause inserted, "that this Act shall not be prejudicial to the liberties and privileges of the City of "London." Having done that he retires satisfied that the liberties of the City are preserved.

1912. How does the remembrancer ascertain the contents of every Act that is introduced?—By getting a printed copy, I presume. From his position in the House, if any information is required by him, he can easily obtain it. It was upon that ground that in former times the City had their privileges saved from the statutes as to apprentices and distribution, and orphans and the law of mortmain; for it is a question whether the citizens may still devise in mortmain. In modern times, in like manner, they were exempted from the Municipal Corporations Act, the County Courts Act, the Health of Towns Act, the Militia Act, the Lodging Houses Act, the Ports and Harbours Act, and in fact from almost every sweeping measure which would produce the same changes in the City of London as have been produced by the will of the Legislature in the rest of the kingdom. There have been other bills introduced which might raise a question about the privileges of the City being jeopardized. Upon these occasions the remembrancer has got the usual clause inserted, and great inconvenience has arisen. For instance, I may mention Mr. Sturges Bourne's Act, the 58th of George III., the Select Vestry Act, which was considered a most useful Act when it passed. The remembrancer, I suppose, having a number of private bills to attend to, contented himself with procuring a clause to be inserted, "That the Act should not extend to the City of London;" and Mr. Sturges Bourne's Act does not extend either to the City of London or to Southwark, by the express provision of the Legislature. That is only an instance. In the Acts relating to the sale of beer and wine, and other things, the corporation have always claimed that the City of London should be exempted. In all cases where the remembrancer might suspect that the privileges of the City of London were affected, there has been an attempt on his part to save them in that way. It was upon that ground that the privi-

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leges of the City of London were saved in several Acts which generally regulated the metropolis. For instance, in the case of the Police Acts, and the Acts relating to the police magistrates, the aldermen had the same privilege given them as the police magistrates. The same with the regulation of porters and the regulation of sewers. There is a Sewers Act applying to the whole metropolis, the privileges of the City being saved, and the City having obtained a separate and local Act for the regulation of its sewers. With regard to trade, there are in consequence of this system a whole mass of Acts of Parliament regulating particular trades exempting the City of London, and thus the law of apprentices, femmes covert, markets, brokers, and almost every leading branch of trade, is controlled by the custom of London. Then there are charters, confirmed by Parliament regulating the sale of particular articles of merchandize in the City of London. There are charters, for example, exempting the privileges of the different companies, the pewterers', the gunsmiths', the armourers', and other branches of trade within the City of London. The control given in those charters is rarely exercised, but that control is saved by Act of Parliament. I have called the attention of the Commissioners to the fact that wager of law in London may be considered not to be abolished, that the law of wills may be different in London, that real actions may not be abolished, that the law of arrest may still be different within the City of London to what it is in the rest of the country; that the law of rents may be different, and the whole clauses of the statute of frauds may not apply to London. In the case of fines and recoveries there is also a special custom, and the same may be said of many minor matters of less importance. I would make it certain with regard to all those conflicting customs that the general law should prevail in the City of London as it does elsewhere, and all those conflicting customs should be repealed. I will now, with the permission of the Commissioners, say a few words upon the subject of the Criminal Courts, and the evils arising from conflicting jurisdictions in the metropolis generally. I have pointed out that in the City of London there are those peculiar ancient jurisdictions and privileges which possibly may be productive of inconvenience, but I believe there are great practical inconveniences arising from the conflict of jurisdictions within the metropolis in criminal cases. While the Central Criminal Court is sitting, there are sitting in the rest of the metropolis continually the Middlesex sessions, possibly the London sessions, the Surrey sessions, the sessions of the Tower, and a number of other sessions; in fact, the sessions of all the metropolitan districts. Persons who are tried there, who would be sure to be recognised by the officers of the Central Criminal Court, have a greater chance of escape than if they were tried at one court where persons in authority would be able to recognise them; and it would be certain that the witnesses, the police, and others, whose services were required, would not be absent, and there would not be that inconvenience arising from the absence of counsel and attorneys which does occur in consequence of there being so many jurisdictions. I think it would be a very great advantage if the Central Criminal Court were made the only criminal court for the whole of the metropolis.

1913. If you took away the sessional jurisdiction, how would you provide for a sufficient attendance of judges at the Central Criminal Court?—I think assistant judges might be named. Assistant judges appointed at the Central Criminal Court, the minor cases now taken at the sessions could be taken in the weeks when the Central Criminal Court was not sitting for the higher class of cases, and thus the whole criminal jurisdiction of the metropolis might be transacted at one place. Instead of the police, the witnesses, and numbers of people being taken from one place to another, as they are now, the whole criminal business might be done at one place, the Central Criminal Court, the assistant judges sitting in the weeks when the higher class of business was not being transacted, for the trial of minor offences in the whole of the metropolis.

1914. The effect of that would be to do away with any criminal court in the county of Middlesex, except the Central Criminal Court?—Within the metropolitan district.

1915. Are any cases now tried in Kent or Surrey within the district of the Central Criminal Court?—Yes; that clause in the Central Criminal Court Act is repealed. It is the case that persons are tried at Newington, and at other places. Practically, the magistrates and the assistant judge at the Middlesex Sessions do try a great many cases.

1916. The effect of that alteration of the law has been to take business from the Central Criminal Court and restore it to the Middlesex Quarter Sessions?—Yes.

1917. That change is, in your opinion, in the wrong direction?—Yes; I would rather confine it to the Central Criminal Court, increasing the staff, and appointing assistant judges to that court.

1918. The Central Criminal Court is held twelve times a year?—Yes.

1919. How long does the sessions generally last?—From two to ten days.

1920. Can you at all judge how many more days would be requisite, supposing the alteration which you propose were made?—If two judges were sitting for a week after the close of the usual sessions, I think that would be sufficient; it would not throw any more labour upon the judges of the land who attend at the Central Criminal Court now, and I do not believe it would involve any greater expense to the country.

1921. It is usual at every sessions at the Central Criminal Court now to have three of the judges of the Courts at Westminster who are upon the rota?—Yes.

1922. Is there any necessity for that; would not the presence of one judge be sufficient?—One judge sitting as the judges do on circuit would be quite sufficient.

1923. Is there anything in the Central Criminal Court Act which requires any particular number of judges to be present?—No; it only requires that the Lord Mayor and two aldermen should be present.

1924. There being two judges present in all cases is therefore the result of a regulation among the judges themselves?—Yes; it is necessary now that the aldermen should be present; but I certainly would relieve the members of the corporation, the Lord Mayor and the aldermen, from the necessity of being present at that Court, and I would make the real judge who is to try the case, the recorder, or the common serjeant, or one of the judges of the land, alone sufficient to constitute a Court. If to this change were added a change dispensing with the services of the grand jury, I believe the business would be very much better conducted at the Central Criminal Court than it is now. The grand jury by their intervention do appear to me to impede the business very considerably. It is never known either by the witnesses, by the counsel, by the attorneys, or by any body what bills are likely to be found at a particular time. The list is only made out at an uncertain hour of the day, and it is never known by the parties who are most interested in knowing what the business of the day is to be, or what list is to be taken. The consequence is, the cases are called on, and excuses are made for the absence of the witnesses, the prosecutors, or the counsel, and a great many other inconveniences arise. If an efficient system of responsible police magistrates were adopted throughout the metropolitan district, I cannot see any use of which the grand jury would be. I think my suggestions as to the Central Criminal Court would not be complete without my adding that observation, though it may be quite beside the object of the present Commission. I may also add that I think within the City, as within every metropolitan district, in every case there ought to be a public prosecutor. The City of London, at this moment, have an officer called the City solicitor, whose services are very useful on many occasions; he occasionally is invested with the duties of a public prosecutor. The Court of Aldermen direct prosecutions; they have the power of ordering money out of the City funds for that purpose, and it certainly is the case that rightly or wrongly the Court of Aldermen select the cases where the City solicitor is to interfere. Very often they may be actuated by the best motives, but they undoubtedly select the cases. They do not authorize their officer to prosecute in every case of crime, but on account of the circumstances of the individual, his being a notorious criminal, or the offence being a very reprehensible one, or there being some cause which induces the Court of Aldermen to put the machinery in motion. But there is no public prosecutor within the City of London, though he might be very easily appointed; and I do think in any change which may take place regulating the corporation of London, it ought to be compulsory upon them to appoint a public prosecutor.

1925. Do the costs of those prosecutions ordered by the Court of Aldermen come out of the general City funds?—They do.

1926. There is no rate in the nature of a county rate which is applied to prosecutions within the City of London?—No.

1927. The City, being a county, could make a rate of that kind?—They have the power to do so.

1928. Do you know what were the provisions of the Bill which was introduced for the purpose of abolishing the grand jury, sufficiently to say whether it contained any provision for the appointment of a public prosecutor?—I think one of the enactments was, that every person should be put upon his trial upon the commitment of a police magistrate of the metropolis. The suggestions which I have taken the liberty of making with regard to the criminal courts of justice, I cannot think would be complete without establishing within the City of London, similar police courts to those which are established in the rest of the metropolis. I cannot understand upon what principle it is that gentlemen, with a number of vocations, should be considered qualified to administer criminal justice, from Temple Bar to Aldgate, in the very midst of the hurry and bustle of commerce, when it is necessary in the rest of the metropolis that men should be appointed with certain qualifications, and who devote their whole time to the business of magistrates. In the City certain gentlemen are appointed, who not only have their own affairs as merchants or tradesmen to attend to, but who have very great duties devolving upon them as senators in the civic council, and as aldermen in the various departments of the municipal government of the City of London, and who moreover can hardly be expected to attend to those duties to their own inconvenience. I cannot understand why an exception should be made in that respect in the City of London, and why it should be the duty of certain officers to dispense justice at the police courts throughout the rest of the metropolis, but in London it should be a mere honorary distinction.

1929. Do you know whether it is the practice for the aldermen to rely, to a considerable extent, upon the advice of their paid assessor in administering justice?—I have been so little before the magistrates of London in the police courts, that I am not able to judge. I certainly have had cases before the magistrates of London, and I have seen very strong feeling exhibited by aldermen. I was engaged in one case this year, I think, on the subject of a conviction by an alderman of London, where the alderman felt very warmly about it, and he himself sat as a magistrate afterwards to enforce the conviction.

1930. In what Court was that?—A magistrate of the City having convicted a party, and his conviction being appealed against, and a certiorari being applied for to the Court

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of Queen's Bench, the same magistrate issued a summons to call the defendant before him to show cause why he should not pay the money; and he sat himself to adjudicate.

1931. Are you acquainted with the provision of the Municipal Act as to the appointment of stipendiary magistrates?—It gives a power to the corporation to apply to the Government, and the Government may appoint stipendiary magistrates.

1932. The town council may apply to the Government; they fixing the salary, and the Crown appointing the magistrate?—Yes.

1933. Supposing such a power as that were given to the common council, do you think it would be exercised?—It is very difficult to speculate upon what the common council might do.

1934. Do you think the disposition of the corporation would be to avail themselves of a power of that sort?—I am unable to answer that question. The common council consists of such a number of members that it is impossible to speculate upon what the majority might determine. I should rather think the feeling there is strongly against any appointment over which they have not the control, and that an opposition would be made to the appointment of a stipendiary magistrate by the majority of the members. The right of the aldermen to sit as magistrates is not a very ancient one. The charter which makes the aldermen *de facto* magistrates is only of the date of George II. Previous to that time only aldermen who had passed the chair were magistrates. The Lord Mayor had power to appoint two magistrates for Middlesex; a power which has not been exercised, and which the Court of Queen's Bench decided some time ago to be illegal. I will merely add, that in addition to the inconveniences from the conflict of laws and jurisdictions, it appears to me that there are very great inconveniences from the conflict of local boards in the metropolis. When we consider that there are 700 Acts of Parliament in force within the metropolis for the regulation of its local affairs, it does seem to me that it is absolutely necessary, for the proper government of the metropolis, that the provisions of those Acts should be consolidated.

1935. How many of those local acts are in force within the City?—I should say more than half of them.

1936. It is your belief that there are in force in the City as many as 350 local Acts?—I believe there are 350 local Acts in force within the City. I do not say there are 350 local boards. There are many improvement Acts, &c., which regulate the rights of parties, and give general powers which may be called into existence any moment. Then there are a number of paving Acts; a number of Acts relating to parish affairs, and lighting, and a great number of Acts of various kinds; but, certainly, throughout the metropolis I should say there were 700 local Acts

1937. Are there many charters applicable to the City?—I should think there must be 200 charters relating to the City of London.

1938. What portion of them contain provisions which are now in force?—From that very circumstance of the customs of London never becoming obsolete, it is difficult to say what are in force, and what are not. I have in Luffman's Charters fifty-two charters relating to the corporation of the City; but a great many charters are omitted, notes of which I have; others are in the town clerk's office, into which I have not had an insight; but copies are to be found in the Rolls, at the Tower, and elsewhere, and many of which have been noted by the record commissioners.

1939. What proportion of the charters of the City are in print?—I have fifty charters in print relating to the City itself.

1940. Are there any others besides those which are in print?—There are none which have been printed as a collection of charters; there are some which have been set out in decided cases in the reports.

1941. How many charters are there which are not in print but which are in force?—I cannot answer that question, but I should say there must be twenty more at the least relating to the corporation of the City alone.

1942. Practically, does it in general happen, when any question respecting the privileges of the City of London is in litigation, the litigant parties can ascertain from printed charters the state of the law?—Certainly not. I have every reason for saying that the policy of the corporation of the City of London, of late years, has been to conceal their charters, to deny the public access to them, and to prevent that discovery of their contents which appears to me every resident in London is clearly entitled to. There are old bye-laws of the City, declaring that the laws and customs of the City of London should be made known to the public, who were to be affected by them; but the officers of the corporation are instructed to withhold the information.

1943. What officers have the custody of the charters?—The proper custodian of the charters is Mr. Serjeant Merewether, the town clerk. I know he refuses access to them.

1944. Where are those instructions to be found?—One of the standing orders of the common council now is, that no officer shall show the records, or charters of the corporation, without the leave of the Court.

1945. Does it not appear to you that if the City claim under a charter an extensive public right, and seek to enforce that claim by litigation, they ought to put the defendant in full possession of the legal instrument under which the claim is made?—Undoubtedly.

1946. The further question would then arise as to the application of that charter to the particular facts of the case, just as it would arise with regard to an Act of Parliament;

but the preliminary question, as to the existence of the legal authority, ought first to be established, ought not it?—Certainly.

1947. Can you conceive any reason why the whole of the charters of the City, which are in force and which remain in force, should not be made public?—I can conceive a reason, and a very strong one. I beg leave to say that I have never been engaged for the corporation of London, and therefore, in what I say, I am not breaking confidence with the corporation of London; but I have reason to believe that the charters of London would show that the City of London has committed the forfeiture of many of its rights. For instance, the City of London claim to hold lands in mortmain, and that right they first derived in the reign of Edward IV. I see from the account of the City revenue, that they have a very large revenue now derived from rents and quit rents. The greater number of those rents and quit rents are derived from property, which I conceive they had merely for the purposes of a trust, of which trust they have committed a breach. For example, I find that the corporation of London, being the conservators of the Thames, have been in the habit of granting leave to encroach upon the bed of the Thames, and to do that very thing which the office of conservators directed them to prevent others doing, namely, encroaching upon the bed and soil of the Thames. I find an Act, in Charles II.'s time, passed after the fire of London, directing that the Thames should be embanked from London Bridge to the Temple, and that no houses should be built there. No one can go along Thames Street now without seeing an immense quantity of houses and warehouses, which have been built upon that spot; and I believe, though I am not in the secrets of the corporation in regard to their property, a very considerable amount of their income is derived from those houses and warehouses, which has been obtained contrary to their trusts, by encroachments on the bed of the Thames. The same may be said with regard to Smithfield.

1948. If they committed any encroachment upon the bed of the Thames so as to be a public nuisance, would not they be liable to an indictment as well as anybody else?—Very likely they might. The question is now pending as to the right of the City to the soil between high and low water mark; they have been in the habit of deriving, and now do derive, a revenue from granting licences to encroach upon the bed of the Thames. With respect to Smithfield, the charter of Charles I. which granted Smithfield granted also Moorfields, but the express condition of that charter was, that those places should be devoted to the same open purposes to which they had been theretofore devoted. Upon the great fire of London, an act of Parliament passed to rebuild London, in which there was an express recital that during the great calamity of the fire people had built pent houses upon Smithfield, but it directed that those pent houses should be pulled down and that none should be erected again. The original charter directed that no houses should be built upon either Smithfield or Moorfields, but the Building Act directed that those pent houses which had been built during the great calamity should be pulled down, and no others should be erected. It was a great question in opposition to the corporation in the case of Smithfield Market, whether their right was not forfeited. Every one knows that the small space of Smithfield Market is now not one twentieth part of the original space, and that the corporation of London have, in defiance of the express conditions of the grant of the surrounding land, not only allowed houses to be built there, but have received the profits of the buildings. With regard to Moorfields, they obtained a private Act of Parliament in 1812, and they derive a large revenue from the Finsbury estate, but it is in direct contravention of the grants to them. The grants being made to them with a direction to leave the spaces open, and the grant of the conservancy of the Thames being to protect the river from encroachments, they have allowed the river to be encroached on, and they have allowed houses to be built on the open spaces, and they have received the profits of such encroachments. I conceive that these are good reasons why the corporation should withhold its charters from the eye of the public.

1949. You mean that there are certain reasons why the City should be unwilling to produce its charters; but looking to the public good, and the interest of the persons affected by the charters, is there any reason why they should not be made public?—Certainly not. I cannot see any just reason why the corporation of London should withhold the knowledge of the grounds of its rights from those persons who are affected by them. I do not know that I can add anything to the observations which I have made, except that it appeared to me that where there is a conflict of jurisdiction, and a conflict of the powers of local boards, it would be a very great improvement if in every part of the metropolis there was established a system of municipal government upon the same model, as nearly as possible, as was established by the Municipal Corporation Act in other towns. I believe if every large metropolitan borough was incorporated, and the Municipal Corporation Act applied generally to each district, great advantages would be gained. I would not, in adapting the municipal corporation to the City, and any other of the metropolitan boroughs, deprive the City proper of any property, any title, or any beneficial rights which they now enjoy. I would reserve to the City of London all the rights which it now legally possesses. A similar reservation of rights has been made in the case of the Municipal Corporation Act; and, undoubtedly, the sense of justice of Parliament would make that reservation in favour of the City of London. I think the question of the police magistracy requires to be settled, and also the question of the police. I conceive there can be little doubt that one uniform system of police should be established throughout the whole of the metropolis, and one

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common system of sewerage. Whether the City should appoint one of the commissioners is another question, which could be easily settled; but those questions being settled, the question of police and the police magistracy, great advantage would be derived if the whole of the Acts of Parliament relating to the local government of the metropolis were repealed, and for them there were substituted a system of municipal government for the whole of the metropolis; each metropolitan borough constituting a corporation of itself. I would give them generally, as nearly as possible, the powers which are given to municipal corporations under the Municipal Act. In the City of London I would make a difference. I think, for various reasons, considering the still-remaining connexion of the City with the trade of London, and the share which the livery of London have in the franchises and rights of the City, the livery of London should have reserved to them a great deal of the powers which they anciently possessed. I do think that the livery of London might be made a very efficient body of men; whilst the householders might be invested with the power of regulating the rates, and regulating the general affairs of their local government, I would reserve to the livery the right they have now to elect the chief officer, the Lord Mayor. He should be elected by the livery, as he is at present. The chamberlain, who receives the property of the City of London, should be also appointed by the common hall of the livery. So the bridge masters, the sheriffs, and the other officers should be elected in the same way that they are at present; but the livery companies having those powers, I certainly would very greatly reform those companies themselves. The reform of the companies is not within the province of the present Commission; but I think there cannot be a second opinion that they require very considerable reform. Either the companies which have ceased to have any connexion with the trade which they profess to represent should be altogether disconnected with the City of London, and exist as voluntary societies, or they should still retain their place as a part of the corporation, but should restore the members of their particular trade to all the rights and privileges in the guild or company which they formerly possessed.

1950. If you maintain a connexion between the livery of the trade companies and the election of certain great officers in the City, does not the constitution of the companies then become a material question in respect to the constitution of the corporation?—I think it does undoubtedly.

1951. You say that the present constitution of the companies is defective, which renders the livery objectionable; but that the character of the livery might be improved if the constitution of the companies were altered?—I think so.

1952. In that point of view, the constitution of the companies becomes material to the question of corporation reform?—No doubt it does.

1953. There is no body of liverymen of London independent of the companies, is there?—None at all.

1954. On what ground is it that you think it desirable to continue the connexion between the livery companies and the corporation?—Because I believe that the trade of London could not be conveniently represented in any other way in the corporation of London, than through the companies.

1955. Do the companies now practically represent the trade of London?—I conceive that the livery are much more the representatives of the trade of London than the freemen householders. I believe there would be found a greater proportion of the merchants of the City of London among the livery of London, than there are in the corporation at large.

1956. The members of the great commercial houses in London are not freemen at all?—Many of them are not; there are many of them who are free of the companies.

1957. I understand your meaning to be this, that many of the great merchants and bankers of the City of London happen to be members of the companies, though they are not free of the City?—And I believe they are free of the City also, but few of them reside within the City, or have interfered in any business of the corporation.

1958. The companies have very little connexion with the trades whose names they bear, have they?—Very little; that connexion I would restore.

1959. In that sense the companies do not represent the trade of the City?—In that sense they do not. There are no members of the livery companies who have not at one time been connected with the City of London, and I do think that in restoring the livery to something like its ancient position in the City of London, you would secure to the Corporation of London a more permanent body than they could have if merely the persons who were rated for a year were put upon the burgess list.

1960. You mean that there are many persons connected with the livery who are not inhabitants of the City?—There are; for example, a man who is the son of a banker of the last generation, who might have been free of one of the great companies, becomes free by patrimony.

1961. What do you say to the influence exercised by some of the minor companies, such as the Watermen's company?—The Watermen's company have no livery, but they have a great many members who are free of the City, and who take up their livery in some of the smaller companies by the payment of a very trifling sum of money.

1962. Do you consider that they are a good class of voters?—Certainly not.

1963. Do you contemplate that any means should be used for removing them from the livery?—I do not like to deprive any persons of vested rights, but I certainly would

regulate the admission to the livery by a positive law. I would allow no one to be on the livery unless he were elected by the general freemen.

1964. In that case the electors would elect into their own body?—Yes; but if the electors were composed of members of the trade, there could be no reason to suspect malpractice. At present they are not so, they are strangers.

1965. Would you maintain the distinction between the Court of Aldermen and the Court of Common Council?—No, I would not.

1966. What do you consider to be the principal object of that distinction at present?—I believe at one time the Court of Aldermen had a distinct power from that possessed by the Common Council; but I believe, for all useful purposes, that power is gone, and I would destroy it altogether.

1967. The aldermen are members of the Court of Common Council?—Yes; and they meet in the Court of Aldermen separately.

1968. The powers of the Court of Aldermen appear to be limited, with the exception of the power of electing to certain offices; is there any other power of importance which they possess?—They have very considerable patronage over the hospitals.

1969. Is that patronage exercised by the aldermen as a court, or by the aldermen separately?—It is very difficult, when questions of patronage arise, to distinguish the Court of Aldermen sitting at the Guildhall from a dinner party of aldermen meeting together, for they undoubtedly require no official forms to go through in order to make up their minds for whom they shall vote. There is no doubt that the aldermen are very much influenced by the feelings and wishes of their brother aldermen.

1970. Is the Court of Aldermen a legally organized body in which decisions are made by a majority of votes, or is it a body like a Cabinet Council, which merely sits for purposes of deliberation, and has no legal organization?—I conceive that they always vote and decide by the majority; but the room is cleared of strangers when the aldermen are coming to a decision.

1971. You appear to think that the liverymen ought to elect the great officers of the corporation?—I do.

1972. Is that because you consider the liverymen to be the better sort of freemen of each company?—I think at present among the 9,000 liverymen are some of the best freemen of London.

1973. We hear of long-shore men who are liverymen, and who ought never to have been liverymen?—Every man guilty of corruption could be easily disfranchised if efficient regulations were established for that purpose in the City of London. I believe that the corporation of London are to blame for not having taken steps to suppress it.

1974. As the case now stands, some of the higher officers of the City are not elected by the liverymen and some are. The recorder is appointed by the aldermen, the common serjeant by the Court of Common Council, and the sheriffs by the liverymen in common hall?—Yes.

1975. Is there any reason for that distinction?—I would not have a judicial officer appointed by a general body like the livery; it would be very dangerous to have the recorder of London appointed by the livery of London. I would exclude the judicial officers from such a mode of election.

1976. What do you think as to the propriety of appointing the aldermen for life?—I think it is very inconvenient.

1977. Do you approve of the regulation of the Municipal Corporations Act, by which one third of the town council go out each year, and therefore each person would serve for three years?—That may be advantageous, but I would make the election for the town council annual in the City of London, as it is at present. I would make the election of all the unpaid officers and all the members of the corporation annual.

1978. The election of aldermen would become annual like that of the others?—Yes. With regard to the case of the aldermen, like all other City rights there is a doubt as to the legal period for which they are elected. There is an Act of Parliament which declares that the aldermen shall be elected annually, and there is an ordinance which appears upon the rolls of Parliament, but does not appear among the printed statutes, in the reign of Richard II., which directs that the aldermen shall not be amoved. There is a doubt whether this last is an Act of Parliament or not.

1979. Have all the ancient statutes affecting the City of London been printed?—No; there are a great many which are not printed. The statute which I have recited from Richard II., which confirms the customs of London, is not in print. Lord Coke mentions a great many Acts of Parliament relating to London which are not in print.

1980. In order to ascertain the law with respect to any custom of the City of London, it is necessary to go into a very laborious antiquarian research?—Certainly, to go over a very wide field indeed.

1981. Both into printed and manuscript authorities?—No doubt.

1982. Is there any other point to which you wish to call the attention of the Commissioners?—There is no other point.

Adjourned to Tuesday next, at 12 o'clock.

Tuesday, 22*d November*, 1853.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P., IN THE CHAIR.

J. Cherry, Esq.

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JAMES CHERRY, Esq., having been sworn, was examined as follows.

1983. You are mayor of Yarmouth, are you not?—Yes.

1984. For what purpose are you desirous of appearing before the Commission?—To represent the prejudicial effects of certain dues and customs which are levied upon corn and grain imported into London. The way in which the shipping interests of Yarmouth feel themselves aggrieved particularly is this: there are certain dues called metage, fillage, lastage, porterage, Lord Mayor's dues, and others which are levied upon all grain brought by vessels into the port of London, but which are not levied upon grain brought into London by railway conveyance on equal terms. I find that the amount of those dues is about 4¼*d.* per quarter, or 3*s.* 6*d.* per last. I am told that the railway company charge about 10*s.* per last, being free from these dues amounting to 3*s.* 6*d.*, and consequently the shipping is so far disabled from competing with them. I find, from a return which I have before me, that in or about the year 1847, there were 56,000 quarters of malt, and 210,000 quarters of barley, being together 266,000 quarters shipped from the port of Yarmouth to London. The last return, which ended in December 1852, was 55,000 quarters of malt, and 31,748 quarters of barley, being together 86,748 quarters as contrasted with 266,000 in 1847. I believe the Commissioners have already had it in evidence, that these metages and lastages are not desired by the merchants, and if desired at all, they could be done at a considerably less cost than they at present amount to. That, however, is a matter more concerning the merchant than the shipowner. The effect of the railway being free from these taxes, and shipowners having them imposed upon them, is to divert the traffic from shipowners to the railway company. It is on that ground more particularly that we complain. If the operation of those dues and taxes were general, ships would be able to enter the field with the railways on equal terms; but being limited to shipping, they are unable to compete with the railways.

1985. Has a considerable portion of the corn trade of Yarmouth been diverted from ships to land carriage?—We presume that the great falling off between the two periods I have instanced, chiefly arises from that circumstance.

1986. You believe that the diminution of the water carriage is not owing to a general diminution in the trade, but to a corresponding increase in the land carriage?—That the traffic has been diverted from one channel to another.

1987. Have you any evidence to prove that that has been the case?—I have no specific evidence to prove it, inasmuch as nothing but a return from the railway companies would show it.

1988. Have you any knowledge of whether much corn is carried by railway?—There is no doubt that very large quantities are carried by the railway companies.

1989. Do you believe, if railways and the shipping interest were upon a perfect equal footing, the shipowners could compete against the railways for the transport of corn from Yarmouth to London?—Undoubtedly. I find that those dues amount to 4¼*d.* a quarter. It would pay the shipping to bring the corn up at 1*s.* a quarter.

1990. You consider that the effect of those dues is sufficient to account for the change which has taken place in the trade?—Undoubtedly; and from my own knowledge, I should say there are not 100 quarters of corn less sent out of Norfolk than formerly, but rather more.

1991. Is there any other point to which you wish to call the attention of the Commission?—That is the only point to which I would call the attention of the Commissioners.

Mr. S. T. Belton.

Mr. S. T. BELTON, having been sworn, was examined as follows.

1992. You attend here, I believe, on the part of a deputation from Saint Marylebone, who are desirous of making certain statements to this Commission?—Yes; appointed by a public meeting of the ratepayers and inhabitants called by public advertisement.

1993. Was the meeting numerously attended?—Not very numerously attended. From various parts of the parish the most influential persons attended.

1994. Do you believe the meeting fairly represented the parish of Saint Marylebone?—Yes; no doubt of it.

1995. Will you state to the Commissioners the points which you were instructed on the part of that meeting to lay before them?—I was instructed to state to the Commissioners the injurious effects of the coal duties, and likewise the cart duties. I will first of all go into the coal duties. It is calculated that the coal dues and metage levied upon the parish of St. Marylebone amount to 22,000*l.* a year. That amount includes the gas. We consider the amount levied for gas alone is equal to 5,000*l.* a year.

1996. You mean that what you pay in the increased price of coals in consequence of

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those dues is equal to that amount?—The tax upon the coals which are used in the manufacture of gas for the parish of Marylebone amounts to somewhere about 5,000*l.* a year, and the general coal dues to about 17,000*l.* a year. We have 17,000 houses in Marylebone parish, and those 17,000 houses we reckon to have upon an average about ten rooms each, which is 170,000 rooms. We form our calculation according to the quantity of coals which is supplied to the St. Marylebone Almshouses, supported by subscription from the inhabitants, where they allow them a ton and a half of coals to each room. If we go upon that calculation for the whole parish, you will find the estimate as a general one will come to the amount I state.

1997. You calculate the amount of the tax to average about 1*l.* a house?—Yes, about 1*l.* a house. We have established baths and wash-houses in our parish, according to the Act of Parliament, by means of a subscription and a small rate of a halfpenny in the pound on the poor rate. This rate is levied for building and other purposes; else they are self-supporting. I find that the coal dues upon the baths and wash-houses amount to nearly 50*l.* a year. With respect to the public lights, which are 4,000 in number, we find that for those alone the tax upon the coal used in the manufacture of the gas amounts to 400*l.* per annum. We consider that we receive no benefit whatever from the tax. The tax has been levied from the parishioners and the inhabitants of the various parishes round London for a number of years, but they have received no benefit whatever from it. The coal dues were collected for the purpose of paying 1,000,000*l.* which was borrowed for the building of London Bridge and its approaches, but that amount has been paid off for some time, and therefore the sum which is now collected, is collected for making new streets in the City, and a small portion of it in Middlesex and Westminster.

1998. Were the improvements in Oxford Street paid for out of that fund?—A small portion of them. I believe about 40,000*l.* or 50,000*l.*

1999. Was not the entire expense of New Oxford Street defrayed from that fund?—No; there has been an increase of ground rents. The ground rents upon the property of the old houses were only about 10*l.* or 20*l.* a year.

2000. Whatever expense fell upon the public was defrayed from that fund, was it not?—I believe it was.

2001. Do you not consider that an improvement, by which the parish of Marylebone was considerably benefited?—I do not think the parish of Marylebone is so much benefited as the parishes of St. Giles and St. George, Bloomsbury. There were a great many poor and dilapidated houses pulled down, and the poor population that resided in that district is dispersed over Marylebone parish, to the great injury of the parish, and the ultimate benefit of St. Giles and St. George, Bloomsbury. Not only so, but there is an increased rental from the houses. Houses which were formerly let for 30*l.* or 40*l.* a year, now pay a ground rent alone of about 70*l.*; therefore what we allege is, that the improved ground rents ought to go to liquidate the money borrowed, and that the coal dues, by a careful management of the ground rents, need not be levied. Suppose a ground rent of 50*l.* a year worth twenty years' purchase, that would sell for 1,000*l.* Now if that money were accumulated, it would go towards paying the original outlay, pulling down the old houses or re-purchasing the ground, or whatever matters the money was expended on, we should have no occasion to pay those coal duties for any considerable time longer.

2002. Those ground rents are a part of the revenue of the Crown, are not they?—I suppose they are. Though we pay so much from Marylebone parish, we have no means of ascertaining how the money is expended, or what the receipts are from this property.

2003. Would it be possible to defray the expenses of a large improvement like that of New Oxford Street from a parochial rate?—I think there is a possibility of doing it, but the injustice is this: they say if you give a poor man more fire, you make more smoke and fog in London; but the fact is, you are taking away one day's firing from the poor man to pay for these fine streets in other parts of London, because the duty upon the poor man's coal is equal to 7 lbs of coals per week;—that would keep up his fire for a day; therefore, at this inclement season, it is acting very injuriously and unjustly to the poor of other parishes. I do not say that the City of London have got this to answer for, because those laws have been made for a great length of time, and at a period when the population was much smaller than it is at present. But the population has gone on increasing, and we find very injurious effects resulting. £22,000 per annum is equal to a poor rate of 7*d.* in the pound in our parish. The whole rental of Marylebone parish paying to the poor rate is 850,000*l.* a year. I find the rental of the City of London in 1831 was 792,000*l.*; in 1838 it decreased to 785,000*l.*, being a decrease in seven years of 7,000*l.*; whereas the rental of Marylebone parish has increased 150,000*l.* in that time; so that the Commissioners will see that a revolution has taken place,—the City of London is decreasing in its rental, while the parishes round London are vastly improving.

2004. Is your objection directed mainly to the principle of a coal tax, or is it the application of the present tax?—To the application of the tax, and to the principle of it too.

2005. You think it an objectionable mode of raising money for municipal purposes?—I do; for this reason: the citizens of London collect this tax, and there is a great deal of the money spent perhaps for useful purposes in the City, and other parishes, but the majority of the parishes which have to pay this money receive no benefit whatever from it. And the tax is injurious to trade. It is driving away manufacturers from the neigh-

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bourhood of London, which would be highly beneficial to the working population. At Reading, in Berkshire, beyond the 21 miles' distance, we can buy coals 2*s.* 6*d.* a ton cheaper than we can ten miles nearer London, though these coals pass through the London district to supply Reading. And not only so, but a short time ago I went by one of the steamers down to Sheerness. I found there, instead of the steamer I went by taking the coals in as she ought to have done, in London, she took the coals in five miles below Gravesend, detaining us there one hour to do so. That injured the trade of London, and was injurious to us all. It wasted my time, and was an injury to trade, merely to save the payment of the tax.

2006. Do you think a rate would be more willingly paid by the inhabitants of the metropolis for the purpose of improvements, than the present tax upon coals?—I have no doubt of it. In our local Act of Parliament I know that there is some enactment to the effect that a rate shall be made, if agreed to by the governing body. (35 Geo. 3. cap. 73, sec. 89.—Vestrymen may purchase lands, &c. for widening streets.)

2007. For purposes of general improvement in the metropolis, do you not think that the metropolis should very much be considered as a whole; and that in reality every part of the metropolis benefits from an improvement of every other part?—Yes; we may suppose that if one part of the body is out of order, the whole must feel the effect of it. But here the case is not actually in point. Here there were a number of poor, dilapidated houses pulled down at our expense, and new ones built. There are large revenues in the shape of improved ground rents, received by parties in possession, but which we have to pay for.

2008. You do not object to the principle of a general metropolitan tax for public works of metropolitan utility?—A general metropolitan tax would have the same injurious effect, unless under control. The vestry of Marylebone is a municipality without a head. The governing body of St. Marylebone are elected under Sir John Hobhouse's Act, by which every ratepayer has a vote for the election of the vestrymen. Though they are called vestrymen, their duties are multifarious. They superintend the lighting, the paving, and, in fact, all the other acts which a municipal body have to do.

2009. Do not you think it would be unfortunate if each district of the metropolis were merely to look within its own precincts for the purposes of improvement, and were not to take a larger view, and consider what was best for the whole metropolis, being certain that it would share in the general prosperity and improvement?—No doubt that is the case; for within the last twelve months we have expended 25,000*l.* for the paving of one street alone, which is Oxford Street. That tends to benefit the whole of the parishes around St. Marylebone, as well as the City of London, from its being the principal thoroughfare to it. I believe a sum of 500*l.* a year is received to make good the expense from the neighbouring parishes.

2010. I am supposing the proceeds of any such rate were impartially and fairly expended for the benefit of the whole metropolis, viewed as a whole?—I consider that if there was a general tax levied, it might be a benefit. We know very well that we have experienced the ill effects of badly ventilated streets lately. We think, therefore, some portion of this tax ought to go to the improvement of the localities, and that there ought to be some mode devised for that purpose.

2011. You state that Marylebone vestry, being elected under Hobhouse's Act, and having various powers, may be considered as equivalent to a municipal body rather than a parish vestry. It has been represented to this Commission by several witnesses, that it would be desirable that all the parliamentary boroughs of London should be incorporated under the Municipal Corporations Act; do you believe there is any wish in the parish of Marylebone that the borough should be incorporated under that Act?—I have had various conversations with the leading parties in the parish upon the subject, and I cannot find that they wish for any alteration in the present system. We have the whole powers vested in the vestrymen which any municipal body could have, except the care of the water and sewerage. The builders in the parish, however, build the sewers, and there is a general communication to the Westminster sewers for the purposes of outlet.

2012. Your view seems to be, that the effect of incorporating the borough of Marylebone under the general Municipal Act, would be to supersede the vestry, and interfere with their functions?—No doubt of it. The vestry is now elected by all the ratepayers, whatever amount they may pay. Every resident householder is eligible to be a vestryman who is rated at 40*l.* per annum. Not only male householders but female householders may vote; the voting being by ballot. My own idea is, that we should not be improved by having a corporation. We have now municipal power without a head.

2013. Your view is, that the vestry elected under Hobhouse's Act is for the parish of Marylebone a preferable body to a town council, elected under the Municipal Corporations Act?—I do not think the change would be any improvement to the parish of Marylebone. It would be an improvement to the parish of St. Pancras, for this reason, that they have seventeen or eighteen paving commissions, separate and distinct commissions, and some parts of the parish are not so well attended to as other parts, in consequence of some of the commissions not taking the same view that others do; perhaps wishing to keep down the expenses, or some cause or other,—therefore it would have a beneficial effect upon them. Perhaps also in Paddington, they having a select vestry not by popular election, the effect might be beneficial. The vestry in St. Pancras are elected under Hobhouse's Act, but they

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do not supersede the paving commissions, of which I believe there are seventeen in the parish.

2014. If the parliamentary borough of Marylebone were incorporated, those three parishes would be thrown together would they not?—They would.

2015. Therefore the town council would be a differently constituted body from any one of the present parochial vestries?—It would of course; and there would be only one governing body for the three parishes, whereas there are now three governing bodies for the three parishes.

2016. Do you think that would be an improvement or the reverse?—I cannot say. I do not think it would be an improvement to our parish; but taking the three parishes together, I think it might be an improvement.

2017. There is a very strong parochial feeling in general, is there not, in those large parishes?—Yes, there is. I should wish also to refer to the cart duties levied by the City of London. The cart duties at the present time are let to contractors for 5,000*l.* per annum; and I am informed that they collect something near 10,000*l.*, giving 5,000*l.* clear profit to the contractors. By the contractors employing persons to collect the tolls, they are collected in a very harsh and rather an ungenerous manner. Suppose I go to Newgate Market and buy a leg of mutton or a flat of butter, that is placed in my cart, I have to pay 2*d.* for that to a man who will stop me at the corner of Newgate-street. I come down to Farringdon-street, and a neighbour of mine bought a little geranium which he gave 3*d.* for. Before the toll collector would allow him to get into the cart he made him pay another 2*d.* If I had gone up Holborn and bought anything else, and there had been a collector near, he would have made me pay another 2*d.*, so that there would have been 6d. toll for that cartload of goods. Supposing, my not being a freeman, I take a load of goods into the City three or four times in a day, I must pay 2*d.* each time.

2018. A toll is paid every time the cart passes the toll-collector?—With a different load.

2019. Are any compositions ever entered into by the owners of carts?—I believe those who go constantly into the City, make some contract with the toll-collector; they give 1*s.* a week, even that amounts to 52*s.* a year, which is a tax of some importance in addition to the other duties which they have to pay.

2020. The power of compounding is entirely arbitrary probably with the toll-collector, he may do it or not, as he likes?—It only rests with the collector.

2021. He may demand a toll each time if he pleases?—He may.

2022. Is there any other point to which you wish to call the attention of the Commissioners?—No.

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Francis Bennoch, Esq., was further examined as follows.

2023. When you were last examined you were about to go into considerations with reference to the financial accounts of the corporation?—I was.

2024. Will you have the goodness to do so now?—Before going into those considerations, probably it might be as well if I were to state two or three matters which may clear the way for them, and perhaps be an important addition to some things I stated before in connexion with similar matters. I was about to refer in the first place to the Court of Aldermen. So far as their conduct has come under my observation as magistrates, I have no hesitation in declaring that they have discharged their duties to the utmost of their abilities, and they have generally performed their magisterial functions with great punctuality and considerable advantage to the citizens of London. Whether they shall continue as magistrates is another matter. I have a strong opinion that they ought not. If we are to have the aldermen continued, it would be better for them, as men of business and for the community, that we should have at each of the police courts of the City, a stipendiary magistrate who should be there at all times when the public required their services, and that the aldermen should not be called upon to leave their various vocations to attend to such duties. The great objection I have to the Court of Aldermen, as at present constituted, is this, they have the control of the City purse as much as the general corporation in common council assembled. They can by themselves vote any sum of money for any purpose they think advisable.

2025. Have they that control in the same unlimited manner as the common council have?—Doubtless to the same unlimited extent.

2026. Are they obliged to give an account to the common council, or to obtain their sanction for what they have done?—They are perfectly independent of the Court of Common Council. As an instance of that, I may refer to the present Lord Mayor, who performed a certain work which was esteemed by his brother aldermen of value to the City: they having overlooked a claim they had upon the county of Middlesex, of some 4,000*l.* or 5,000*l.* a year, in connexion with the administration of justice at the Central Criminal Court, he discovered that the metropolitan county was liable for a certain proportion, and in consequence of his recovering that sum, his brother aldermen thought some compliment was due to him, and they of their own accord caused his portrait to be painted, and a vote of thanks to be emblazoned at an expense of some 300*l.* or 400*l.*

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Then, it will be seen by and bye, they have the right of pensioning the widows or orphans or relations of deceased aldermen.

2027. Has the common council the same power?—They would doubtless have the same power, but I think in that respect they would have more discretion.

2028. You mean they would be less likely to give pensions than the Court of Aldermen?—I think they would do it in another way. In consequence of the number of offices which fall to the lot of the common council, the chances are, that they would elect some of the friends of deceased common councilmen to occupy those positions. That is shown by the names of the persons who now perform those functions in connexion with the various offices of the corporation.

2029. You mean, having such patronage, it would not be necessary for them, when they wished to pay a compliment to any one, to vote him a sum of money, but they would give him an office?—I think so. So general has the tendency become to elect relations of members of the common council to offices of that kind, that last year the sons of three members of the common council became candidates for one office. The more independent part of the common council considered this to be offensive and unwise, and they moved and passed a resolution, which is now one of the byelaws of the court, that the son of a common councilman shall not be eligible to be elected, so long as his father continues in the corporation. There are several committees of the common council, of which it would be impossible to speak too highly. I believe that the property of the City, so far as its rents are concerned, is exceedingly well attended to, and I believe there are no better landlords on the face of the earth; while they get the legitimate value for the property, I believe they are also kind and considerate to those who may be unable to meet their demands on any particular occasion. They scarcely ever pursue them with acrimony, or in any way calculated to injure them, but they seek rather to do them good.

2030. Does their property consist much in possessions within the City?—To a considerable extent. There is a table, which I shall presently place before the Commissioners, in which are shown the items of revenue. You will find they are lumped together, and there is great difficulty in separating them; it can only be done thoroughly, by calling upon the comptroller of the City lands to give evidence before the Commission.

2031. You are probably better acquainted with the character of the corporation as landlords in the City than in their outlying estates. How do you believe them to manage their City estates?—There is no doubt that the management of their outlying estates is conducted with consideration, equally to that which is shown to tenants in the City.

2032. Do you know personally how they manage their City estates?—I belong to the City land's committee. Before a lease lapses, notice is given that the lease will lapse within a certain time, and if then the occupier desires to continue, he must give notice to the committee within a certain time. It is probable that the lease may be in the hands of some one else, and notice will be given to him also.

2033. You say you think the estates of the City are liberally and kindly administered as relates to the tenants. Do you think they are sufficiently prudentially administered, as far as relates to the interest of the property itself?—I think they are.

2034. You think that a fair return is obtained from them?—I should say a very fair return. There can be no blame in that respect attached to the corporation.

2035. Do you believe the staff of agency and soforth, to be improperly large?—Preposterously. I speak of the property itself; in bringing the property or revenue into the chamber, it is legitimately managed, but so soon as the money is there, I believe there is an extravagant expense which ought not to be tolerated.

2036. The question refers to the agency which is used for the management of the property; of course, if that agency be unreasonably large, it will decrease the net receipts of the property. Do you think the agency is unreasonably large, and that in that manner the net receipts of the estates rendered less than they ought to be?—I think, so far as the management of the estates is concerned, the agency is not extravagant, but the money derived from them is so frittered away, by an undue expenditure in connexion with the corporation generally, that the effect is the same.

2037. How are the agents appointed, and who are they in general?—The agents are very few indeed. The comptroller of the City lands, who has a staff of clerks, invites all parties to come and apply to him. The property lies in the City, or contiguous to it, so that there is no difficulty in leaseholders applying at the comptroller's office.

2038. Is it the fact, that nearly all the City property is either near or in the City?—So far as I am aware, it is the case; there is some property of the City in Marylebone; some in connexion with Conduit Fields Estate on the left-hand side of Holborn; again in Finsbury, and two or three other parts of the metropolis.

2039. Is it, generally speaking, well conditioned property, which is easily managed?—I should say it is. Under the management of our present surveyor, who is exceedingly accurate and very careful, I believe every part of the property is well defined.

2040. Has your committee anything to do with the management of the property of the Irish Society?—Nothing whatever.

2041. Does any of that property belong to the City as a corporation?—It seems to be

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a doubtful matter whether it does or not. It is under the management of the corporation, and I may here say, that to the amount of expenditure which I put down the last time I was before the Commission, namely, 2,900*l.*, I ought to have added 600*l.* allowed to the Irish Society, which would have brought the allowances to 3,500*l.* There are other items, which swell the amount considerably. We shall find presently that many of those revenues never appear. What we must believe to be revenue connected with the corporation itself never appears in the corporation accounts. For instance, in the blue book published by the corporation we find no returns to the Irish Society in connexion with the chamberlain's office. We shall also find that a large amount of fees is received by various officers of the corporation in part payment of their salaries, for which they give an account to the corporation, but which never appear as receipts in this book. We shall also find a variety of discrepancies, amounting to thousands of pounds, which cannot be explained except by inference.

2042. Are the payments made to the agents employed in managing the property deducted from the income before it is paid into the chamber, or is the money paid in a gross sum; and are all payments charged under the head of receipts?—There is a regular account kept between the comptroller and the chamberlain, which is published annually. He pays it in as he receives it. In the case of the Irish Society they employ an agency, but never having been a member of that society I am unable to speak to that precisely. I know that the amount never appears in the general account of the corporation. With respect to the sewers in the City, I believe that as far as the sewers in the City are concerned nothing can be better than the management of them by the Sewers Commission. For some years past nothing could be more clear than the character of their accounts, but that was in consequence of auditors being appointed who suggested improvements, and indeed would not sign the accounts unless certain improvements were carried out. The suggestion of the auditors was adopted, and a better system of accounts introduced, but I believe the report upon which this change was made was presented to the Court of Common Council, and referred to the Sewers Commission, with instructions, I believe, to report again to the common council. The report has never re-appeared; still it had the effect of changing the system of the accounts, and the parties who suggested the alteration have continued to be the auditors.

2043. Do you believe that the separate system of sewerage in the City, as distinguished from the rest of the metropolis, is productive of any evil or inconvenience?—I do not imagine that it is productive of any evil or inconvenience, further than by involving the necessity for applying to two bodies instead of one. Of course, also, there being two bodies, the expense must be greater than if there were but one. I believe in the City they would be always willing to meet the requirements of the Metropolitan Commissioners of Sewers; but I think, considering the small area of the City, it would be better to have all the sewers of the metropolis under one management.

2044. Are you a member of the Commission of Sewers in the City?—I am.

2045. You probably, therefore, had frequent communications with the General Commission of Sewers?—There is a sub-committee appointed by the general body as a delegated body, who, together with the surveyor, attend the General Commission of Sewers when anything in connexion with the City is under their consideration.

2046. Does it appear to you that the joint action which is so important in those cases is practically and properly carried out?—I am not aware of anything to the contrary. At the same time I think it would be infinitely better to have them under one general head.

2047. You mean that the City should give up all separate jurisdiction over its own sewerage?—I think so.

2048. And that it should be merged in one General Commission of Sewers?—Yes; or such other body as might be deemed best, under a complete system of municipal government. With respect to the accounts which I am about to bring before the Commission, which I have gone into with a great deal of care, I am unable to see anything that would justify any charge of peculation or malversation in connexion with the members of the corporation. At the same time I am bound to declare that the extravagance, the multiplicity of officers, and the unnecessarily large salaries paid to them, bring out a total expenditure which is more condemnatory of the system than any words can possibly convey.

2049. Will you proceed to make the statement you allude to?—In the first place the gross income of the corporation is 213,572*l.* That sum is collected in this way: rents and quit-rents, 83,611*l.*; renewing fines, 12,800*l.*; markets, 20,598*l.*; tolls and duties, 6,941*l.*; offices, which is a curious term, and really means coal duties and corn metage, 73,169*l.*; bequests, 132*l.*; brokers' rents, 3,756*l.*; freedoms, 840*l.*; interest, 1,392*l.*; sheriffs' fines, 1,200*l.*; and casual revenues, 6,429*l.* The gross revenue is therefore 213,572*l.*

2050. Where do you take those figures from?—From the blue book, published by the City.

2051. Is that the income applicable to expenditure?—In certain ways it is. Then they have an income beyond that: from the navigation, of 8,377*l.*; from the consolidated sewers rate, 66,861*l.*; from the general sewers rate, 19,526*l.*; and from the bridge house estates, 47,021*l.*, bringing out a total of 355,357*l.* But this does not include the receipts

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from the Irish Society, because, not being a member of that society, I have no power to get at the particulars of their accounts, which I could have wished to have consolidated along with these; nor does it include the police rate, which is about 30,000*l.* more, there being 11,000*l.* expended upon the police out of the revenues of the City, as the proportion agreed to at the time when they obtained their independent Act. So I apprehend that the whole income of the corporation would come to very nearly 400,000*l.* in round numbers. The expenses of administration is a point to which I now desire to direct the attention of the Commission, because it is the point upon which the corporation must be condemned, if it be condemned at all. The general salaries allowed to the officers of the corporation amount to 38,672*l.*; legal salaries, 14,700*l.*; legal expenses, 4,600*l.*, I leave out the odd figures; pensions to relations of officials, 3,644*l.*; pensions to relations of aldermen, 580*l.*; parliamentary expenses, 1,467*l.*; committees' allowances, 2,900*l.*, to which, as I before said, must be added some other matters, which I think would bring it up to fully 4,000*l.* There are also some expenses connected with the keeping of the barge, and the expense of the barge-master; auditors receive 106*l.*; printing and stationery, 3,182*l.*; state coach and official clothing, 774*l.*; disbursements through the hall-keeper and to reimburse officers for petty expenditure, 4,067*l.* That is an item which requires some explanation. Advertisements, 142*l.* Then there are a variety of sundries, amounting in the gross to 14,688*l.*, and I think one half of that amount may be fairly taken and applied to the general expenses of administration, allowing the other half to go for the performance of works which either improve the corporation estate, or keep it in proper repair. Then we have discrepancies in the account of salaries, 10,061*l.*; and we have further discrepancies in the financial account in connexion with salaries, 13,187*l.*; and we have expenses of chamberlain's clubs, 2,372*l.*, bringing up the total amount of the expenses of administration to 107,874*l.*, to expend the balance of 255,000*l.* In addition to that, there are certain artificers enumerated, with names attached, 5,440*l.*; and then there are other artificers with no names attached, called sundry artificers (why the names are not attached, I cannot for the life of me comprehend), 4,160*l.* Then we have in connexion with the prisons: victualling, 2,561*l.*; soup, &c., 124*l.*; clothing, 543*l.*; coals, gas, &c., 2,313*l.* Then the public charities, of which I confess we have heard so much, that I thought we had expended much more, 1,147*l.* I find, on going into the detail of sundries to which I have referred, that they chiefly relate to self glorification. We find, "To Messrs. Onyon and Company, for cloth delivered to the "ministers of state and others, 133*l.*" It appears that the City is bound to send the ministers of state, in consequence of some particular charter, right, or privilege, granted to the City, so much cloth, either in the shape of gowns or wearing apparel. The amount paid under that head is 133*l.* annually. Then, here is an item for silk banners, 14*l.* Then, "To Benjamin Wyon for medal, commemorative of the opening of "the New Coal Exchange, 57*l.*" "To a Mrs. Dowse for writing, emblazoning, and "framing the resolutions of the Court of Aldermen to the President of the French and "the municipality of Paris, 26*l.*" That is one of the matters to which I would call your attention, as showing that the aldermen have an independent jurisdiction over the City purse, and that they can pass a complimentary resolution at any time, have it emblazoned, and spend upon it 30*l.* "To her also for writing, emblazoning, and framing "the vote of thanks of the Court of Aldermen to Thomas Sidney, Esq., alderman, "126*l.* 10*s.*" Then comes a singular item, "To the executors of William Rawlins, "serjeant of the channel, being the sum secured by a bond under the seal of the corpo- "ration, dated the 20th of March 1823, which sum was agreed to be paid to the said "William Rawlins in case he should surrender the said office during his lifetime, or to his "representatives at his decease, in consideration of his releasing to the corporation his "right of alienation of the said office, agreeably to the arrangement made by the cor- "poration in January 1823, 2,100*l.*" Then again, "To Mr. Higgins, the surveyor, "630*l.*;" "To Mr. Walker, the engineer, 52*l.*" I am perfectly safe, therefore, in taking one-half the amount I have stated as being expended in connexion with the civil administration of the affairs of the corporation. The Commissioners will observe that the book I hold in my hand I have had constructed in this manner: I have taken two or three of the blue books and I have cut out separately, item by item, and brought the whole of the items as nearly as I possibly could under their several heads, and from this book I gather the enumeration which I have just read, better than by going through the whole item by item. Here is the book (*producing the same*), with the whole of the accounts condensed, brought under their regular subjects, showing, at a glance, how the money, according to this return, is expended. If it will be of any advantage to the Commissioners, I will lay it before them. In connexion with this expenditure, as shown in their blue book, page 61, I find put down the sum of 19,625*l.* under the head of lodging houses for the labouring poor. Now, anybody looking at this account, would naturally believe that this money had been expended in the construction of lodging houses for the labouring poor. It is, however, merely a balance of the proceeds of a part of the Finsbury estate, which is an estate held in trust, and being held in trust they virtuously consider that they should not allow it to merge into the general funds of the corporation, but they set it aside for a specific purpose, which purpose, professedly, was that of building lodging houses for the labouring poor. The foundations of those houses, however, are not laid, though it appears here in the account of payments; but I suppose those houses will appear in due course of time. The coal tax here figures very conspicuously.

2052. Has the City expended anything in baths and wash-houses and matters of that description?—Not a penny further than by giving 50*l.* or 100*l.* now and then to such institutions as may have been established in the neighbourhood. There are no baths and wash-houses erected yet by the corporation of London. They intended, I believe, in connexion with the improvement of Farringdon Street, when they had built the houses for the labouring poor, to build baths and wash-houses; but the proposed scheme of a new central railway coming into that position, is, I think, a fair excuse for the delay of those works.

2053. Have they paid attention to the building of an improved class of dwellings for the labouring poor?—By no means, and that is one of the strong arguments against the past conduct of the corporation: that while they have constructed new streets, and disturbed the population in those localities, they have taken no care to provide for them any dwellings in the neighbourhood. The labouring man's advantage is to live near his work; if he lives in a particular locality it is because he works near it; but the corporation have disturbed him, and allowed him to find a house where he could; thereby causing families, to the number of three, four, or five, to crowd together, to the injury of their health and morals. Accordingly, in the neighbourhood of Clerkenwell or Moorfields, where improvements have been made, the population has sunk to the lowest point of degradation.

2054. Have they pursued any different course in that respect from what has been pursued in other parts of the metropolis, where improvements have been recently made?—I am afraid not.

2054a. Proceed to the coal tax?—There seems to be a great misapprehension in the minds of some witnesses as regards the manner in which the coal tax is expended. The coal tax is 1*s.* 1*d.* per ton, of which the City receive, for the expenses of collection and other matters, 1*d.* They receive and appropriate to public improvements, under Act of Parliament, 4*d.*, and 8*d.* is handed over to the Government for the purpose of making general metropolitan improvements. Out of that fund New Oxford Street was constructed. Most of the improvements in and about the neighbourhood of Leicester Square, and the New Victoria Street in Westminster, were, I believe, entirely constructed out of the coal tax; and there is a sum of 90,000*l.* now lying to the account of the borough of Southwark, and about to be expended in the construction of a new street from the Town Hall to the Southwark Bridge Road. Beyond that there has been a great improvement made down in Spitalfields, in the construction of a new street from the docks up to Bishopsgate or Shoreditch. The cost of those various improvements has been paid out of the general coal tax. The corporation has a great many sins to answer for, but the mal-administration of the coal tax, much as I disapprove of that tax, I believe is not one. I believe it has been fairly expended for the purposes for which it was given.

2055. In disapproving of the coal tax, do you refer to the injurious effects of such a tax upon the community, or the manner in which the money derived from it has been applied?—The money has been well applied. The sin of the coal tax I believe to be its being levied at all.

2056. Do you believe that the proceeds of the coal tax have been distributed with sufficient equality over the whole of the metropolis?—I think they have.

2057. What part of that tax belongs to the City itself, and is applicable to purely City purposes?—4*d.* per ton.

2058. Are the entire proceeds of that 4*d.* applicable to City purposes at the discretion of the corporation?—I believe so. It was originally granted for the purpose of building and completing the approaches to London Bridge; then the period was extended for the purpose of completing other improvements contiguous to London Bridge.

2059. When will the authority under which that 4*d.* is levied expire?—I think in 1864.

2060. Till that period, are the proceeds of that tax so strictly tied up for purposes from which the City cannot divert it?—Yes. I believe it is altogether pledged to public bodies, who advanced the money by which the corporation have been able to effect certain public improvements.

2061. Is there any money derived from the coal tax which is now at the discretion of the City?—I am not sufficiently informed upon that matter as to be able to give a distinct answer; I think not.

2062. Do you know whether there is any amount of the tax upon coal which is now levied, granted in perpetuity?—I think not.

2063. You think it will wholly expire in the lapse of time, unless renewed by Act of Parliament?—I think it will wholly expire in the lapse of time, unless renewed by Act of Parliament; that is my firm impression and belief. I believe the general impression would be, that for all public improvements it is better to levy a rate over the whole metropolis, to be expended for the benefit of the whole metropolis.

2064. Do you think it would be advisable to anticipate the period at which the coal tax will expire, and substitute a general rate?—I think so.

2065. Have you any fear of the unpopularity which generally attaches to a direct tax of that description?—No. I think the sewers tax is borne with perfect contentment. It is felt that it is levied for the good of the individuals paying it, and that it ought to be paid without grumbling. The coal tax bears particularly hard upon certain trades: the sugar refiners, for instance, are almost entirely confined to the metropolis; it bears there-

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fore very heavily upon them, in competition with foreigners who are able to obtain their coal duty free. I dare say the tax upon some of the sugar refiners may amount to 1,200*l.* or 1,500*l.* a year. I know that a friend of mine, who is engaged in the supply of gas, has contracted for coals to the amount of 50,000 tons a year; the tax, therefore, costs him 2,500*l.* a year.

2066. Your opinion seems to be, that the purposes to which the coal tax is applied, are beneficial; that it is also equitable that the tax should extend over the whole area of the metropolis; but you object to the particular incidence of the tax, inasmuch as it raises the price of coal?—I object to any special tax which bears upon one commodity, and perhaps presses heavily upon one particular trade, and gradually—especially in the case of the tax on coal—presses at last heavier upon the poor man, who can very ill afford to pay it. There can be no doubt, in weather like this, there is no danger of having too much firing, whatever may be the inconvenience of the smoke.

2067. Will you proceed with any further statement you wish to make?—I have referred to certain discrepancies which it is right the Commissioners should understand. A return of the various sums received by all the officers of the corporation, and from all quarters, whether by distinct salary, or by fines, or fees, was called for about twelve months ago, and on the 28th of July it was made to the corporation, and laid before the common council. I find in this return there are certain officers who appear, according to their own statement, to receive 29,348*l.* According to the statement of this blue book, they only appear to receive 19,283*l.*; making a discrepancy between the two returns of upwards of 10,000*l.* For instance, in the case of Mr. Beddome, the mace bearer, he received 550*l.* according to his own showing, and according to the chamberlain's account he received 444*l.* Mr. Brand, the comptroller of the bridge house estates, appears by his own statement to receive 1,013*l.*, but in the chamberlain's account he only appears to receive 300*l.*

2068. Are the two accounts made up to the same time?—They are. The architect receives, according to the return, 2,500*l.*; but he is only put down in the account as receiving 2,275*l.* The chamberlain returns himself as receiving 2,500*l.*; in the chamberlain's own statement he figures to the amount of fifteen guineas. The judge of the Sheriffs' Court, who in one statement appears to receive 1,200*l.*, according to the other 489*l.* Thomas Saunders, the comptroller, according to the return receives 1,500*l.*, but only figures in the financial statement for 1,000*l.* This discrepancy, in my opinion, arises in this manner: all those gentlemen have attached to their own offices certain fees, which vary to a certain extent year by year, as in the case of the mace bearer. Those fees are received by themselves, and they receive the salary out of the chamber; but the fees swell up the salaries, as certified by their own return, far beyond the amount appearing in the chamberlain's accounts, and make the whole discrepancy amount to above 10,000*l.* I need hardly say, that in all corporations and in all public affairs such a manner of keeping accounts is not to be defended. Fees and revenues of all kinds ought undoubtedly to be paid into the common treasury, and all officers ought to be paid from the common general funds. Without such a system you are liable to have all sorts of irregularities, and perhaps there may be a certain inducement to do wrong; for I dare say, in some instances, the amounts remain unchecked. I find one of the officers returns himself as receiving 400*l.*, when according to the financial statement he receives 516*l.*; that I cannot explain. Another in that return receives 550*l.*, but according to the financial statement it is 580*l.* Whenever the excess is in the chamberlain's account, I cannot explain it; it is possible that some of those gentlemen may be able to do so. As I am speaking of the discrepancies between the chamberlain's account and the amount of salaries returned by the officers, perhaps it would be well to put in the return which was called for on the occasion of the late chamberlain being elected to his office. I gather from the reports that a good deal of misunderstanding and misrepresentation are abroad in connexion with the manner in which the chamberlain's office is conducted. The chamberlain receives from the corporation funds proper, no money; but those funds are invested in a variety of ways, from which they derive a certain amount of interest, and the chamberlain out of that interest pays himself and the whole expenses of his office. I need hardly say, that that again, in my judgment, as a merchant, is a loose way of keeping accounts. All those interests ought to come into the general fund, and the salaries of all men who are worth anything ought to be paid out in a straightforward business-like manner. It appears that the balance of that account lying in the hands of the banker a few months back, was 20,609*l.* 2*s.* 7*d.* Perhaps I ought to explain that when I say the interest on the balance of money belonging to the corporation in the hands of their banker, after paying the chamberlain his own expenses and those of the office, now reaches 20,609*l.* 2*s.* 7*d.*, I mean that it did so at the election of the present chamberlain. The corporation committee who got up this return have bound the chamberlain down to expend upon his clerks 2,102*l.* 10*s.* They say, "With respect to the emoluments and allowances of the office of chamberlain "we are unanimously of opinion that the chamberlain should receive the payments from "the corporation received by his predecessor, the payments from the several public funds "as heretofore, together with the interest arising from the investment of balances. That "he should annually pay thereout the sum of 2,102*l.* 10*s.* as a fixed charge to cover his "clerks' salaries at their present amount, and the sum of 270*l.* for messenger, stationery, "and all other expenses of his office, receiving to his own use a sum not exceeding

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" 2,500*l.* per annum. That in the event of the balance amounting to more than 2,500*l.*, " the surplus beyond that sum to be applied in relieving the charges of management of the " public funds in the chamber in equal proportions; and we recommend this honourable " court to give directions accordingly." Those directions have been given, so that the expense of his office is fixed at 2,372*l.* 10*s.* That is an exceedingly unwise resolution, because the chief clerk of the chamberlain within the last few days has resigned his office. In a printed letter which I received before I left my office this morning, he gives as the reason of his leaving, not that the chamberlain and himself have not agreed perfectly, but because certain members of the corporation have not worked so pleasantly with him as had been their custom heretofore. He states in that letter that a most corrupt motive is attributed to him as the reason for his leaving at the present moment. In his own defence, he prints and circulates this letter to show that it is not in consequence of any unpleasantness in his office, but simply in consequence of his being unable to work pleasantly with certain members of the corporate body; so that here an expenditure of 800*l.* a year falls into the chamberlain, and yet he is almost bound to appoint some one, and redistribute, in some way or other, the whole 2,372*l.* 10*s.*, when a considerable economical reduction might, in all probability, be made by an amalgamation of the offices.

2069. Do you believe it would not be necessary to appoint a successor to Mr. Scott?—Mr. Scott has been in the service of the corporation twenty or twenty-four years, and of course, with a gradual promotion or advance of salary, and it is very likely that a re-arrangement might be made of the offices, so as to save 500*l.* or 600*l.* a year. This return shows that the balance of interest of the public funds in the hands of the banker, carried forward year by year, after paying the salary of the chamberlain and the expenses of his office, is as follows:—In 1844, the balance was 713*l.*; in 1845, 41*l.*; in 1846, 895*l.*; in 1847, 1,146*l.*; in 1848, 2,117*l.*; in 1849, 3,063*l.*; in 1850, 2,892*l.*; in 1851, 3,333*l.*; in 1852, 5,360*l.*; bringing up a total balance of interest, after paying all the expenses to the amount I have just now named, of 20,609*l.* 2*s.* 7*d.* I have been the more careful in stating this, because there seemed to be some apprehension in regard to the matter. The salaries of the offices, according to this return, which are in the appointment of the aldermen, amount to 9,986*l.*; in the appointment of the common council, 28,190*l.*; in the appointment of the Irish Society, 400*l.*; the committee of City lands, 858*l.*; the commissioners of sewers, 3,928*l.*; the navigation committee, 1,846*l.*; the finance committee, 300*l.*; the corn meters' committee, 350*l.*; the markets' committee, 614*l.*; the library committee, 300*l.*; the police committee, 787*l.*; the City school committee, 2,720*l.*; the Lord Mayor, 1,850*l.*; and the livery companies, 3,189*l.*; making together 55,318*l.* I may refer here to another list of discrepancies amounting to the large sum of 13,187*l.* Those discrepancies appear in the return made by the officers, but do not appear at all in the blue book. The result is that we have in connexion with the salaries 23,000*l.* expended, of which we know nothing, according to the accounts kept in the chamberlain's office. Some of this revenue is received under the management of certain committees, and by them paid to certain officers, who are under their superintendence, and elected by them. That is the case with the City school. The expense of a boy there averages about 10*l.* per annum for an education of the highest class. This sum is received by the City school, and I rather expect is kept in a sort of private account between the City school committee and the chamberlain in his office; because none of the payments appear in this return, and none of the receipts from the City school appear in this book. So I apprehend a private account is kept, out of which they pay the salaries of the various professors, masters, and teachers; and the balance is carried forward to the credit of the City school account. Here, therefore, are revenues making altogether the sum of 30,000*l.* or 40,000*l.*, of which we know nothing in connexion with this system of book-keeping: a system for which the clerks are not responsible, as it was adopted by the common council on the recommendation of a committee appointed for the purpose, and any system more crude and intricate could hardly be conceived. Supposing no alteration were attempted in the corporation beyond that of remodelling the present corporation, I think the following reductions in legal salaries alone might be effected, without impairing the efficiency of any office.

2070. You refer to the salaries of officers employed in the administration of the law?—I refer chiefly to officers with fixed salaries; I do not refer merely to the legal salaries. The reduction I speak of will come out in the aggregate as much as 12,000*l.* The recorder receives now 3,000*l.*; the common serjeant 1,500; the judge of the Sheriffs' Court 1,200*l.*; but as the duties of those officers must either be performed by those gentlemen who now perform them, and who are not overpaid, or by a judge or judges appointed by the Crown, I do not see that any reduction could be made in the salaries. We have then the town clerk with 1,892*l.*, and a secretary with 1,249*l.* That is an office which was purchased a long time ago, and which the gentleman at present continues to enjoy. The remembrancer receives 1,765*l.* Now, I have never been able to understand the duty of that officer unless it is to appear for an hour or two under the gallery of the House of Commons, and take notice of what occurs in connexion with the corporation, which, if he had not noticed at all, it would often have been much better for the community.

2071. What are the duties of the remembrancer during the recess?—He arranges all the ostentation, and settles questions of precedency in connexion with the Lord Mayor's dinner.

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2072. He is a solicitor, is not he?—I believe he is.

2073. Has he any private practice?—I think not.

2074. You think he is not allowed to practice?—I think he is not, but his brother, who is solicitor to the City sewers, is permitted to have private practice. Those three offices of town clerk, secretary, and remembrancer I would throw into one office. The town clerk would be well remunerated with a salary of 1,250*l.*, and if he requires clerks to superintend the other two offices, I apprehend there would be no difficulty in getting thoroughly competent clerks for 300*l.* a year. Allowing him three clerks, that would amount to 900*l.* a year. The whole expenses, therefore, would be 2,150*l.* instead of 4,906*l.* In the same way I would proceed with the solicitor: he receives 2,366*l.*; the comptroller, who is a solicitor, and merely a conveyancer, whose duties are by no means arduous, nor require a man of great genius to perform, receives 1,500*l.*; and the comptroller of the bridge house estates, an analagous office (the only difference being that one belongs to the City lands and the other is under trustee of the bridge house estates), receives 1,013*l.* For some time the duties of the bridge house comptroller and solicitor were combined in the same office, and no inconvenience was experienced.

2075. Was the double salary maintained?—I believe not. The opinion is that those three gentlemen receive 4,879*l.* for the performance of duties which one solicitor with a salary of 1,250*l.*, and three clerks to attend to the various conveyancing and other duties in his absence, would perform for an aggregate sum of 2,150*l.* We then have the high bailiff of Southwark, and the common pleaders, receiving together 1,036*l.*; those offices I would abolish altogether, because they are of no use to the corporation; and as the duties of high bailiff in connexion with Southwark, the inhabitants of which are very anxious to get rid of the City jurisdiction, would no longer require to be performed, the office might easily be abolished. Then the clerk of the peace receives 349*l.*, and the coroner 482*l.* I would unite the offices of clerk of the peace and the coroner together, with a salary of 500*l.* a year.

2076. How is the coroner appointed?—By the common council. Then, connected with the police courts of the City, we have the Mansion House and Guildhall. The chief clerks receive together 1,230*l.*, and the assistant clerks 500*l.* The assistant clerk at the Mansion House receives 200*l.*, and at the Guildhall 300*l.* I cannot understand that difference. The chief clerk at the Guildhall is Mr. Thomas Wood, who was for a long time an alderman. Being unfortunate, he was put into that office, and now sits below the bench; though I understand while he was on the bench there was no better magistrate upon it. The whole of the retrenchments which I have referred to in connexion with the offices I have named being made, we shall find that we could save in this item alone of law officers and magistracy at least 12,000*l.* Then we observe that the mace bearer receives 550*l.*, and the sword bearer a similar amount. We find also that the City marshal receives about 450*l.* or 500*l.*, and the under marshal 200*l.* or 300*l.* Those gentlemen receive also for boots, 14*l.*; for cocked hats about 20*l.*, and then for uniform about 70*l.*, with occasional extras, making altogether for those two marshals nearly 1,000*l.* I need hardly say that two respectable police serjeants at 120*l.* or 150*l.* per annum together would do the duties equally well, perhaps far better—the principal duties of those officers being to usher gentlemen into the presence of the Lord Mayor, to obtain his signature to any document which requires his certificate, and to ride on horses before processions, as was the case on the 9th of November last. After going through the whole of these matters, I come to the conclusion that we might save at least in the general expenditure, without impairing in the slightest degree the efficiency of any office of the corporation, from 40,000*l.* to 50,000*l.* per annum. The whole amount, as I have already stated, appears in this extravagant book of accounts, and is 107,000*l.* for the expenditure of the additional 247,000*l.* I should have no hesitation in saying that the whole of the duties falling to the various officers might be performed for certainly 50,000*l.* less. Here, therefore, you have for use at four per cent. a capital for the improvement of the City of a million and a quarter, and that in perpetuity.

2077. Would not compensation be necessary in some of those cases?—They are all annually elected; at least in ninety-nine instances out of one hundred that is the case. There is no doubt that Parliament could call upon those gentlemen, at the end of their year of office, to resign their offices without compensation; but I am quite sure that no Government, and no corporation, would act so with regard to officers who had filled such situations for a number of years, and who, from their position, might be unable to procure other appointments.

2078. You think, though they would have no legal claim to compensation, they would have a fair equitable claim?—Yes; an equitable claim, decidedly. I should be very sorry that any contrary opinion should be entertained.

2079. Of course the several cases might materially differ one from another?—Doubtless. I have here rather a curious document. I have said that 50,000*l.* might be saved. I felt that to guess at a calculation with regard to such matters would be exceedingly unsatisfactory and unwise. I therefore put myself in communication with the leading men in Liverpool, Manchester, Glasgow, Edinburgh, and Dublin. I found the case of Dublin did not exactly apply, and I therefore left it out of the statement. The population represented in the City of London was, at the last census, 127,869; the population of Liverpool was 376,065; of Manchester it was 316,213; of Edinburgh, 160,302; of Glasgow, 329,097. The inhabited houses, which become a very important feature,

showing the area covered, are as follow:—in London, 14,580; in Liverpool, 54,310; in Manchester, 53,204; in Edinburgh, 7,786; in Glasgow, 11,965. The small number of houses in Edinburgh and Glasgow, in proportion to the population, is explained in this way: that even very genteel people live in houses arranged on what they call the flat system; they have one house built very high, each family occupy a floor with nine or ten rooms, going up a common stair; therefore, with 11,000 houses you may perhaps have 50,000 families. I requested the gentlemen to whom I have referred to put me in possession of, or procure for me, the last published accounts of the receipts and expenditure of those various corporations, believing that by so doing I should be able to bring forward the best possible proof that my idea, or, I may say, my fear, was a correct one as regards the extravagance of the system pursued in London. I have taken certain analogous and important offices in the several corporations, and compared them. They stand thus: the architect and surveyor of the City of London, for example, receives 2,500*l.* In addition to him, however, we have a surveyor of sewers, who receives 1,200*l.* a year. The surveyor at Liverpool receives 1,000*l.* a year; at Manchester, 700*l.* a year; at Edinburgh, 300*l.* a year. There appears to be no item of this kind in the Glasgow accounts; but I believe they have a river trust, superintended by a very important body, and that account I have been unable to get. We have a bridge house comptroller, with 1,013*l.*; they have nothing of the sort in either of the other towns. We have a chamberlain, with a salary of 2,500*l.*; in Liverpool they give him 700*l.*; in Manchester, 500*l.*; in Edinburgh, 470*l.*; in Glasgow, 400*l.* That officer there appears under the general name of treasurer. I find we have a clerk of the chamber, with a salary of 378*l.*; they have none. A clerk of the peace, who receives 349*l.*; there is no such officer in Liverpool. In Manchester there is one, with 450*l.*; in Edinburgh one, with 150*l.*; and in Glasgow none.

2080. The clerk of the peace is an officer of the county, is he not?—I think he is.

2081. Liverpool, therefore, not being a county, would not have a clerk of the peace?—There is one at Manchester. The emoluments of the clerk to the magistrates in London amount to 1,805*l.*; in Liverpool the stipendiary magistrate receives 1,000*l.*, and in Manchester 1,000*l.* The comptroller here receives 1,500*l.* I need hardly say that in the other towns the town clerk, being a solicitor, conducts nearly the whole of their business. I need not go through the whole of these details; here is, however, one other instance. The Lord Mayor receives, on an average, 8,000*l.* a year; in Liverpool, which is considered next to London the most extravagant corporation in the kingdom, the mayor receives 2,000*l.* a year; in Manchester he receives nothing; in Edinburgh the lord provost receives only 514*l.* 11*s.* 8*d.* The mace bearer in London receives 550*l.*; in Liverpool he receives 20*l.*; in Manchester, I suppose they have not yet got a mace; but in Edinburgh he receives ten guineas. The recorder here, having of course heavier duties to perform than any other recorder in the kingdom, receives very properly 3,000*l.*; in Liverpool he receives 675*l.*; in Manchester, 800*l.* Here we have a remembrancer, one of those ridiculous officers whom we keep up with a salary of 1,765*l.* None of the other cities or boroughs I have named have any such officer, nor have they a secondary, nor a solicitor as such. The sword bearer here receives 550*l.*; in Liverpool only 40*l.*; there is none in Manchester; in Edinburgh he receives ten guineas, and in Glasgow they have none. The town clerk here receives 1,892*l.*; in Liverpool he receives 2,125*l.*, but then he combines in himself the office, no doubt, of remembrancer, secondary, and solicitor, and all others of the kind, which, in the aggregate, with us cost 10,000*l.*; in Manchester he receives 1,500*l.*; they have no such officer in Edinburgh; in Glasgow he receives 360*l.* Now come the upper marshalman and the under marshalman: they receive in London 795*l.*, with a variety of other matters and some extra fees, which bring the amount up to nearly 1,000*l.* The water bailiff receives in London 500*l.*; in Liverpool, where the duties must be equally great, he receives 200*l.*; and they have no water bailiff, of course, in Manchester, nor in Edinburgh or Glasgow. I think it would be very desirable to have some leading gentlemen from each of those cities to give something like an accurate idea of the expenditure in connexion with the administration of their various corporate affairs, and I believe their testimony would accurately prove every item I have now stated.

2082. Are not both the income and the expenditure of the corporation of London much larger than that of any of those boroughs?—In some cases the income is much more than it is in London. I find, taking the aggregate of the particular salaries of those analogous officers in those several towns, that in London we pay 31,787*l.*; in Liverpool, they pay 9,865*l.*; in Manchester, 5,774*l.*; in Edinburgh, 1,789*l.*; in Glasgow, 1,075*l.* I have no return of the cost of the chamberlain's office in London; but from other sources, I find the total expenditure of his office in 1852 was 4,872*l.* 10*s.*; in Liverpool, it is 1,113*l.* 17*s.* 4*d.*; in Manchester, it is 670*l.* 14*s.* 8*d.*; in Edinburgh, 665*l.*; and in Glasgow, 583*l.* The office of surveyor, in London, costs 3,700*l.*; in Liverpool, with a similar water frontage, 1,717*l.*; In Manchester, 889*l.*; and in Edinburgh, 339*l.* The office of town clerk, in London, costs 3,830*l.*; in Liverpool, 1,503*l.*; in Manchester, 1,825*l.*; in Edinburgh, 581*l.*; and in Glasgow, 360*l.* The total of these departments being, for London, 7,530*l.*; for Liverpool, 4,334*l.*; for Manchester, 3,386*l.*; for Edinburgh, 1,585*l.*; and for Glasgow, 943*l.* Now I hold that the population and area should form an important element of comparison in all these matters. I find, taking the population of London, in proportion to the population and expenditure of Liverpool, the expenditure

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of London, instead of being 31,783*l.*, should only be 3,354*l.*, or a little more than one-tenth of its present amount. Taking the population and the expenditure of Manchester, London should only expend 2,335*l.* Taking the population and the expenditure of Edinburgh, it should only spend 1,428*l.*; and, in comparison with Glasgow, only 418*l.* The Commissioners are no doubt aware that the aggregate expenditure of above 100,000*l.* by the corporation of London, in connexion with its offices, is very much larger than the whole expense of the civil government of the United States.

2083. You mean of the federal government?—The federal government; and what is, perhaps, still more startling, the expenditure of the corporation on itself, in administering the funds it possesses, is larger than the whole amount of its revenue from rents, tolls, and fees from brokers,—three great items of its income. I thought it unwise and perhaps unnecessary to carry this comparison throughout the whole of the places I have named; but I thought it would be well to take one of them, and I have selected Manchester. I must say that the accounts kept by the Manchester corporation might be taken as a model of accounts for every corporation in the kingdom. They are comprised in a small pamphlet, every item being separated, and every item explained.

2084. Has Manchester the same sort of property which the corporation of London has; has it estates and property of that description?—I think not.

2085. Liverpool resembles London more nearly in that particular, does not it?—It does.

2086. Therefore it would be a fairer subject of comparison?—I have taken the expense of certain offices in London, and the aggregate expense of analogous offices in connexion with Liverpool: in Liverpool, it is 9,865*l.*; while in London, it is 31,787*l.*; so that if Liverpool can be managed, as regards those higher offices, for one-third the amount which is expended in London, it follows, that instead of saving 50,000*l.* a year, we might save 75,000*l.*, or 80,000*l.* a year. But I wish to be under the mark, and I am sure that a saving on the present foundation of the corporation might be effected—without doing any harm to the efficiency of the offices, or injuring the administration of the affairs of the City,—of at least 50,000*l.* I find that in Manchester the corporation proper expend 103,371*l.*; on what they call manorial rights, which I apprehend must be estates or markets, 12,720*l.*; construction of water works, 126,736*l.*; pipe laying, 9,307*l.*; revenue less interest, 19,730*l.*; general account, 52,627*l.*; paving account, 11,000*l.*; gas, 106,354*l.*; improvements, 30,758*l.*; and highways, 12,679*l.*, making a gross expenditure under the corporation of Manchester, 485,282*l.* The salaries and expenses of administering those funds amount only to 8,849*l.* The question was asked me just now: Is there any strict analogy between Manchester and London? So far as the analogy goes, I think it is against Manchester, and in favour of London, because we observe that they undertake the management of some very important works, which our municipality has nothing to do with, namely, the water works and the gas. They expend upon those two items annually, 233,000*l.*; and yet the whole is managed, as regards the salaries of the officers and the expenses of the office, with an expenditure of under 10,000*l.*

2087. Do you know if much is done by contract at Manchester?—It is possible it may be so. That is information which, perhaps, might be obtained from some officer from that place; Manchester is divided into townships or districts. There is the township of Chorlton, where they expend 20,000*l.* a year; the salaries there are only 548*l.* In the district of Ardwick they expend 5,000*l.* a year, the salaries only amounting to 647*l.* In Cheetham they expend 500*l.* a year; the salaries are 113*l.* In Hulme, 25,000*l.* is expended, with salaries of 688*l.* Adding to those the expenses of the various offices, I find they expend in those districts 50,500*l.*, at a cost of 2,324*l.* Thus, in the whole of Manchester, so far as I understand this book, they expend in improvements of all kinds; in the management of the whole corporate accounts; the gas, the water, the markets, and everything else, 535,282*l.*, or in round numbers, nearly 50 per cent. more than is expended in London, and the cost of doing so is 11,000*l.* The cost in London for an expenditure 50 per cent. less, being 107,000*l.*

2088. Has the subject of salaries ever been brought before the Court of Common Council?—I am afraid in an old corporation like that of London, it has not been brought forward so frequently as it ought to have been, but it has come before them continually when an old office has fallen through, and a new officer was about to be appointed. In that case they have generally referred it to a committee to inquire into the emoluments of the office, and ascertain whether any reduction could be effected. I think in the majority of cases the emolument has been considered to be pretty near the mark, and has passed as an office which should not be disturbed, and the officer ought to be paid to that extent.

2089. An opportunity of that kind was afforded by the recent vacancy in the chamberlain's office?—Yes.

2090. Was there any disposition to revise the chamberlain's establishment?—It was referred to a committee, and the report which I have placed before the Commission contains the opinion of the committee. That report, having been presented to the Court of Common Council and received by them, may be considered as their opinion.

2091. What was the recommendation of that report?—That the office should continue exactly as it had been in every respect.

2092. Did the common council generally appear to assent to that report?—I think they did as a body.

2093. Was there any discussion about it?—I am not aware that there was; there was a long discussion when the office fell in, and a strong opinion on the part of a large number that they ought to reduce the salary of the chamberlain by at least 1,000*l.* a year. I believe several gentlemen in connexion with the corporation were somewhat disappointed that the committee did not advise a reduction, but it was remembered that one of the gentlemen who was a candidate had served the corporation, as they believed, as a magistrate for a considerable time, and that an office of that kind having fallen in, he was a very proper man to be elected.

2094. It would be in the power of the common council to reduce those salaries if they thought fit, would not it?—There is no doubt about it.

2095. The aldermen could not keep up the salaries without the consent of the common council?—Except in cases where the officers are appointed by the aldermen, and their salaries are fixed by the aldermen. Those are very few, I believe. It is now a general rule if not a byelaw in the corporation, that no money of a general nature shall be paid by the chamberlain on the order of the Court of Aldermen. I remember, in consequence of a late Lord Mayor expending a considerable sum of money in exhibiting himself at Oxford, and floating down the Thames, and being received by noblemen and gentlemen on his way, there was a general feeling on the part of the independent members of the Court of Common Council that it ought not to be repaid, and the chamberlain received an order to pay no money for any such purpose.

2096. You stated just now that the Court of Common Council and the Court of Aldermen had each a separate, but absolute power, over the public purse?—The late chamberlain acted upon this recommendation of the Court of Common Council, but there is no doubt whatever that it was more for the purpose of carrying out a very generally expressed wish, not only on the part of the whole common council, but of a considerable number of aldermen themselves, that the chamberlain acted firmly in the matter.

2097. Do you know what the legal right is; you stated before that the Court of Aldermen could by a mere vote authorise the expenditure of a sum of money without communicating with the common council at all?—Undoubtedly some report of that kind might come up, and an order might be made and the money paid, before the Court of Common Council were at all aware of any such order or such expenditure.

2098. Do you mean that the Court of Common Council have the power of controlling any such expenditure by the aldermen by a general resolution if they think fit to exercise it?—It is a point I cannot answer. Some legal officers of the corporation consider that they can, and some that they cannot; but these things have got so much into a certain course of practice by custom, and the custom being that the aldermen can do as they like, they have to a large extent done as they liked.

2099. But you have just quoted an instance, in which the Court of Common Council did restrain the aldermen from authorizing certain expenditure?—I only remember in eight years one instance in which that has been done.

2100. I will read a passage to you from the first Report of the Commission on Municipal Corporations in 1835, which contains the character of the common council of the City of London at that time. They state, "The common council of the City of London presents "a striking exception to the system of self election for life, and it affords a remarkable "instance of the absence of those evils which we refer to it. The common councilmen "of this City are annually elected by a numerous constituency, yet changes seldom happen "among them. The important requisites of experience in the functionary, and the power "of control in the electors, are there effectually united, and produce that efficiency and "confidence which are wanting in most other corporate towns. The history of the "common council of London is that of a body which has watched vigilantly over the "interests of its constituents, and for a long series years has studied to improve the "corporate institutions with great earnestness, unremitting caution, and scrupulous "justice." Does that appear to you to contain a true character of the common council of London since the year 1835?—I do not know what it was then exactly. If it was true then, they must have become sadly degenerate since; for during the time I have had anything to do with it, that paragraph is as far from what is my opinion as truth is from falsehood. I hold that in doing justice to the constituents you ought to take care and watch carefully over the expenditure of the money, which in fact belongs to them; because I believe no charter has ever been granted without expressing the fact that the benefits arising from it are to be to the Court of Aldermen, the common council, and the commonalty of London; by the commonalty meaning, I apprehend, the constituency as well as those who represent them. Therefore to permit any extravagant expenditure of any kind, appears to me to be a neglect of duty. I was about to state that it not unfrequently happens that in cases of an emergency in any particular department, if an extra officer is required, he is in all probability appointed; he becomes then one of the staff of the corporation, and there seems to be great reluctance either to disturb the officer or destroy the office. The consequence is, that several of those offices have become almost sinecures. Then perhaps in another department an emergency arises, and another officer is appointed, and so they go on till we find a staff of 150 offices and officers in connexion with the corporation of London, when one-tenth of the number would be quite sufficient for the purpose of administering its affairs. Then there is a certain amount of patronage in connexion with the election of those officers. The authorities appointing them do not

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always inquire perhaps sufficiently into the necessity for the offices themselves; and thus the number in the course of 400 or 500 years has been a growing evil, till it has become an evil of very large proportions; the offices have been retained, and on a vacancy occurring another officer is appointed. This I think arises from the changeable character of the Court itself. After a man has been in it four or five years, and perhaps has felt the difficulties of fighting against the prejudices which exist there, he retires. Entering the corporation full of enthusiasm, determined to do some good, he finds he might as well be like St. John howling in the wilderness; that it is impossible for him to produce an impression, and he leaves the corporation in disgust,—the other members rejoicing that they have got rid of a troublesome fellow.

2101. You think that the multiplication of offices has been partly owing to a want of system in the corporate administration?—To a large extent.

2102. It has not been for the sake of multiplying paid officers, and giving salaries to persons whom they are desirous of benefiting, but it has been caused by the accidental way in which one office has been accumulated upon another?—That is entirely my opinion, and in a state of things which has been the growth of four or five hundred years, it is a matter which perhaps is to be expected. Unfortunately some of those customs which have been handed down to us are still retained, to the disgrace of the corporation. The election of sheriffs, for instance, is one of the most analogous proceedings imaginable.

2103. Do you think the hospitality of the corporation is generally popular in the City?—If one might judge from the avidity with which people receive invitations, the anxiety expressed and trouble taken to obtain admission, and the innumerable applications made by distinguished people from all parts of London to those gentlemen who may happen to be on the committee for conducting the great entertainment, one would think it was not only exceedingly popular, but that the report of the destruction of it would excite a sensation throughout Europe, and would produce, as was stated the other day, a national crisis. But I need hardly say that that arises, probably, from the fact that people are anxious to see what has been so much talked about, and then, to my certain knowledge, leave it to laugh at it.

2104. What is the opinion in the City, on the subject of the Lord Mayor's show?—I believe it is a feeling of universal contempt. In consequence of the death of the Duke of Wellington last year there was no parade, but only a quiet dinner, and I believe that the citizens felt that, in consequence of that breach, there was this year an opportunity to depart from the ordinary routine, and abolish for ever the ridiculous parade. Unfortunately, however, they came out with a more foolish exhibition than ever, aided by Cook's circus; they have become liable to theatrical criticism, and it was received with that contempt and laughter it so well deserved. When you recollect that the transactions of the City of London are not counted by tens or thousands, but by millions in the course of a day, and how desirous people must be to get from one point to another,—to have the whole of the thoroughfares blocked up for this ridiculous parade, is perfectly absurd. The whole of the mercantile interests of the City are interested, and they consider the whole thing as a gewgaw show, introduced for the special benefit of nursery maids, children, and idle people and pickpockets.

2105. You do not think that there is a feeling in favour of it on the part of any class?—I do not.

2106. Who pays the expenses of that gewgaw show, as you have called it?—The Lord Mayor out of his income personally one half, and the sheriffs, most unjustly, are each called upon to pay a quarter. Then after they have invited the whole of the parties who feel they have a right to be invited, and that is one of the important duties of the remembrancer, to lay a list before the Lord Mayor and sheriffs of the noblemen and gentlemen who, either by office or by custom, have been in the habit of assembling at the Guildhall,—when they are accommodated, and all the members of the corporation are accommodated with seats for themselves, and their wives and daughters, there are certain spare seats in various places, and the committee of entertainment are enabled literally to give to the Lord Mayor cards to the number of about 100 or 120; each of the sheriffs receives for his private friends cards for fifty or sixty, so that the dinner card which the Lord Mayor and sheriffs give to each of their friends costs them in fact from 10*l.* to 12*l.*

2107. In fact the Lord Mayor and sheriffs have very little choice of their own, as to the persons who are invited?—I apprehend that nearly nine-tenths of those who are there are persons over whom they have no control, they being invited by custom. That is one of the gross injustices perpetuated upon merchants in the City of London who are called on to serve the office of sheriff. They are elected without their consent and against their will; if they do not serve they are fined, and if they serve they are fined still more, being obliged to expend some 2,000*l.* or 3,000*l.*, and go through a number of unnecessary scenes which they themselves in their private condition would naturally shrink from.

2108. Each of the sheriffs bears a quarter of the expense?—Yes; on the last occasion there was a change. A gentleman was elected to serve as sheriff of London, who said, "I will have none of your finery or your footmen, I will have none of your ostentatious "sky blue carriages, I will have no white silk stockings and red breeches, but I shall "come like a private gentleman in a neat carriage, and attend to all the necessary duties "of my office; I shall decline paying any expenses in connexion with your inauguration "dinner; I shall not come near your banquet at Guildhall, nor pay a penny towards any

" of those entertainments ;" and, therefore, the Lord Mayor, in the present year, has had to add three eighths to his expenditure, and the sheriff about two thirds; in other words, I think they divided it into sixteenths, and the Lord Mayor paid eleven sixteenths, as I understand, and the sheriff five sixteenths ; so that the present sheriff will probably pay about 900*l.* for the entertainment instead of 500*l.* or 600*l.* as usual ; and the Lord Mayor will pay from 1,400*l.* to 1,600*l.*, instead of 1,000*l.* or 1,200*l.* Several of the members of the common council have tried to make an impression upon the Court as to the importance of their standing between the merchants of the City and the unprincipled men who are haunting the purlieus of Guildhall for the purpose of catching a man who may be frightened or seduced into the office of sheriff. As soon as a name of a likely man to serve is whispered, one of those ubiquitous persons makes his appearance in the counting-house of the gentlemen so named, and congratulates him on his being likely to be nominated to the office of sheriff. Of course he is terror struck ; but the trader in corruption urges, " If you leave it to me I can prevent it for a consideration." The person appealed to perhaps replies, " I will not give you a farthing." The applicant rejoins, " Then, if " you do not give me a consideration, you shall be elected, and then you must pay a still " greater consideration."

2109. Suppose the party listens to this proposition, what happens then ?—This ubiquitous personage knows where his lieutenants are. He calls them together, and they go into the various slums of the metropolis along the shore, and into all the dark corners, and gather up a number of men who rejoice in the name and privileges of liverymen, and crowd the hall with them ; they vote as he signals, the thing is a settled matter, and a common hall election a complete farce.

2110. When he is proposed they negative the election ?—Yes, and somebody else may be elected instead. A gentleman came before the Court of Common Council, and producing a certificate from his medical man, showed that from some disease with which he was afflicted, and to abate which an operation or two had been performed, any excitement such as would arise from his going through the duties of the office would be dangerous. On the proposition of a member of the common council the Court excused him from paying the fine. I was in hopes that on that occasion, when they clearly saw that gentlemen were elected against their will by these conspirators against men's peace, the members of the common council who had the power in their own hands, would have taken the position of declaring that no gentleman should be elected to serve the office against his will ; and that no fine, whatever might be the purpose to which it was appropriated, should be taken from his pocket.

2111. Who are the members of the common council who have the power to exact or remit a fine ?—The general body by a vote.

2112. Where a fine is levied is it put to the vote, or is the fine levied as a matter of course, and does it require an express vote to remit it ?—It is put to the vote whether a party shall be excused the fine.

2113. Is that question put in every case ?—No ; some gentlemen do not apply for it.

2114. The ordinary course of things is, that the fine is levied without observation, and it requires a special motion and a special vote in order to remit the fine ?—Gentlemen have frequently appeared before the Court of Aldermen and desired to be excused, but have been refused. The Court of Aldermen also have the power, I believe.

2115. Have the common council power to excuse the fine in the case of the man who refuses to take upon himself the office of sheriff without assigning any reason ?—Yes ; but unless the person can show some sufficient reason for being excused, inasmuch as the fine goes to maintain a school for orphan children, they think it is rather a good thing than otherwise, perhaps. Of course I do not agree with the principle that you should do an injury that good may come ; otherwise, you might pick a pocket for the purpose of giving it in charity.

2116. Have all the aldermen served the office of sheriff ?—Not all ; there are two who have not.

2117. Is not it generally understood that the aldermen must pass through the office of sheriff at some time ?—Yes, before they are Lord Mayor ; invariably and generally when there is any difficulty in regard to a sheriff, if there is an alderman in the list who has not served the office of sheriff, they fall back upon him, and he must serve as a matter of course. That was the case last year, when Alderman Carter was called upon to serve ; it was believed that it was done by some irregularity or some understanding between another alderman and the voters in the hall. When the senior alderman was proposed, there were loud hisses and cries of " No ;" and when Alderman Carter, whose turn it was not to serve the office, was proposed, he was elected, which was understood to be rather unfair.

2118. Will you pass to the next point on which you wish to address any observations to the Commissioners ?—Unless there is any question arising out of the accounts which I have gone into, thus far I believe I have finished with them.

2119. Having now concluded your observations upon the finances of the City, will you have the goodness to state to us any suggestions which have occurred to you with regard to the alterations which you think ought to be made in the present system, with a view to the proper management of the municipal affairs of the City of London ?—I have gone into that question very fully. I have done so upon the principle that nothing can be

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satisfactory which is not general; that a general system for the municipal government of the whole of the metropolis is required. I have hitherto hinted at certain things which may be done by the corporation as it now stands with regard to the reduction of the expenditure, provided it should be maintained or only remodelled upon its present basis.

2120. Will you have the goodness to give the Commissioners the outline of the scheme you propose to substitute for the present system?—For the sake of clearness I have put down on paper the outlines of the scheme which I would recommend, and with the permission of the Commissioners I will read them.—(*The witness read the same, as follows*) :—

SCHEME.

1. That the representative system be maintained in its full integrity.
2. That the metropolis be divided into nine municipalities.
3. That each municipality be divided into wards.
4. That each ward have one alderman and six councillors.

Taking the City of London as an example, which contains—

	Houses.	Males.	Females.	Total Persons.
Within the walls	7,174	26,550	28,152	54,702
Without the walls, including :— Inner Temple, Middle Temple, Barnard's Inn, Serjeants' Inn, Clifford's Inn, Thavies Inn, Part of Furnival's Inn.	7,406	36,147	37,020	75,167
	14,580	62,697	65,172	127,869

The number of persons rated at and above 10*l.* is 16,761, which, when divided into twelve wards, gives an average constituency of nearly 1,400 to each ward; these would return twelve aldermen and seventy-two councillors, in all eighty-four representatives. Although about 130,000 appears to be the number of inhabitants who reside in the City of London, it is estimated that during the day at least 250,000 more pursue their avocations within its limits; it is therefore clear that the larger portion of its population is contributed by the surrounding districts, thus it differs from all others, and cannot in this respect be taken as an example. In this scheme 300,000 is taken as the average of the City.

5. The municipalities into which it is proposed to divide the metropolis are :—

1. City proper.
2. Tower Hamlets.
3. Finsbury.
4. Marylebone.
5. Westminster.
6. Kensington.
7. Lambeth.
8. Southwark.
9. Greenwich and Deptford.

6. Each municipality to have twelve wards, twelve aldermen, and seventy-two councillors, as proposed for the City proper.

7. All councillors to be elected on the same day; one-third to retire annually, but qualified for re-election.

8. All aldermen to be elected on the same day; one-third to retire triennially, but qualified for re-election.

9. That the aldermen and councillors be elected by the registered ratepayers.

10. That the mayor be elected annually by the aldermen and councillors, and have an allowance of 500*l.* per annum.

11. That each municipality appoint four aldermen and twelve councillors, to form a central committee, which would then consist of 144 members, viz., thirty-six aldermen and 108 councillors.

12. That each municipality in rotation have the right of nominating the Lord Mayor, and that he be elected by the whole constituency of his municipality, but not necessarily from the body of aldermen.

13. That the Lord Mayor preside at all meetings of the central council, and reside at the Mansion House, with an allowance of 5,000*l.* per annum.

14. That each municipality in rotation have the right of nominating the sheriff of London; that he be elected by the whole constituency of his municipality, have an allowance of 1,000*l.* per annum, and be ex-officio a member of the central council.

15. That the sheriff of Middlesex be nominated by the Crown, the two sheriffs to have the care of prisoners, &c., as at present.

16. That should any municipality decline to nominate or elect the Lord Mayor or sheriff, the right shall fall to the next municipality in rotation on the list, such list to be determined in the first instance by lot.

17. That the central council have the general management of all lighting and police, water and sewers, river and bridges, improvements and streets, finance, rates and rents, general purposes, education and charities, under the immediate superintendence of committees which might bear names analogous to the duties to be performed.

18. That each municipality carry out the various works to be executed within its own limits, which may have received the sanction of the central council.

19. That for the more perfect sanatory condition of the metropolis, the whole district of London within a radius of ten miles from St. Paul's be surveyed, and no streets be laid out or houses built unless approved by the central council, and certified by the surveyor as capable of being thoroughly drained.

20. That the construction of all bridges or steam ferries across the Thames be under the control of the river and bridge committee of the central council, and paid for by a general rate; all bridges to be free, but on all ferries a toll to be charged just sufficient to defray expenses and ensure their proper maintenance.

21. That all persons occupying premises and paying rates have the right of voting, and none other.

22. That the expenses of the local council or municipality be raised by a rate levied on the inhabitants of its own district.

23. That the expenses of the central council, and the cost of all works of a general nature executed through it, be met by a general rate, levied on the inhabitants of all the municipalities.

24. That the Central Criminal Court be under the management of the aldermen of the central council (who shall be magistrates), and the expenses borne by a rate on the whole metropolis.

25. That after the general act of incorporation, all commissioners exercising the functions of commissioners of improvements, sewers, &c., be abolished, and the works placed in the hands of the central council.

26. That the Mansion House, Guildhall, and such premises as might be required by the central council, be valued and paid for by the united municipalities.

27. That all funds left in trust to the City of London be held sacred to the purposes for which they were so left. That all charities be consolidated and administered by one committee. That all property left by individuals, or arising from property granted by charter for services rendered, or money paid, in times gone by, so soon as the obligations are cancelled for which they have been mortgaged, be appropriated to improvements within the City. In like manner, the bridge house estates when relieved of their present burdens be devoted to the purpose of maintaining the old, and building new bridges over the Thames, thus fulfilling the original intention, and observing the corporate right of property as jealously as the property granted to private individuals for similar services rendered in times of national peril. Under such a system,—a system calculated to benefit the entire community of the metropolis, from the squares of Belgravia to the docks at Limehouse, embracing the whole valley of the Thames and the Thames itself,—we may fairly conclude that the nobleman taking any interest in his neighbourhood, and the merchant desirous of extending the commerce and trade of London, would willingly and cordially associate to carry out an enlightened system of independent municipal government, which could only be secured by the highest intelligences heartily co-operating. With such a corporation, far removed from paltry bickerings and petty jealousies, we might, in a few years, have the Thames embanked from Putney to Blackwall, its waters purified, new streets opened, bridges constructed, sewers perfected, and the whole metropolis exhibiting a striking contrast to its present aspect under conflicting jurisdictions.

While the establishment of a central authority is advocated in the foregoing scheme, it is centralization springing out of, and controlled by, the principle of representation, and not that dreaded system of centralization, the tool of individual will or arbitrary power.

Offices of new municipalities need only be :—

Town clerk (a solicitor)	£1,000
Treasurer	500
Mayor	500
Committee clerks, &c.	500
Total amount	£2,500

The officers of the central council must be determined hereafter, in accordance with the duties that have to be performed when they are definitely known; but the judicial functions of recorder, common serjeant, and judge of Sheriffs' Court, as at present understood, should be transferred to judges appointed by the Crown.

The Lord Mayor, aldermen, and councillors of the central council should continue to possess all the rights and privileges now enjoyed by the corporation of London, viz. :—

The Lord Mayor to be ex-officio a privy councillor.

The right to approach the Throne with addresses.

The right to petition the Houses of Parliament through their sheriff.

The right to be represented in Parliament by an official; and such other privileges as may have been granted by charter for services rendered to the Crown in bygone days.

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In this scheme I wish to retain all those ancient rights and privileges which cannot by possibility do any harm, and which bring the great mass of the people in and about the metropolis in close connexion with the Ministry of the day. I further desire to retain the name of the Lord Mayor, because he would then really be the lord over the other mayors, and become virtually the Lord Mayor. I think the recommendation that he should be called a lord lieutenant is absurd, because the very title of lord lieutenant indicates the existence of a superior officer of the same class, and implies that he is there representing a similar officer, which is manifestly absurd. The Lord Mayor would become a more appropriate title than it ever has been under the old system, which is that of a municipality enclosed in a very small area.

2121. Does your scheme contemplate an immediate change so as at once to do away with the present aldermen of London, or do you propose that it should be adopted as vacancies occur?—I think that the remedy cannot be applied too promptly. The evil is becoming greater every day, and I think the way to remedy it is the immediate adoption of a bold and comprehensive measure. I hear it argued that we ought to try for five years the experiment of a single municipality, and then to cluster round it, if it succeeds, a congeries of other municipalities. I think the proper way is to carry out a general remedy at once.

2122. Have you considered the political consequences which might arise from a political body such as you have just described sitting in the metropolis and representing such a mass of population?—I have no fear of the political consequences arising from such a body. When London possessed a power and contained a population larger than she does now, in comparison with other parts of the country, instead of acting politically injuriously, I believe she ever acted for the national good and to secure the liberties of the people. I believe such would be the case now. I think it is a weak and simple, if not a foolish fear, to anticipate that in consequence of people having the right to superintend their own affairs, and by associating for the purposes of the common welfare, they must by necessity forget their proper duties, and become a mere political body, striving to do injury and excite discontent, or subvert the best interests of the community.

2123. According to your plan, would not the chief power be vested in the central municipality, and would not very subordinate functions be left to the separate municipalities?—Those are matters of detail, which could easily be managed. I would have no improvement in regard to streets,—I would have no improvement in regard to sewers,—I would have no line of thoroughfare opened up,—unless it could be seen by the central council that such alterations were in perfect harmony with everything else that was contemplated to be done; for this reason: it will be seen according to this plan that each municipality is to be divided into twelve wards; each of those wards would have a representative in the central council, and that is the reason why the central council is made a little larger than it otherwise ought to be. I hold it to be essential, that no spot of the metropolis should be without its representative there; that, perpetually watching and guarding its own locality, it might at the same time bring about a system of unity of action, which could not otherwise be obtained. I recommend that the present City of London should be divided into twelve wards, and of course it is exceedingly important that it should be shown whether that can be done with propriety, and whether any improvement upon the plan of division now existing within the City can be effected. I have had a map coloured (*producing the same*) showing the wards as they now are; and if any man could be found who could give you an arrangement so involved, so intricate, and so absurd, he ought to have a patent for his very absurdity. Here for example is the ward of Farringdon Without, occupying about one fifth of the whole area of the City of London. Here is the ward of Bassishaw, which you may cover with your finger. Here is the ward of Farringdon Within, coming round in an extraordinary manner by a variety of angles and corners cutting into parishes: sometimes inside a large building, and sometimes only taking the foundation of a chimney; and we find a part of it absolutely and altogether separate and distinct from the other parts of the ward. There are also other wards which are very small; they are not separated by streets, but cut through property in every conceivable eccentric twist and angle. There is no general thoroughfare maintained,—no natural division is observed. Here is a little ward called Walbrook The whole arrangement is the most indiculous that can be imagined, and it is quite clear that by any alteration of the arrangement you could not make it worse than it is. But I have a plan (*producing the same*) which I think would be a great improvement. Here there is not a single street cut. With the exception of the absurd boundary of the City, which goes in and out in a zigzag and extraordinary manner, the whole City is divided into twelve districts, and they come out in point of population very nearly alike. Where a large ward appears, it must be remembered, and is indeed apparent as in the case of Smithfield, that there is a large area covered by the market and by the hospital, so that the population very nearly balances the population in what may seem smaller wards. I do not believe it would be possible to divide the metropolis in a way which would be more harmonious and convenient than this. There are two new streets required, to divide the town properly, and those streets will at once present themselves to you as essential. One is a street from Cheapside through Paternoster Row, to the western part of London; and as we show there a fine line for traffic east and west, so we might also have one north and south; this could readily and inexpensively be effected by the

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construction of the street and bridge on a line with the eastern end of St. Paul's Cathedral; this plan is now under the consideration of the corporation, and when completed, would open up a direct line of thoroughfare from the Angel at Islington to Clapham Common. It is very singular that it is only by those two streets being constructed that you can by possibility divide the City really well into twelve wards, almost proving that one desirable and wise plan will harmonize with other plans projected for the common good. In connexion with the boundaries, I beg to put in a paper, showing certain alterations proposed by the reform committee of 1852. They refer to the more equal division of the City into twenty-five wards, showing the value of the rateable property and of separate ratings; the number of persons rated at 10*l.* and upwards; the municipal voters &c.; but if my suggested plan be adopted, these will be unnecessary; they will, however, serve to show that although unable to effect any salutary change, some of the members of the common council have personally devoted their attention to a better division of wards, and a general reform of the corporation. (*The witness delivered in the same.*)

Adjourned to to-morrow, at twelve o'clock.

Wednesday, 23d November, 1853.

THE RIGHT HON. HENRY LABOUCHERE, M.P., IN THE CHAIR.

FRANCIS BENNOCH, Esq., was further examined as follows.

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2124. Is there anything which you wish to add to the evidence you have given to this Commission?—There are two or three points which, I think, require elucidation, because yesterday I could not speak positively upon them. Though my impression was very strong, I could not confidently tell the Commission whether the evidence could be borne out to the extent I stated, although I knew it was substantially correct. The first point is in regard to the Court of Aldermen having the right or power to dip their hands into the City purse without reference to the members of the Court of Common Council. I named a circumstance which had taken place some years ago, in which the chamberlain was called on by the Court of Common Council not to pay money expended in a certain manner by the order alone of the Court of Aldermen. It appeared that the Lord Mayor and aldermen had gone to Oxford, and in consequence of that expedition an account came before the Court of Common Council calling upon them for a balance of over 400*l.*; on going into the question it was found that over 700*l.* had previously been paid on account of that excursion.

2125. Was that the occasion to which the account published by the chaplain called public attention at the time?—No; that occurred long prior to this circumstance. This is a case which occurred in 1848, when the City authorities went to Oxford and were received in great state. They were invited to a dèjeûner at Mr. Morrison's mansion at Wallingford, on the banks of the river Thames, and afterwards returned by way of Reading and Staines to London, at an expense, it appears, of between 1,100*l.*, and 1,200*l.* The common council thought it was an improper expenditure of the public money to go beyond the City limits; but, finding they had no power to restrain the aldermen, the money was paid, and this byelaw which is now one of the standing orders of the common council was agreed to, and of course by the aldermen, because they form part of the General Court of Common Council. That order is to this effect:—"The chamberlain shall not pay "out of the chamber any sum of money for any charges or expenses, for any visitation or "journey by the Lord Mayor, aldermen, or any other branch of the corporation, either "for the purposes of conservancy or otherwise, when such a visit or journey shall be "beyond the boundary of the jurisdiction of the City, without the previous authority of "the common council upon motion for that purpose." From this it may be safely inferred that for all purposes within the jurisdiction of the City, the aldermen can do with the City purse whatever they think fit.

2126. Do you suppose if the common council were so minded, they could legally restrain the Court of Aldermen from making any expenditure of money without their sanction?—I think not; but inasmuch as the aldermen, being a part of the common council, agreed with that general byelaw, they became parties to it, and therefore they could not do that which would be an infraction of the bylaw to which they have assented.

2127. The aldermen who are members of the common council have only votes like other common councilmen in the common council; it is not necessary that there should be a majority of aldermen present in order to sanction any measure of the Court of Common Council, is it?—By no means.

2128. The alderman have only votes like others?—That is all. To show the advantage of that byelaw, I may mention that when Alderman Hunter was Lord Mayor last year, on the 17th of June, 1852, his deputy proposed a resolution to the Court to this effect,

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"That this Court do concur with the request of the Court of Aldermen, communicated to the Lord Mayor, to view the upper district of the Thames navigation, and that the necessary expenses be provided for," showing that the aldermen recognized the byelaw of the Court of Common Council, and came to that body to ask for liberty to spend money in the manner proposed. Whereupon an amendment was proposed, "That it be referred to the committee for general purposes to inquire and report as to the nature of the duties attendant upon a view of the upper district of the Thames navigation, as well as the necessity for the same, and to report what privileges are endangered by the admission thereof, with a detailed statement of the expenses incurred on similar views from the year 1820 to the present time." That reference was made to the committee for general purposes in June 1852. We are now in November 1853, and such a return has not yet been made; and of course the Lord Mayor has not appeared in the upper district to survey the Thames. If there were any necessity for his going in 1852, that necessity must have increased month by month since, and it is either a neglect of duty on the part of the aldermen, or a desire to go beyond the necessary bounds in making the survey.

2129. Is it your view that the Court of Aldermen, according to the constitution of the corporation, has co-ordinate power with the Court of Common Council for all financial purposes?—There are only certain things in which the aldermen have exclusive jurisdiction. All the great committees of expenditure are formed of members of the common council in conjunction with the aldermen.

2130. Is there any other point to which you wish to call the attention of the Commission?—There is. I named yesterday a point which created a little surprise in connexion with the items of expenditure which happened, I may say, almost accidentally, to meet my eye on going over the other accounts. It had reference to the 133*l.* expended in cloth to the ministers of state. I think it as well to give the Commissioners the precise facts of the case. I find, according to a list which has been in existence sixty or eighty years in the chamberlain's office, that the gentlemen who receive the compliment are the first Secretary of State, the Lord Chancellor, the Chamberlain of the Household, the Vice-Chamberlain of the Household, the Treasurer of the Household, the Lord Steward, the Comptroller, the Lord Chief Justice of the Queen's Bench, the Lord Chief Justice of the Common Pleas, the Chief Baron of the Exchequer, the Master of the Rolls, the Recorder of London, the Attorney-General, the Solicitor-General, and the Common Serjeant; and for which the City obtain a proper receipt. It appears that one time the corporation had certain powers in connexion with the old Blackwall Hall factors, and they exercised the right of measuring all cloth sold or received in the City of London in the same way as they now claim the right of measuring other commodities. It appears that year by year they sent to the principal ministers of state four and a half yards of the finest black cloth that the country could produce, but the precise reason for it is not exactly understood; it is believed that it must have been for the purpose of encouraging the woollen manufactures in their earlier stages, and to show to the highest in authority the progress that was made year by year in that particular branch of industry. When the jurisdiction ceased, this expense should have been discontinued; yet here it stands, another evidence of the fact that a custom once established is seldom repealed voluntarily.

2131. Is there any other point to which you wish to advert?—There is one point which will further elucidate what I mentioned yesterday in connexion with the loose manner in which the accounts are rendered to the chamberlain. The Commissioners will find in the returns before me that there are certain officers who are appointed by the committee of City lands; among them is the keeper of the Monument, who for a period of years received from admission fees an average income of from 240*l.* to 250*l.* per annum. It appears that this gentleman had been either a member of the Court of Common Council, or was the brother of a member of the Court of Common Council. It is a sinecure office; he performs no part of the duty himself; he employs a couple of men, one to stand or sit at the top of the Monument all day, and the other remains at the enclosed bottom; the one to receive the money, and the other to prevent persons from throwing themselves over; and since it was enclosed like a cage, it is still necessary for the man to remain there, to prevent people hanging themselves. He pays them out of the receipts between 80*l.* and 90*l.* a year, and the balance he receives for himself.

2132. You mean the balance of the money received from those who go to see the Monument?—Yes. In 1851, when I entered the City lands committee, I found the price of admission was 6*d.* I tried very hard to reduce the price to a nominal sum, just sufficient to keep the structure in repair, and to obtain two or three days a week when people might go up the Monument and view it free of all expense. I could not carry the latter point, but I got the price reduced to 3*d.* Whether it was in consequence of the sudden reduction from 6*d.* to 3*d.*, or in consequence of the Great Exhibition, I cannot tell, but it is certain that in that year the profit which the keeper of the Monument received for his own sole advantage was the large sum of 1,337*l.* from which the corporation derive no advantage whatever.

2133. Is any part of this money devoted to keeping up the structure?—I believe not; because at the time when the price was reduced, it was held advisable to examine the condition of the Monument and ascertain whether it would be sufficiently strong to bear a large number of people, and I have discovered that at one time, when some female had

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thrown herself from the Monument, the number became so large that as many as hundreds of people were inside the Monument at one time. A survey of the Monument was made, and it was found to be perfectly sound and substantial, and no danger to be apprehended from any number ascending;—being in the form of a screw, the perpendicular pressure did not affect the structure at all. They therefore passed a resolution to put it into repair and to light it.

2134. Are the expenses of keeping it in repair and lighting it considerable?—They cannot be much; there are only two or three lights. In connexion with the Irish Society, I was not sure as to the manner in which they kept their accounts. I find they are not at all kept in the chamberlain's office. It is an independent society. They keep the accounts themselves, and must be called upon to give evidence should the Commissioners require any explanation in reference to them. I also omitted to state, in the detail I gave of the saving which I thought might be effected without being injurious to any office in the corporation, that my evidence went on the supposition that nothing should be done in connexion with the corporation but merely remodelling it on its present basis. But if a similar scheme to the plan which I have suggested be adopted, I believe that a saving of expenditure of from 80,000*l.* to 90,000*l.* per annum may be effected, and allow 20,000*l.* a year for all the expenses of the municipality of the City of London, and its proportion of whatever sum it might be required to contribute to the expenses of the central council.

2135. You mean that the establishment would be greatly reduced?—Yes; so much reduced as to effect a saving of from 80,000*l.* to 90,000*l.* at least. Those are the two or three points which I wished to lay before the Commission. There may be some attempts to controvert my statement, but the corporation must do one of two things: if they show any inaccuracy in my statements, they must condemn their own accounts; and if they fail in that, they will stand convicted of an extravagant expenditure perhaps unparalleled in the history of corporations.

S. Morley, Esq.

Samuel Morley, Esq., after being sworn, was examined as follows.

2136. Do you reside in the City of London?—I carry on business in the City of London. I reside out of town.

2137. What is the nature of the business which you carry on?—The firm of which I am a member are wholesale warehousemen. I attend here in obedience to an invitation, less with the expectation of adding any facts to those which have been placed before the Commission, than of offering my testimony in support of the opinion which has been expressed, that there is in the City what I think I may call a univesal demand for extensive alterations in the corporation.

2138. Will you have the goodness to state what is the nature of the alterations which you imagine are desired in the City?—My belief is, that the institution at present existing is thoroughly out of harmony with public opinion. There is a large class of men whose co-operation would be very valuable, who at present are excluded from it by reason of the character of the arrangements connected with it. Those arrangements, I believe, are capable of such alteration as would bring into active co-operation many such men.

2139. Have you ever been yourself connected with the corporation?—Never. I have been an interested looker on. I have been invited many times to join the common council, but declined, just because it would have involved the sacrifice of so large an amount of time, as well as that the character of much of the duty was distasteful to me. If I were asked to state the reasons which exclude many men from the corporation, I should refer to the undoubted elaborateness of the mere external show and pageantry, and to the extent of the duties required of those who are members of the corporation.

2140. You referred to proposals which have been made to you to become a member of the corporation. Can you describe the motives which induced you to decline to accede to those offers?—I should say that the nature of those duties to be performed by a member of the common council, was such that I was not inclined to undertake them.

2141. Has not he frequently to attend the dinners which are connected with the committees of the common council?—There is no doubt of it.

2142. Do you think that that habit indisposes some persons to accept the office?—My impression is, that I know many large traders in the City who would be willing to give a fair proportion of time to the performance of those duties which I think fall within the range of corporate institutions; but the necessity which I really believe does exist, that any one who joins the corporation, should unite in the kind of entertainments which are referred to, would be to them quite distasteful.

2143. Is it your belief that the habit of connecting dinners and other entertainments with the ordinary business duties of a common councilman, deters many fit persons from entering the common council?—I think so, from the habit of living out of London, which has no doubt increased of late years. At the same time I have no doubt, if the character of the institution were altered, an alteration in reference to these entertainments would follow as a matter of course. I believe there are 232 members of the common council and the Court of Aldermen; 206 members of the Court of Common Council, and twenty-six aldermen. My belief is, that if that number were reduced very largely, say to fifty; and if the ward in which I carry on my business, instead of having to send eight or ten men

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to the common council, were to send one man, we should take more interest than we do in selecting the right man, than when he is to be one of so large a number. The consequence is, we have gradually kept away from any interference in a matter in which we are all deeply interested. I believe many merchants and large traders would be quite willing to unite themselves with the corporation under an altered system.

2144. Do you think the union of magisterial functions with the functions of the aldermen indisposes certain of the class to whom you have referred to take part in the corporation?—I do, decidedly. I give my opinion most unhesitatingly in favour of a paid magistracy. I do not believe in the economy of an unpaid magistracy. I believe there is no economy in it, when compared with the performance of magisterial duty out of the City. With respect to the office of sheriff in its present form, it is undoubtedly unacceptable to the class of men to whom I refer, and yet we are liable, without the slightest notice and by the importation into the common hall of the class of freemen to whom reference has been made (the 'longshore men), to have imposed upon us a duty which is in many respects repugnant to the feelings.

2145. The office of sheriff is an expensive one, is not it?—Yes; it would necessarily involve expenses. That a man, willing to serve his fellow-citizens and perform the duty, should be required to pay 600*l.* or 800*l.* towards a great feast at the Guildhall, is most unjust and unreasonable. I believe he has also to pay an equally large sum towards the expense of the dinners at the Old Bailey;—things very essential, I dare say, but still an expense which should be met from some other fund. The Commission has heard from most of the witnesses references to the Lord Mayor's show, which is really felt to be a thing more in accordance with the dark ages than the present day.

2146. You do not think there is any class of the community which wishes to retain it?—Reference has been made to children and nurserymaids; but I have no idea that the citizens of London look at the thing with any other feelings than those of repugnance.

2147. You do not think the tradesmen take any pleasure in such a show?—I should imagine that the tradesmen living in the line of streets must be greatly inconvenienced by it. It was this year felt by the committee of the Coal Exchange to be a positive affront to them, that their business should be interrupted by it the whole day. That committee published a resolution to that effect in the daily papers.

2148. Are you acquainted with the mode of election in common hall?—I can only state what is apparently authenticated by rumour, and refer to a fact which has been mentioned to me: that on one occasion of the election of sheriffs, an agent of the 'longshore men received money from two parties,—from the one, that he might not be chosen, and from the other, that he might. I believe the sum named was 50*l.* or 100*l.*, so that he was able to insure e certain result either way.

2149. Have you any knowledge whether election to offices of emolument in the City are accompanied by corrupt practices or not?—I see, by reference to the chamberlain's account, which I have looked through within this last week, that there are offices which have been purchased.

2150. The question referred to offices of popular election. Have you any reason to believe that bribery and corruption are resorted to in those elections?—There is no doubt that in the late election for chamberlain a large amount of money changed hands in some way. I was interested in that election, believing that an intelligent public servant in that office, Mr. Scott, was well calculated to serve his fellow-citizens as chamberlain.

2151. Were you on his committee?—Yes; I was.

2152. Are you able to state to the Commissioners more distinctly what the nature of the alteration is which you would propose to effect in the present system; would you propose that the aldermen should continue to be elected for life?—I should decidedly object it.

2153. Would you keep up the distinction between the Court of Aldermen and the Court of Common Council?—Having had an opportunity of conferring with friends in Manchester as to the working of that corporation, I have formed a strong opinion of the advantage of the whole being in one body. They have aldermen there, but they are united with the common council.

2154. Would you wish to see the general provisions of the Municipal Reform Bill applied to the City of London?—I should, as far as is practicable, looking to the somewhat altered condition of the City affairs.

2155. Do you think that Act ought to be taken as the basis for an improved system of municipal government in the City?—I quite incline to that opinion. Having read in *The Times* of the 9th of November some thirty-seven propositions which were put before you, without knowing anything of the gentleman who submitted them to you, I am able to say that they have met with favour in the City. I refer to certain suggestions given in by Mr. Acland.

2156. You do not agree with some of the witnesses, that it would be desirable altogether to abolish municipal institutions in the City of London?—I do not. I believe in a proper system of municipal institutions. The metropolitan boroughs might with advantage have such institutions accorded to them.

2157 At this moment the metropolitan boroughs might, if they so thought fit, apply for municipal institutions; would you force those institutions upon them, even if they were unwilling to have them?—I am hardly prepared to answer that question. I should

have thought it would have been acceptable to the metropolitan boroughs to have such institutions. I should demur to the extension of the corporation of London to the whole of the metropolitan boroughs. I think it would be too large a body a great deal. I think they should be confined to the duties connected with their own distinct locality; and then that each borough, if it could be so arranged, should by deputation form part of a common centre, upon which should be thrown the responsibility of promoting common objects.

2158. In short, you would maintain the municipal institutions within the present limits of the City of London; but you would in some way provide for joint action upon those subjects, in which the whole metropolis has a common interest?—Yes.

2159. Do you think it would be desirable that there should be the means of imposing a tax upon the whole metropolis, and upon the metropolis alone, for purposes in which the whole town has a common interest?—I think it would be quite in accordance with strict justice.

2160. At present you are aware there is no power of imposing a tax of that sort, except by special legislation?—Just so.

2161. Would you maintain the connexion which at present exists between the livery of the trading companies, and the corporation?—No; I would strongly urge that the constituency should be merely householders. I am prepared to express an opinion, though I have no doubt it would be an improper one, that the continued existence of the freemen is an undesirable thing. The men who have paid money for becoming free, should have the money paid back again; but as long as they exist, there will be a plague spot which will be a source of continued demoralization and evil.

2162. Do the divisions and the number of the wards now appear to you to be well arranged?—I am not prepared to express an opinion upon that point.

2163. With respect to the importance of establishing a chamber of commerce, have you formed any opinion; it has been represented that it might be desirable that a portion of the funds of the City should be applied to the formation of a chamber of commerce?—I quite differ from that opinion. I think chambers of commerce are desirable, but I think they should grow out of the want felt of such institutions by traders themselves. There are many aspects in which a chamber of commerce would be of great value in London. At this moment, for example, the whole trade of London is in a state of great difficulty as to the construction of the late Receipt Stamp Act,—the bankers in Lombard Street as well as small shopkeepers. That appears to me to be a very legitimate subject for a chamber of commerce to take up. So with regard to the inquiry into the Post Office, which is now going on. Such a body might fairly present evidence upon the bearing of certain arrangements in the Post Office upon the interests of trade.

2164. Besides the rates which the corporation levy, they have very large estates and large property, have they not?—Yes.

2165. Do you not think it would be a proper application of the funds of the corporation of London to promote any object which is generally advantageous to trade?—My belief is, that if the tradesmen belonging to the upper class were to join, as I think they would, in any new arrangements which were made, they would have facilities for promoting such objects without the application of the corporate funds. I incline to an opinion that as a trader I ought to be willing to bear my share of the expense occasioned by carrying on an efficient chamber of commerce. With respect to the corporate funds, I would suggest, that in addition to widening the streets and increasing the facilities for carrying on business, there should be a much larger amount of attention paid to sanitary arrangements than has ever yet been manifested, as far as I have observed. I think with reference to the comforts of the dwellings of the poor, to some extent, there has been culpable neglect manifested.

2166. Has your attention been turned to the operation of the coal tax?—It appears to me a most objectionable method of raising a revenue. I entertain the opinion which has been expressed, that the citizens would cheerfully pay an improvement rate or tax, much sooner than the present indirect tax.

2167. You think a uniform rate upon householders is a preferable mode of raising money to the present duty upon coals?—I do, most decidedly.

2168. As a merchant, have you found in the conduct of your trade reason to complain of the corporation in any matter?—No. We are free from any of the annoyances which numbers of my friends have continually referred to, such as City tolls and vexatious demands by parties who have vested rights, which rights no doubt deserve respect, but which should be met, I think, in some fair method. I was this morning in company with a large wharfinger, who was referring to some evidence which has been given before the Commissioners as to the vexatious character of some demands which are made upon them, which they are compelled to submit to.

2169. Do you see any advantage in keeping up the regulations that no person shall carry on a retail trade in the City who is not a freeman?—I hold it to be most unjust that I, because I am a large trader, should be exempted from that which the small traders are compelled to submit to. I hold it to be contrary to all right dealing, decidedly.

2170. Are you aware of any one of the trade privileges of the City which it would be expedient to maintain?—I am not aware of any. I should sweep them all away.

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2171. Is there any other point to which you are desirous of calling the attention of the Commissioners?—No. I would merely add, that in what I have said I have no intention, just because I have no right, to cast any reflection upon the members of the corporation, who I believe are for the most part better than their system. But I am bound to express the opinion that, looking to them as a body, they do not represent the class of men who would be best fitted to conduct the affairs of the corporation.

2172. Do you believe that they have exercised their patronage judiciously in cases where it was of importance to the public that fit persons should be appointed to particular offices?—I have hardly had opportunities of forming a judgment upon that point. Seeing the sort of men who have been connected for years with the corporation, I think I can trace the influence of motives in connexion with some of the forms of patronage as well as social enjoyment, which are the prominent features of the system at present.

2173. Do you think there has been an increased disposition of late years to appoint proper persons to office?—I think the knowledge that affairs were tending to the point which they have now reached before you, may have induced greater care and caution.

G. R. Corner, Esq.

GEORGE RICHARD CORNER, Esq., having been sworn, was examined as follows.

2174. You are connected with the borough of Southwark?—I have been practising as a solicitor there since the year 1824. I am vestry clerk of the parish of St. Olave, clerk to the board of guardians of St. Olaves' Union, and I am prothonotary of the Borough Court.

2175. You are well acquainted, probably, with the nature of the connexion which now exists between the City of London and part of the borough of Southwark?—I have taken a great interest in the subject for many years, and devoted much time and attention to it, as my father, who was also a practising solicitor in Southwark, did before me.

2176. What is your opinion of the course which it would be expedient to pursue with regard to that connexion?—A large portion of the inhabitants of Southwark have, during the last sixty or seventy years, been using great exertions to get connected and incorporated with the City of London as a part of the City, founding their claim upon the charter of Edward VI., which provided that the borough of Southwark should be governed in the same manner as the City of London. Upon that charter the City of London created another ward, and declared that the borough of Southwark should be the twenty-sixth ward of the City, and that another alderman should be appointed to be alderman of that ward.

2177. Has the application of the inhabitants of Southwark been for absolute incorporation with the City of London, or has it been that one of two alternatives should be adopted, namely, that Southwark should be altogether severed from the City, or incorporated with it, and admitted to its full privileges?—The application to the corporation of London has always been for a full incorporation with London, and not in the alternative. In the year 1660 the inhabitants of Southwark applied to Parliament for a separate incorporation, which was opposed by the City of London, who, in their answer, said it was not for the benefit either of the City or the borough that they, being so long and so intimately connected with each other for commercial purposes, should be separated from each other. The application failed, as I need not tell you, and the borough of Southwark has remained under the imperfect jurisdiction of the City of London till the present day.

2178. Supposing it should not be thought expedient to comply with this requisition of the inhabitants of Southwark, and completely to incorporate them with the City of London, do you think it would be desirable that the connexion of Southwark with the City should be severed rather than that it should remain in its present condition?—I would rather defer answering that question, because there is to be a public meeting held in Southwark on Friday next, for the purpose of considering, so far as a town hall meeting can consider, the very point in question. I should rather therefore not prejudge that question before the inhabitants meet.

2179. Are there any points to which you wish to call the attention of the Commission?—I think, with great deference, that the Commissioners cannot come to a proper consideration of the relation between Southwark and London, without going into a history of their connexion. I consider it desirable to go into that as evidence before you.

2180. You are aware that the former Commission went very much into the antiquarian part of the subject, and that is very fully before us already in their report. The Commissioners are therefore rather desirous of confining their attention at present to the practical questions which are before us. At the same time, if you have any statement to make which you think will throw light upon this question, we are desirous of hearing you?—I think the report of the Commission was chiefly founded upon my own evidence. Perhaps you will allow me, on a future day, after having gone through that evidence, to send in to you any corrections or additions to it which I may think needful. I beg to lay before the Commissioners a plan, showing what the borough consists of. Under the jurisdiction of the corporation of London there are three manors: the Guildable manor, which was the ancient town of Southwark, that is the small part, coloured pink; the King's manor, which was formerly the Archbishop of Canterbury's, which is coloured yellow; and the Great Liberty manor, which formerly belonged to Bermondsey Abbey. Those three

manors which are coloured blue, constiuted the old borough of Southwark up to the time of the Reform Act. There was then added to it, the Clink Liberty, and the parish of Christchurch, and the parishes of Bermondsey and Rotherhithe. The parts of the map which are not coloured, although within the parliamentary borough, are not at present connected in any way with the City of London. It would be a very material question, if Southwark were to be incorporated with the City, whether the new parts of Southwark, which have been added to the parliamentary borough, should be annexed to the City. My own opinion is, that any measure of incorporation must include the whole borough.

2181. You think there would be considerable inconvenience in placing the different parts of Southwark under different jurisdictions?—Very great inconvenience indeed.

2182. Would it be possible that the borough of Southwark, so far as it is comprised in the charter which you have spoken of, should become as it were a ward of the City of London, unless it were taken out of the county of Surrey?—I think that would necessarily result. It never has been separated from the county.

2183. Is not that one of the great difficulties which exist?—That is one of the evils which we complain of; that we are subject to two jurisdictions, and the inhabitants are liable to two duties—to the courts of the county of Surrey and to the City courts.

2184. The charter which was originally granted did not relieve you from that, did it?—It did not.

2185. Are there any other observations which you desire to make?—I think not, at present.

2186. Will you state what is the extent of the interference of the City of London with the borough of Southwark?—The City of London do not interfere enough with the borough of Southwark. The City hold three Courts Leet for the manors, in the first instance. It is not the case that at any of those Courts Leet any fees are payable by any of the parties called upon to serve offices. It has been stated before the Commission by some gentleman, that half a crown is paid by the constables who are sworn in, but that is not now the case.

2187. How are the Courts Leet constituted?—They are the ancient courts of the manors held in pursuance of immemorial custom.

2188. Who presides in them?—The steward of Southwark, William Payne, Esq.

2189. How is he appointed?—He is appointed by the Court of Aldermen, on the nomination of the Lord Mayor at the time of the vacancy; the present steward is a barrister and coroner for the City and for the borough.

2190. Is there any other interference of the corporation besides those three Courts Leet?—They hold quarter sessions every quarter, at which nothing is done because they have no alderman to sit to hear cases, therefore there are no commitments for trial at the quarter sessions. The grand jury are summoned, but merely to be discharged.

2191. Who discharges them?—The Lord Mayor, the recorder, and the aldermen who have passed the chair, are justices of the peace in Southwark, under the charter of Edward VI.

2192. Do they attend?—They attend every quarter and hold the sessions.

2193. Those sessions are merely formal?—Merely formal.

2194. The officers for the City attend merely to discharge the grand jury?—To open the court and discharge the grand jury, and close the court again.

2195. What is the court which has jurisdiction in those cases?—The Court of Quarter Sessions for the county and the assizes, as also the Central Criminal Court.

2196. What other court is there?—The corporation of London appoint a coroner.

2197. Do you mean the Court of Aldermen or the Court of Common Council?—The coroner for London and Southwark is Mr. Payne; the appointment is in the Court of Common Council.

2198. Is that the whole extent of the interference of the City with the borough of Southwark?—They have the metage of corn and fruit.

2199. That is not peculiar to Southwark, but it extends over the whole of the port of London?—Yes; it extends over the whole of the port of London.

2200. Is there any other interference which is peculiar to Southwark?—No; except the holding of the Borough Court, of which I am prothonotary; that is a Court of Record, held by prescription for the trial of all actions of debt and trespass to any amount. Mr. Payne, the steward, is the judge, and the causes are tried by a jury. Counsel attend, and any attorney of the courts at Westminster, on producing his admission in the superior courts and his certificate, is allowed to practise there.

2201. Does that court transact business?—Yes.

2202. The judge is appinted by the City?—He is.

2203. Is that a court which it is desirable to retain?—I think it is a very useful court. As I am prothonotary of it, although my salary is only 50*l.* a year, I am not at all in favour of the abolition of that court.

2204. Irrespective of the consideration of salary, should you think it would be desirable that the court should be preserved?—I should then be of the same opinion, that it should be preserved.

2205. You think it is a court from which the public derive benefit?—Yes.

2206. Does that exhaust the whole list of City interferences?—I do not think the City interfere with the borough in any other respects than those which I have mentioned.

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2207. If those instances which you have enumerated were abolished, the whole interference of the City, with the borough of Southwark would be at an end, would it?—Yes; I think it would. I should mention that they have a nominal alderman, who is the alderman of Bridge Without. The last alderman of that ward had a notion that his ward consists only of a few houses which formerly stood on London Bridge, and which, having been removed, there is now no ward, and no inhabitants, and no duties to perform. The senior alderman who has passed the chair is always appointed to be the alderman of the ward of Bridge Without, as a sort of honourable sinecure.

2208. You say the City appoints the coroner?—Yes.

2209. Does his jurisdiction extend over any part of the borough of Southwark except that which was granted to the City by charter?—Only over that part.

2210. Has he exclusive jurisdiction there?—He has; that is expressed by the charter. The rest of the borough is under the jurisdiction of the coroner for the count

2211. Can you form an opinion as to the feeling which may exist in Southwark respecting a more intimate connexion with the corporation of the City?—From the fact of repeated applications having been made for a more complete incorporation with the City, I think I can say that the desire among those who are best informed is, that the borough should be completely incorporated with the City. In 1788, in 1814, in 1827, in 1835, and in 1852 applications were made by the borough of Southwark to the corporation of the City for incorporation. Some of them were made at public meetings, some signed by a great number of the inhabitants being freemen of London. The Commission must be aware that there are resident in Southwark a great number of the freemen and liverymen of London, who, from their residence on the south side of the bridge, have no voice in the affairs of the corporation of which they are members.

2212. Does what you say refer to the opinions of the people of Southwark generally, or only to that limited class?—The people of Southwark generally are so numerous that I cannot presume to say what their opinion as a body may be.

2213. What do you conceive to be the prevailing opinion?—I think the Commissioners had better wait till after the public meeting on Friday, in order to ascertain that. I have here "An account of the proceedings at the Town Hall of the borough of Southwark "and ward of Bridge Without, held on Wednesday, the 27th July, 1814, pursuant to a "requisition to the high bailiff, signed by fifty-three inhabitants of the said borough and "ward, to take into consideration the various charters and statutes, granting and securing "the liberties, franchises, and privileges of the inhabitants of the said borough and ward, "Sir Watkin Lewes, high bailiff, in the chair." The result was a resolution, "That "humble memorials or petitions be presented to the Lord Mayor, commonalty, and "citizens of the City of London, and to the Court of Aldermen, praying them to take "the said charter of the 4th of King Edward VI. into their serious consideration, and to "take such steps as they in their wisdom shall deem expedient, for procuring for the "inhabitants of this ancient town and borough, the rights and privileges thereby granted "to them; and to restore the magistracy of the City of London in Southwark; and that "the Mayor and commonalty and citizens of the City of London would be pleased to "direct the judge and officers of the ancient Court of Record of the said town and "borough to make public in Southwark the jurisdiction, authority, and existence of "that court; and that steps may be taken to re-establish the same, as well as the session "for the said borough, and that process may be duly executed in Southwark, according "to law, and all doubts to be removed as to who are the proper officers to execute the "same. That they would be pleased to order proper measures to be taken for holding a "court of wardmote in the said borough to elect a competent number of inhabitants, "freemen of the City of London, to represent the said ward in the Court of Common "Council, and that the Court of Common Council would be pleased to reconsider the "Act passed by them of the 16th June, 4th and 5th of King Philip and Queen Mary, "for altering the mode of electing the aldermen of the Bridge Ward Without, and on "the next vacancy to restore to the inhabitants of this ancient town and borough the "right of electing an alderman for the said ward in the manner directed by the act of "common council, passed on or about the last day of July, in the 4th year of King "Edward VI." So that, at a public meeting in the year 1814, the resolution of the inhabitants was decidedly in favour of an incorporation with the City. Since then various applications have been made for such incorporation.

2214. How is the high bailiff himself appointed?—He is appointed by the common council. I should apologise for omitting to say, when I was asked in what way the City interfered with Southwark, that the high bailiff who is the head executive officer in the borough, is appointed by the common council, and he is the returning officer at all elections of members of Parliament. The precept comes from the sheriff of the county, directed to the high bailiff of the borough of Southwark. He executes it, and makes the return to the sheriff, who returns it to Parliament.

2215. The returning officer for the borough of Southwark is appointed by the common council?—Yes. Under the Act for establishing a Court of Requests in the borough, he was the bailiff of the Court of Requests, and was entitled to certain fees. When the County Courts were established, it was resolved that the high bailiff of Southwark should be bailiff of the two County Courts of Southwark and Lambeth, which were established in lieu of

the old Court of Requests for the borough. I believe those fees are the principal part of the emoluments of the high bailiff. *G. R. Corner, Esq.* 23d Nov. 1853.

2216. Does the City exercise any jurisdiction over the prisons of the borough of Southwark?—The only prison that we have is a City prison, called the Borough Compter; but it is now quite unused and partly pulled down. The Town Hall is also the property of the City. If the borough were incorporated, of course we should not be contented with having but one ward. My notion is, that it would be proper to consolidate some of the smaller wards in the City, so as to reduce the number of wards there, and to make Southwark into as many wards as its population and extent would seem to require. For instance, each parish would be a ward, or some of the large parishes might be made into two or three wards.

2217. If the whole of the borough of Southwark were incorporated with the City, the addition would be larger than the original body?—And it would still not be so large as the Tower Hamlets. The population of the City of London is now about 125,000. The population of the whole of the parliamentary borough of Southwark, including Bermondsey and Rotherhithe, and Christchurch, is 155,000, that would make it 280,000, and the Tower Hamlets is about 400,000.

2218. That part of Southwark which borders upon the Thames, resembles in a great degree in point of trade and mercantile occupation the City of London as it now exists, does not it?—Yes.

2219. The rest of the borough of Southwark, which is behind, contains a large population, does not it, which bears very little resemblance to the City of London?—Like every other place, it contains a mixture. If you took the leading streets, I should say they are altogether like the City of London; but of course behind the leading streets there are courts and small streets, and so on; but you find the same thing in the City of London.

2220. Still, if you were to add the whole of the present borough of Southwark to the City of London, you would very much destroy the special character which now belongs to the City, would you not?—I do not see that. Southwark is essentially a commercial borough, and all its commercial interests centre in the City of London. Our merchants go to the Royal Exchange in London; there is no Royal Exchange in Southwark. Our wharfingers look to the merchants in London, and go to London for all goods to land and to warehouse. Our corn dealers, and granary men, and lightermen go to the corn market in Mark Lane. Our coal merchants go to the Coal Exchange in Thames Street. Our tanners and leathermen go to the market at Leadenhall. They have endeavoured to establish a market at Bermondsey, where the leather is tanned, but it has not succeeded; they are still obliged to go to the market at Leadenhall; and at Bermondsey they merely warehouse their goods.

2221. You mean that taking the borough of Southwark as a whole, it closely resembles the City of London as a whole?—I think so, except perhaps with respect to some parts of Rotherhithe and Bermondsey, which are still unbuilt on.

Adjourned to to-morrow, at twelve o'clock.

Thursday, 24th November, 1853.

THE RIGHT HONOURABLE HENRY LABOUCHERE, MP., IN THE CHAIR.

Mr. HENRY STEPHEN GIBBS, Mr. DAVID THOMAS ALSTON, Mr. JAMES WICKENDEN, and Mr. BENJAMIN BENNETT having been sworn, were examined as follows. *Mr. H. S. Gibbs, Mr. D. T. Alston, Mr. J. Wickenden, and Mr. B. Bennett.* 24th Nov. 1853.

2222. (*To Mr. Gibbs.*) In what capacity do you appear before this Commission?—I appear before the Commissioners as one of the proprietors of the oyster grounds at Queenborough, and also as a member of a deputation of oyster companies and proprietors generally.

2223. What oyster companies do you allude to?—I allude to companies in Essex and Kent; they are nine in number. Some of the oyster fishery grounds are managed by proprietors only; others are managed by companies.

2224. Do you mean that the deputation you represent has been agreed to on the part of all those companies?—Yes; seven of those of which I speak are in Kent.

2225. In what manner did the companies meet to consult together on this subject?—They have repeatedly met, but more particularly within the last week, to consider the question which we are desirous to lay before the Commissioners.

2226. Is there any permanent body which exists to watch over their interests?—They only meet upon special occasions, when called together for any particular purpose.

2227. Are the other gentlemen members of the same deputation?—They are.

2228. Will you have the goodness to state to the Commissioners any point in reference to the trade in oysters which you desire to bring before our attention?—We are very

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desirous of stating that the trade in oysters carried on by us in the City of London is most extensive; and we are particularly desirous of calling the attention of the Commissioners to the abuses in the metage, porterage, and City dues. When I acquaint the Commissioners that there are upwards of 50,000*l.* laid out annually between the parties whom we represent, I feel quite persuaded you will see that we are heavily and seriously oppressed by those taxes of metage, City dues, and porterage.

2229. Do you mean that the burden of those duties imposed upon the trade amounts to 50,000*l.* a year, or do you mean that the interest involved in the oyster trade of London is the sum of 50,000*l.*?—There is a sum of money laid out during the season of buying, to the extent of 50,000*l.* The purchasing season may last from two to three months in the year only.

2230. That is the value of the trade in oysters to the City of London?—Yes; that is the extent of the trade to the City of London. There are other parties, to whom I particularly call the attention of the Commissioners, who receive a large number of oysters, which are called rail-borne. That oyster trade is carried on by very enterprising men in the locality of Billingsgate, and they are wholly exempt from the taxes which I allude to.

2231. You refer to oysters brought by rail?—They are called rail-borne oysters. Such is not the case with those fish we represent, which are called water-borne oysters.

2232. Do not the same parties send their oysters sometimes by rail and sometimes by sea, or are they separate branches of trade?—They—the companies only—generally send their oysters by water; but in the event of a fog, or anything which prevents vessels from sailing, then some of them avail themselves of the rail; but that is very seldom.

2233. Have the goodness to proceed with your statement?—The principal subjects which we are desirous of calling your attention to, and which we conceive press most heavily on the oyster companies, are, the meters in the first place, then the porterage and City dues. Mr. Alston, who is here, sends up to Billingsgate, probably, every year to the extent of from 35,000 to 40,000 bushels of oysters. A tax is levied upon those oysters, as I have stated, to the amount of from 1*s.* 2*d.* to 1*s.* 3*d.* per bushel. When we see that one individual sends oysters up to market to that extent, I trust you will feel it is a strong case that we present before you, and that what we complain of bears most heavily upon our particular trade.

(*Mr. Alston.*) I have sent up beween 40,000 and 50,000 bushels in the last year. The metage dues only would amount to about 800*l.* a year; but that does not include the porterage.

2234. What is the amount of all the City dues levied upon your own trade?—About 800*l.* a year; that is the meterage only.

2235. Adding the porterage and the City dues, how much would it amount to?—It would come to considerably more. The article is taxed, but the porterage is paid by those who buy. If the oysters come up by land there is nothing charged.

2236. Is it still worth your while to send your oysters by sea rather than by land, when they are subject to these charges?—It suits us better for many purposes. In bringing them up by water, we have a warehouse; our vessels are warehouses to us. There are many companies which carry on business, and that is all they have to depend upon; and even the profit of the business is divided amongst those companies in labour. I am an individual trader, and therefore that does not affect me.

2237. Is the City metage any advantage to an oyster trader?—Not any.

2238. If the City had not the right of measuring the oysters, would they be measured when landed from the vessel and brought to shore?—We must measure them to sell them on board. One of our principal grievances is, that our article is measured by people over whom we have no control; and we not only pay heavily for having that work done, but the public come in and pay as well; therefore the men who measure the oysters have it in their power to do us injustice, because they receive money from the public, when, in point of law, the public have no right to pay at all.

2239. Do you have your oysters measured again by your own measurers, or do you act upon the City measurement?—Everything is done by the City measurement.

2240. Then it would be necessary, under any circumstances, that your oysters should be measured before they were sold to the public?—Certainly.

2241. Your complaint rather is on account of the charge made by the City, than on account of the fact that you are compelled to submit to a measurement?—According to the law laid down by Baron Alderson, the meters are to do the work for 8*s.* a score for the first 100 bushels; after, at the rate of 4*s.*, which they receive of us; or if they do not do it themselves, they hire people to do it. If the public pay them as well, it is to be considered not only as a gratuity, but a double tax.

2242. Supposing the public paid nothing, and the whole payment were what you paid to the City officers, would it be too large a payment?—Considerably.

2243. (*To Mr. Gibbs.*) Supposing you were left to yourselves, and there were no interference on the part of the City, how would it be managed?—We should then have a control over our own servants, and measure our own property. We should take care that the measures so employed were legalized by the City, and that our own men did the duty of measuring and shovelling. Such is not the case at present. We are subject to men over whom we have no control whatever.

2244. Do you think the work could be done more cheaply?—Considerably.

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2245. Would it be done more conveniently?—It would be done equally conveniently, and at considerably less cost. We should then have power over our own servants, the men in the hold, where they shovel the oysters, and we should be better enabled to see that justice was done to the public. At present we have no control over them whatever.

2246. (*To Mr. Alston.*) You have stated the amount which you calculate you pay for metage at 800*l.* a year upon your own trade?—Yes, 800*l.*; but for the trade, 3,000*l.*

2247. Supposing this system did not exist, and you were allowed to measure your oysters in the way you thought best, what would be the amount you would have to pay for metage?—I think I could get my oysters measured by my own servants for half the money that it now costs me.

2248. You think the City system of metage is a charge to you of about 1,500*l.* a year?—No; I pay about 800*l.* to meters; but it does not stop there, for then comes the porterage upon the article.

2249. Will you explain the item of porterage?—The item of porterage is simply this: if I have oysters up by the railway, I can go and place them in Billingsgate Market for sale without any porterage, metage, or anything of the kind. If I send a bushel of oysters out of my boat to be sold at the same place in the market, it costs me 5*d.* a bushel for meterage; then 4*d.* for having them measured, and then it costs me 6*d.* to take them up into the market by means of porters again.

2250. You talk of metage and of having them measured, as two distinct items. What do you mean by that?—We pay the meters 8*s.* a score on the first 100 bushels delivered upon each voyage to market, after, 4*s.* per score; those are sinecures. They put men down the hold, whom they ought to pay themselves, to measure the oysters, but they manage to get the public to pay them. Some of them get more than 4*d.* a bushel.

2251. What you have called metage, is a nominal measurement; it is not a real service performed?—No service at all.

2252. But the having them measured is an actual service performed by the City officers?—No; but by men, fellowship porters, appointed by the deputy meters.

2253. With regard to porterage, you must have your oysters carried from the ship to the market under any system, must you not?

(*Mr. Gibbs.*) No; they are sold in the boats.

2254. They are sold afloat, are they?—Yes.

2255. There must be some porterage, even if the City porters were not employed, must not there?

(*Mr. Alston.*) Certainly.

2256. What do you estimate the cost per bushel is, in the employment of the City porters above what it would be, if the trade were open, and any person might be employed who might be thought fit for the business.

(*Mr. Bennett.*) It could be done for half the money.

(*Mr. Alston.*) Many of the poor people who come down would do it themselves; now they are not allowed to do it. A fellowship porter takes possession of it as a matter of right. If a poor person comes and buys a peck of oysters of me, he must pay 1*d.* for measuring them, and 1*d.* for having them put on shore, and if he goes further than the dumb lighter, he must pay 1½*d.*

2257. You say you would propose that the oysters should be measured by the seller's own servant?

(*Mr. Gibbs.*) Exactly.

2258. Then where would be the protection to the buyer, that that servant measures correctly? The object of the appointment of a third party by the City, probably was, that he might do justice to both parties?—The buyer is present at the same time, and the deputy meters, who are deputed to carry out the object which you state, are not there. They send their servants, who are very independent about the measures either one way or the other; when they go down in the hold, they go there without any charge to the meters, who have the exclusive right of saddling the proprietors of the oysters with 4*d.* a bushel or 8*s.* a score. The men so employed in the hold are desirous to receive their 4*d.* per bushel also; that they consider is a sufficient compensation, and it frequently occurs that they will receive more than that, for the express purpose that they shall give an excess of measure; therefore, if they receive an excess of 1*d.* upon the peck, or 2*d.*, which is frequently the case, the proprietors lose, as a matter of certainty, from three pennyworth to six pennyworth of oysters.

2259. Do you know how the oyster trade is conducted in other large towns? Are there any of these meters standing between the buyer and seller?—Not one, to my knowledge, anywhere.

(*Mr. Alston.*) I never heard of such a thing.

(*Mr. Gibbs.*) It is an obstruction to the trade altogether, and I have no doubt a remedy could be provided, securing to the public, justice in the shape it desires.

2260. How are oysters sold to large dealers in oysters? Is it in barrels?—No; they are generally sold in pecks, of four to the bushel. Large dealers send their servants for so many bushels or so many pecks and they are sold afloat.

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2261. The large buyers of oysters would soon detect anything wrong in point of measurement, would they not?—Immediately.

2262. Are you to be understood that the persons who actually measure the oysters, being the servants of the City deputy-meters, cheat the sellers, being bribed by the purchasers to give over measurement?—I believe it frequently occurs; but there are several gentlemen now before you, who will speak positively to that point, they having been and are sellers at Billingsgate Market.

2263. The men who measure have no right to receive anything, you say, from the buyer?—Not at all.

2264. But they do receive a douceur from the buyer, and they are induced by that to give a false measurement in his favour?

(*Mr. Alston.*) They get no wages from the meters at all; they are wholly dependent upon the public.

2265. Do you mean that their whole payment consists in the fees they get from the buyers?—That is all.

(*Mr. Bennett.*) Yes; and that acts as a bribe.

2266. (*To Mr. Gibbs.*) Is there any other point to which you wish to call our attention?—There is another point to which I am very desirous of calling the attention of the Commissioners, and that is the tax of 2*s.* for each fishing vessel which comes up to Billingsgate. It is levied by the Marine Society, which has an office in Bishopsgate Street.

2267. Is that levied on the part of the corporation?—It is distinct from the corporation. The corporation have nothing to do with it; but it increases the expense of those vessels, and it compels the party who engages those vessels, for the purpose of conducting or bringing up his oysters, to pay a larger freight.

2268. What is the Marine Society? Is it a public body?—It is a society for bringing up lads for the mercantile or the naval service.

2269. What authority have they for levying that amount?—I cannot understand what authority they have for levying that tax. Before we leave this Commission, we beg further to call your attention to the large sums of money which have been and are annually expended by the various oyster companies. We do not stop at 50,000*l.*; that is only the expenditure during the oyster season for purchasing. After that comes an expenditure of double that amount, distributed among various persons connected with the water in their different fisheries. The oyster fisheries alone have employed by those means, and do employ, from 10,000 to 15,000 persons annually, all of whom are brought up to the sea, and form by that means a nursery, which is beneficial to the nation, not only in the mercantile but in the naval department, to the extent, as I before stated, of 10,000 to 15,000 persons, men and boys. I can speak from experience, being a seafaring person myself, that they are some of the best sailors we have afloat.

2270. What is the locality of the oyster fisheries?—The neighbourhood of Colchester, Burnham, Cheney Rock Sheerness, Queenborough, Whitstable, Feversham, Rochester, and Milton. It is principally the Kent and Essex fisheries that I refer to. The gentlemen with me are more experienced in the fisheries than myself; they know the business experimentally.

2271. Is there any other point to which you wish to call the attention of the Commission?—No. Our complaint is principally and urgently directed to the metage, and to not having the power of employing our own servants to measurse our goods.

2272. There is nothing in the arrangement of the stalls at Billingsgate of which you have to complain?—No; we have nothing to do with that. I may add that the corporation of the City of London are desirous, and have been for some length of time, to remedy the evil of which we complain: but it appears they have not the power at present to do so.

Mr. Clement George, Mr. Thomas D'Iffanger, and Mr. Edward Hodges having been sworn, were examined as follows.

Mr. C. George, Mr. T. D'Iffanger, and Mr. E. Hodges.

24th Nov. 1853.

2273. (*To Mr. George.*) In what capacity do you appear before the Commission?—We attend as a committee from the Marylebone Vestry to lay before the commission the resolution passed there, relative to the coal duties and the tax on carts.

2274. Will you proceed with any statement which you wish to address to the Commission?—The inhabitants of Marylebone complain of this tax, which is computed at 22,000*l.* per annum, being placed upon us without our having any share in the representation of the body which imposes this tax, or receiving any equivalent for it. No portion of it has been expended upon the parish of Marylebone, though the parish is in need of improvement, and the vestry are frequently called upon to vote sums of money from the rates to effect the improvements which are necessary for the sanitary condition of the population. We likewise consider that at the time this tax was imposed for the approaches of London Bridge, though there might appear a necessity to raise a tax upon coals for the moment, had the corporation funds been well managed, or had the estates at that time been placed under proper control, there would have been no occasion to impose a tax upon the locality of Marylebone, much less upon an area twenty miles in extent round the City of London. The tax specially falls upon some of our institutions; for instance, we

consume in the Marylebone Baths and Washhouses a large quantity of coals; and we compute that the tax upon that establishment alone is equal to 50*l.* a year; the amount may seem small, but when we are conferring an advantage to the poor by a rate upon the inhabitants of the whole district, it seems proper that we should be exempt from a tax of this nature. I am quite certain that the great body of the respectable inhabitants of London would rather pay an improvement rate than tax their poorer neigbours, round the whole of London, upon an article of necessary use. These are our feelings with respect to the coal tax. By a petition to the Legislature last session, we laid our complaint before Parliament, but we thought as this Commission was sitting, it was a fair matter also to lay before you.

2275. The principle upon which the proceeds of the coal tax have been professed to be applied has been that of viewing the metropolis as a whole, and selecting those improvements which appeared to be most for the general benefit?—That is in some degree an error; there is a 4*d.* rate and a 1*d.* rate, amounting to 5*d.*, which the City of London have had from ancient times. We say that ought to be abolished. An 8*d.* rate was conceded during the time of the Duke of Wellington's administration, for the approaches of London Bridge. They have extended the operation of that Act from time to time under the pretence of making certain improvements in West end of London. I believe the money raised by the City was discharged in the year 1852, and the amount anticipated by Act of Parliament will have been paid off in 1856. It is in order that no further extension of the coal duty shall be imposed, that we apply to this Commission. We say that we ought to have a share in the representation which effects those improvements.

2276. At present that part of the proceeds of the coal tax which is appropriated to the general improvement of the metropolis, is distributed by the Board of Woods and Works, is not it?—It is; but no part of that has been expended upon the parish of Marylebone.

2277. Do not you think that Marylebone is benefited by the improvement of other parts of the metropolis—for instance, by the improvements in New Oxford Street?—The improvements in New Oxford Street, which is in the parishes of St. Giles and St. George, Bloomsbury, has brought over our thoroughfares a large railway traffic, which costs us thousands per annum to provide for it. It has drawn the whole of the poor into the low localities of Marylebone, and our poor rate has been increased by it very considerably. In making a great improvement of that sort as a Government measure arrangements should have been made for lodging-houses for the poorer classes.

2278. You are of opinion that the best plan to be now pursued would be to allow those coal duties to expire, and not to renew them?—Certainly.

2279. Do you think it would be expedient to anticipate the time when the coal duties will expire, and substitute for them a sort of improvement rate spread over the whole of the metropolis for general metropolitan purposes?—A general improvement rate, combined with representation at the Board, would be a very proper course. In Marylebone we are desirous of having a voice in all local taxation. It has been levied hitherto by an irresponsible corporation or by the Board of Works.

2280. Do you think that all public improvements in London could be executed by the parishes separately?—I think no persons are so well qualified as those who reside in the district, and represent the feeling of the neighbourhood.

2281. Is not it also a question of payment as well as representation? Do you think a large public improvement would be within the means of an ordinary London parish?—The amount raised by the coal duties would easily be raised by a rate. We are obliged to suffer the county rate, however extensive it may be. A short time ago they built an asylum and raised some thousands annually upon our parish to pay for the outlay.

2282. In what manner would you propose to raise the funds necessary for a large improvement, such as building a bridge over the Thames, or the widening of one of the great thoroughfares of the town?—If you can make the improvement appear to be of a metropolitan nature, then I say levy a rate upon the whole of the metropolis; if not, if it is a local improvement, let the tax be confined to the neighbourhood itself. The next point to which I wish to speak is, the tax upon carts going into the City of London. It appears by the returns of the City to be but a small sum, 5,000*l.* or 6,000*l.* a year; but no doubt as it is farmed, it amounts to considerably more. It has been the policy of the Road Trusts, the metropolitan Trusts especially, to extend the ambit of turnpikes; yet the City of London, pursuing a contrary policy, maintain the system of tolls. We do not ask for a toll for vehicles going to the Great Western Railway, though the road costs us thousands a year to keep up. A person going into the City for a carpet, has to pay for the patternof the carpet he takes with him, and for the carpet he brings back. It may be said that the sum is applied to carry out improvements in Clerkenwell; but I make the same answer to that which I did before, that monied men in Clerkenwell, would readily pay an improvement rate for the improvement, and you ought not to go to the parish of Marylebone, to make them pay for an improvement which cannot fairly be said to be a metropolitan one. These men collect the tax with great avidity. They look over the tail-board of our carts, and if they see the smallest thing they levy the tax. I think the tax also stands in the way of the City markets themselves.

2283. You admit that they have the right, but you think it ought to be put an end to?—That is the case. If I were to enlarge upon the fact that our paving is so extensively used by the general traffic to the railways, it would be a reason why we should ask

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for toll ourselves, but we do not do so; living in a large community, we must live and let live, and therefore we think the City of London should do the same.

2284. Are there any other points to which you wish to call our attention?—Not with respect to the tax upon coals, and on carts; but we wish to make one or two remarks, if permitted, upon the subject of municipalities. For the last three years I have taken a considerable part in the concerns of the parish of Marylebone.

2285. Are you a public officer?—I am one of the elected vestry. We are under Hobhouse's Act, and also special Acts, giving us the control over the churches we build, and over the poor, and over the pavements.

2286. Can you give us your opinion as to the relation which you think the parish of Marylebone ought to bear to the corporation of the City, strictly so called?—I think, for certain purposes, there should be a central board, call it what you please, a council or a corporation. I think, the less you give it the name which has hitherto existed, the more pleasant it will be to the community, and the more it will invite men of a superior class to join it. I can instance that in our own vestry. We have men of high position, in numbers, who are very eager to get elected as vestrymen, who would not like to be called common councilmen, or aldermen. We have 120 vestrymen, forty of whom go out annually, the election being by every householder, by ballot. The qualification of a vestryman is, to be rated to the amount of 40*l.* to the poor. We have no feasting. We have a glass of water only on the table when we meet, and yet we have no difficulty to get gentlemen to attend, to value the rental of the parish, to sit in appeals upon the rental, to attend to the poor and the pavements, which consist of fifty miles of carriage and eighty miles of footway, besides the highway districts.

2287. I believe the parish of Marylebone has never applied to be incorporated, in the common sense of the word?—(*Mr. D'Iffanger.*) No, it is not anxious to be so. I have frequently attended public meetings of the parish, and whenever anything respecting municipal institutions or privileges is mentioned, there is always applause, which indicates to my mind that the people are very anxious for it indeed.

2288. If they are anxious, why have they never formally applied to be incorporated?—In consequence of the expense.

2289. Do you understand that the parish of Marylebone wishes to be incorporated alone, or that the whole of the parliamentary borough wishes to be incorporated?—If I might be allowed to say so, we in Marylebone should be anxious that Marylebone itself should form a municipality. The City of London contains 129,128 inhabitants. Marylebone contains 157,679 inhabitants. Paddington contains 46,305 inhabitants, and St. Pancras 166,956. It would be desirable that Marylebone, St. Pancras, and Paddington should form separate municipalities, because Marylebone contains at the present time more inhabitants than the City of London, and so does St. Pancras. Paddington would consider it a very great boon, because Paddington is not in the same advantageous position that Marylebone is; they have not Hobhouse's Act,—they tried for it in the present year, and they tried for it two or three years ago, but they failed, and great fault is found with their churchwardens. In St. Pancras it would be a great boon too, because at the present time there are no less than seventeen paving trusts, which are extremely expensive; and if it were a municipality, the paving and lighting of course would be under one board, instead of seventeen boards, as at present. It would be extremely desirable if municipalities were granted to those three parishes; the voting should be the same as under Hobhouse's Act.

2290. As the law at present stands, it would not be possible for a single parish to be made into a corporation; but if there were a corporation at all for Marylebone, it must include the whole of the parliamentary district, must not it?—Marylebone is so very large,—it is larger in point of population than the City of London,—and as it is so extensive, and we are to have very soon a new Reform Bill, if those three parishes could form municipalities, it is more than probable that the Government might concede a member to each.

2291. What, do you think, would be the advantage of incorporating each one of those parishes separately, compared with the plan of incorporating the whole of the parliamentary borough of Marylebone under the Municipal Act?—The area would be so extensive. The borough extends from Highgate as far as Kensington.

2292. Is it larger than Liverpool or Manchester?—I should think there are more people.

2293. Does it appear to you that the population of that area would be too large for that municipality?—I think it would. Our present officers find that they have quite sufficient to do to regulate the affairs of Marylebone parish, and it would cause great confusion should it be incorporated; in fact it would not be a benefit if the borough were incorporated into a municipality; it would be a great boon if there were three municipalities.

2294. Do you think the existing parochial government and the parochial feeling in each of the separate parishes would resist the incorporation of the three parishes into one body?—I think they would resist it. I think they would prefer having them separate.

2295. Do you think the whole of the district of the parliamentary borough of Marylebone would desire to be formed into a corporation, or would they prefer to be left as they are?—I think they would prefer municipal government.

2296. Even if they desired to be formed into one corporation?—I think so.

2297. But they have never formally applied for the purpose?—The expense and difficulty have been so great.

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2298. At present the application can be only made by the majority of the rate payers, can it?—I am not prepared to say. Sir Benjamin Hall explained to me that, however desirable it might be, the expense would be greater than the public would be willing to pay; but at the present time, when it is very probable, at least so we imagine from reports, that the City of London will undergo a change, there is an opportunity for other parishes to express their desires and opinions.

2299. Supposing London were parcelled out into municipalities, each one having its separate council, or whatever might be the name of it, would it be possible in your opinion to have a combined council for the whole of the metropolis, which should embody the representative principle, and have powers of taxation for general metropolitan purposes?—I believe that persons who have considered the subject would be very desirous that such a plan should be carried out; that is the principle they would wish to see carried out.

2300. Some plan of that sort you think would not be unacceptable in the parish of Marylebone?—It would be most acceptable. The principle there is that there should always be representation wherever there is taxation.

(*Mr. George.*) Of course Mr. D'Iffanger has given an individual opinion. The subject has never been discussed in Marylebone, neither in the vestry nor at public meetings. We consider that the establishment of any municipality in the parish of Marylebone would take from us the amount of power which we now possess, and give us the name without the reality. In St. Pancras the case is different; they have no control over the churches or over the pavements, which we have.

2301. Your individual opinion, therefore, would be against incorporating Marylebone?—I should rather take the good example of the working of Hobhouse's Act with our local Acts, and compulsorily apply it to all sections of the metropolis, and from the elected vestry select so many persons to the central board, which might be the corporation of London, if you pleased so to call it; then, when they met, let them elect their president or head, calling him mayor, or president, or what you like.

2302. Your plan would involve a separate municipal government for each parish?—Yes.

2303. That might work very well in a large parish such as Marylebone. How would it work in a small parish?—Take the small parishes comprised in the Strand union; you there cluster certain small parishes together for the purpose of electing poor law guardians. Do the same with those and other small parishes for municipal purposes. While you are trying to reform the corporation of London, I think you should try to do justice to the whole of the parishes. There is a variety of systems afloat; in many parishes, there is what is called an open vestry; when you come to the question of voting, Sturges Bourne's Act is introduced, and the voice of the general body is swamped by the votes arising from property. Hobhouse's Act has been shown to produce a cheap and efficient government.

2304. What would be your objection to combining the three parishes of the present parliamentary borough of Marylebone into a single municipality?—I can conceive no objection beyond this, that in the arrangement of a municipality, such as I have heard described, you would take from us the privileges which we already enjoy, and give them to the central board.

2305. I will suppose the parliamentary borough of Marylebone is placed under the provisions of the General Municipal Act. In what respect would Marylebone be a loser under that system?—The general provisions of the Municipal Act they would be gainers by, because the general provisions of the Municipal Act give them the power of erecting gaols, carrying out all improvements; overseeing the supply of water and gas, and the extension of education, baths and washhouses, public libraries, and every important improvement, in fact, is by the Municipal Act vested in them.

2306. Do you think that the parish of Marylebone would in any way be the losers, if the parliamentary borough of Marylebone were placed under the provisions of that Act?—Certainly not. The only objection I can see to that is this, that in a cluster of parishes or boroughs, all merging into each other, there must be some of those matters taken from the locality and made central. For example, sewers and police. There are parties who contend that Marylebone can manage its own police, but commen sense tells me that it requires to be managed by one central body. So of general improvements; the metropolis might be fairly represented by one central board, which should be the concentrated essence of all the vestries or municipalities round London.

2307. You think that the parish of Marylebone would not object if the parliamentary borough were placed under the provisions of the general Municipal Act, and if certain subjects, such as the police, the sewers, and the administration of justice by the magistrates, were withdrawn from the separate municipalities, and placed under one general body?—It is my opinion that it would, but that of course is an individual opinion. Many would say we have all that power already, and what is the advantage in a change of name.

2308. Do you think there would be a strong parochial feeling against the combination of the three parishes under one municipal government?—They have hitherto been separate, and their interests seem to be so little in common, that I consider it would be regarded as a hardship, and would be objected to. The vestry have the choice of the guardians of the poor. We do not consider ourselves in any measure under the control of the Poor Law Board. We may be joined to parishes who have not that privilege. We have bonded

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debts also, which have been created for building churches, &c. Supposing we were joined with other parishes in the municipality, what would become of those debts? Would they be made chargeable upon the whole municipality? It has been suggested to me that the reason why Marylebone has not applied to be put under the general Municipal Act is because we saw that there were certain matters, such as police, sewers, &c., which must necessarily be carried out by a central board, and conjointly we should obtain no advantage by doing so. I think there is a great aversion to the titles of alderman and lord mayor. Any other name would be better; and I am certain that there are many persons of station in our vestry who would not go into the corporation of London, though they are very proud to be in their present position.

(*Mr. Hodges.*) Might I be permitted to say that I think, from what I have noticed, having had a great deal to do with public meetings, and the expression of public opinion in the parish of St. Pancras, and something, though to a less degree, in Paddington, that they would prefer a municipality which would include the whole of the three parishes, for this reason, that the same staff of officers and the same machinery could be used for the whole of the municipality as for each municipality. The ratepayers, of course, always look to economy in these matters as well as to efficiency.

W. J. Kearns, Esq.

W. JOHN KEARNS, Esq., having been sworn, was examined as follows:

2309. Are you connected with the City of London?—I am.

2310. In what capacity?—As wharfinger.

2311. Are you connected with the corporation?—I am not.

2312. Will you have the goodness to state to the Commission any points with regard to your trade, to which you desire to call our attention?—I have waited upon you in accordance with a request which I have received. I have no grievance to state; it is not by my own act entirely that I am here. I am aware that in matters connected with my own trade, certain grievances exist in the case of merchants and importers, arising from regulations which were originally good, possibly, but which have been outgrown by the City, and its increased trade. The metage is one of those great grievances, and it is most injurious to the port of London.

2313. Will you have the goodness to state to the Commissioners what is the operation of the metage system?—A metage upon corn and fruit, viz: nuts and apples, is claimed by the City, and often very prejudicially to the merchants. There have been serious disputes upon their being levied upon corn when only in transit. With regard to nuts and apples, it is not only injurious to the public, but it is injurious, very frequently, to the port, by preventing a foreigner sending cargoes here upon speculation, unlike Crown duties, which are not levied on goods landed, if subsequently exported to another country. The City tax is certain, while the profit is uncertain. For instance, Spanish nuts change hands frequently at 6*d.* a bag profit, out of which the metage would be twopence, and the porterage another twopence. Of course, foreigners, Spaniards more particularly, hesitate to send a cargo into this market, where they are sure to incur certain expense, and may not reap the desired profit.

2314. Might they not import them into Southampton, or some of the southern ports, in which case they would be exempt from metage?—If landed at Southampton, metage would be claimed in London if sent here viâ rail and lighter. They would then have the expense of railway carriage, because London is the great mart to which they come.

2315. What amount of difference do you calculate there is between the expense of metage, as it would be without the interference of the City, and as it is at present?—About half.

2316. Would the goods you speak of be measured on landing if the City meters were not employed?—Only a very small portion; many cargoes, the bulk of the nuts in particular, are in bags. The bulk of the dried apples are in baskets. The meter would turn out one bag, or occasionally one basket; that is the extent of what he would do; that is unnecessary, inasmuch as the matter would be settled with the Crown officers, without the intervention of the meter. The necessity which now exists for the presence of the meter very often occasions great delay. The surveyor of the customs will not arrange for the duty, possibly, because the meter has not seen them. Subsequently, when the meter has seen them, there will be a difference of opinion existing, trifling in itself, but still a cause of great delay to the public. If the matter rested solely with the customs, that difficulty would not exist. With regard to dried apples, the case is precisely the same. There may be a question as to the quantity to be taken to the bushel, and great delay may be occasioned by the absence of the meter, or the absence of the surveyor. If the matter rested with the Crown there would be no difficulty.

2317. According to your statement, the importer is now subject to a double inconvenience, to a payment for which he gets no equivalent, and to the delay caused by unnecessary metage?—Precisely so.

2318. Do you consider that the joint effect of those two circumstances acts in a manner seriously detrimental to the trade in fruit?—I do.

2319. Is it an evil of considerable magnitude, or trifling only?—It is a great evil

with regard to those articles. Of course, those articles form but a very small portion of the trade of London, but on them it is a very great evil.

2320. Does the metage apply to all sorts of fruit?—No. Nuts, apples, and onions it applies to.

2321. Do you think that the City fruit meter is in any way a protection to the importer?—Not the least.

2322. Or to the purchaser?—He is not between the merchant and the buyer; he simply regulates the metage at the time of landing.

2323. Do you think the charge excessive?—The charge is excessive for porterage; it might be well reduced to one-half.

2324. What is the City gauger?—He is appointed by the City for the purpose of general reference by the merchants with regard to all wines and oils.

2325. Do you think the City gauger a useful officer?—Very.

2326. What is the distinction you are disposed to draw between the gauger and the meter?—The goods I have instanced are most of them in packages, the contents of which are ascertained and known. A cask differs very materially from other packages. The gauge of a cask is a matter which no man without great experience can tell. It requires a man of great experience to be constantly employed for the protection of the merchant. He is a check on the part of the merchant against the Crown officer, who gauges for the Customs, and also a check against his correspondent.

2327. Are the charges of the City gauger excessive?—No; they are very moderate.

2328. In point of fact, then, you think, as far as the gauger is concerned, there is no complaint to be made; but on the contrary, it would be desirable that he should be kept very much in the situation which he now occupies?—He is a very beneficial officer.

2329. Is there anything in regard to the fruit porters to which you wish to call our attention?—The fruit porters, under the name of fellowship porters, consist of forty men. Of course forty men are not at all equal to discharge the different fruit ships which now fill the port of London, and their numbers are made up by a great number of supernumerary hangers-on of those men, parties whom they allow to work with them, the bulk of whom are great thieves; men who, under the corporation banner, enter premises and ships, and over whom no one has any control. They set you at defiance,—you cannot remove them from the ship though you know that their object is plunder. There are very few of the vessels which enter the port of London but suffer in some degree from robberies committed by those men, and there is no sufficient surveillance to prevent their taking place.

2330. Has the corporation the power of exercising control over the City porters?—I presume they have over the fellowship porters, but not beyond. If complaint is made to the fellowship, they say, "We cannot help it, we have nothing to do with those extra men," though they, the fellowship, allow them to work with them.

2331. Then where does the control reside; is it with the company or with the corporation?—I have often endeavoured to find out, but have never succeeded; they have frequently defied me. I have watched a man, and been perfectly satisfied that his object was plunder, and attempted to remove him from the ship in consequence; but the police have refused to interfere unless I gave him in charge, which could only be done after a robbery had been committed. The "extra man" would appeal to the fellowship, who would say, "This man is about to work, there is his knot;" and he would retain his place, while the moment he had his opportunity he would pocket whatever came in his way. I convicted one of these men last year, a man whom I had known for some six or seven years working with the fellowship, and I was not aware till I had him taken in custody that he was not a fellowship porter. It then turned out that he was one of those hangers-on who had been so long mixed up with them that it was impossible for the wharfingers, or the merchants, or any other persons to know that he was not one of the men known as a fellowship.

2332. Your complaint is, that there is in reality no efficient control exercised over those fellowship porters and their followers, whom you are obliged to employ?—Yes.

2333. Do you consider that you are put to considerable inconvenience in consequence of being obliged to employ those fellowship porters, instead of being at liberty to employ the porters whom you would yourself select?—Individually I am put to no expense; the merchant has to pay the fellowship for transporting those goods. I think he pays fifty per cent. perhaps more than he should do. The wharfinger is at no expense, but runs great risk of being robbed by the men thus forced upon his premises by the City.

2334. You think he pays double the amount he would pay under an open system?—Yes, exactly double.

2335. Besides the inconvenience of having less control over the porter than he would have under an open system?—Certainly.

2336. As a wharfinger, are you acquainted with the manner in which the navigation committee of the corporation discharge their duties?—I am aware of the parties who are connected with the navigation, who are taken from the common council, and from what I know of the names and professions of some of those parties, I think the whole of the experience of that navigation committee is comprised in two gentlemen, Mr. Turnley and Mr Phillips, who are no doubt very excellent men for the purpose, and practically acquainted

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with the subject. Out of the twenty-nine members who form that navigation committee, I think they are the only two who really would know what was proper to be done.

2337. It has been stated to the Commissioners, that although the navigation committee is pretty much as you have described it, yet they have selected a very good harbour master, in whom they have confidence; and the result is, that the duties of the committee are performed in a satisfactory manner. Have you any reason to doubt the accuracy of that statement?—I think the harbour master is well selected, and that he is a clever man; but I think the river is of such vital importance to the port of London, that it ought to be placed under better surveillance. No fault can be found with the arrangements of the harbour master or his deputies, which, considering the extent of the river, are excellent; but I cannot combine in my mind the duties of the harbour master with the deliberations of the navigation committee. The harbour master has simply to enforce certain regulations, and provide proper moorings and anchorage for the shipping, &c. The duties of the committee, I think, are of a higher order, and comprehend not merely the safety or the convenience of ships, but the properly preserving such lines of demarcation as shall ensure safety to the buildings on the river's banks, and the bridges, piers, or watercourses which might be injured by improper alterations or encroachments. My impression is, "from the present mark of the tides at high water," that if straight lines are adopted, and stone or brick walls are permitted to take the place of old piles, where the water now flows, that a useful river will be converted into a rapid current, and the result be most disastrous. In fact, my impression is, that the river Thames is of too much importance to be entrusted to men, who, however respectable, know nothing of its sets of tide, of its currents, eddies, bights, points, banks, or bottoms;—who never think of the effect of a strong northerly gale, or the possible consequences of a month's rain. I do not pretend to offer any scheme to men of greater talent, and better position than myself, but should be happy to see a navigation committee formed entirely of practical men, at whose frequent deliberations either an Admiralty officer presided, or that it should be imperative that any or every alteration, "however slight," should be reported to a Government board.

2338. Is there any other point connected with the corporation of London to which you wish to advert?—I would say one word with regard to the magistracy. I think it would be impossible to improve their police courts. I have occasionally been present there, and have always found great patience exercised by the magistrates, and great desire to arrive at the truth, and none of the petulancy which the press sometimes have repressed in the paid magistracy. I am perfectly unacquainted with the gentlemen, not having the honour of knowing a single alderman, but I have always fancied they were exceedingly well selected to fulfil the duties of the station they hold, and, from living among the people, they are prepared to know the habits of those who are brought before them. They also appear well supported on points of law by the gentlemen who assist them, and to be able to meet the cases as they arise.

H. Bateman, Esq.

HENRY BATEMAN, Esq., having been sworn, was examined as follows.

2338*a*. Are you connected with the City of London?—I am connected with the City of London, as being a merchant in the City, and of course a freeman, which I have been for the last thirty years, and a liveryman of the Goldsmiths' Company.

2339. Are you a common councilman?—No.

2340. You are an inhabitant of the City of London?—My business is in the City of London.

2341. What is the nature of your business?—I am a timber merchant.

2342. Are there any points connected with the corporation of London to which you are desirous of calling the attention of the Commissioners?—Very many. As a person who has been thirty years resident there, and who has taken generally, for the last twenty years, some little and not inconsiderable interest in the business of elections in the district in which I live, I feel that I am qualified to do so. I am a resident in the ward of Bishopsgate, one of the largest and most influential wards, returning fourteen members to the common council. Without any boasting, I may say, that if anybody has taken an interest about the elections of common councilmen, no one has so much interfered in the matter as myself.

2343. Were you ever a candidate yourself?—No; I might have been, many years; I have oftentimes been asked to be so, which is part of the disadvantage under which I labour. My great aim has been hopeless about much reform in the common council itself, or the corporation itself, to mend it in detail. I have no interest, part or parcel, in the corporation in any way whatever, being perfectly independent of it; still I hope I am sufficiently patriotic to try to mend that to which I belong, and I have often tried in my own ward, which is a large and very influential one, to induce persons to come forward as common councilmen; but the point and gist of my remarks here is, that the office is so unpopular, so generally tainted and low in public estimation, that when I have asked anybody to become a member of the council, the remark has been thrown back upon me, "Why are you not a common councilman yourself?" which is a sufficient answer to me

if I ever apply to any one whom I think I should like to vote for. I have no answer to that except that I decline.

2344. To what do you attribute the indisposition to accept offices connected with the corporation?—I think in the City generally (excepting, of course, persons in the common council and the corporation, their dependants and expectants), the opinion of modern active men is that it is a tiresome, worn-out, troublesome thing, in the way of improvement, and persons are hopeless of mending it; it then comes to this, that other persons of another class have come to be common councilmen; I have myself been instrumental in getting gentlemen to become common councilmen, for whom I have great respect, as the best gentlemen of the class whom I could get, not the ones I should choose; but for lack of others, I have been obliged to ask them to come, and have generally succeeded in getting them the situation; but the misfortune is here, that when that class comes to be grouped together, the men we want or think would be desirable will not join them.

2345. Are you of the opinion which has been expressed before this Commission by one witness at least, that it would be desirable altogether to abolish municipal institutions in the City of London?—A friend of mine gave that evidence, but I entertain a very different opinion from him; our present corporation I would certainly abolish.

2346. What are the outlines of the change you would desire to effect in the civic institutions of London?—The Commission has already had many suggestions, which I am afraid may come upon them as plentifully as blackberries, and they may be thought nothing of. I have put down here what I would call suggestions: "That the metropolis "be divided according to the parliamentary boundaries into separate municipalities; the "City proper, Marylebone, Finsbury, Tower Hamlets, Southwark, Lambeth, and if "Chelsea and Kensington with Belgravia should ever obtain borough rights, then that "district form a seventh municipality; each municipality to do and to be just what "country municipalities do and are, with such exceptions as are hereafter mentioned; "everything in the City of London found by the Commissioners not to be in accord with "the usage and spirit of the time, to be put aside, or altered, modified, and re-arranged, "as may be deemed expedient; whatever of vested interest or property is found to "belong properly to the City, to be preserved to it; its future duties being carefully "and specially prescribed. In the City proper, and in each borough, elections to be on "the same day, as in all county boroughs; voters, the parliamentary list only; if it be "thought expedient to reserve the right of voting in the City to the livery, let it only be "to the livery in existence at the day of the date of the Act of Parliament; in each "municipality there should be twenty-one councillors, one of whom shall be chairman or "president. Each council out of its own body to select four, to be delegated to a central "body of twenty-four, who shall be aldermen, not of the City of London, but aldermen "of London; and these aldermen, out of their own body, shall elect one to be Lord "Mayor of London for the year. Councillors so elected to be aldermen, to retain all their "rights and privileges in their own separate municipalities. In the initial proceeding "for electing the Lord Mayor, the senior alderman present to be chairman; if the numbers "on a division are even, having a second or casting vote; the Lord Mayor, when chosen, "having also the one or two votes as may be required. Committees in each municipality "elected for three years; one-third, however, retiring every year eligible to re-election. "The aldermen elected every year, eligible to re-election. All matters in any way per-"taining to the general interests of the metropolis, such as police, water, sewerage, "prisons, sanitary measures, paving, or whatever the Commissioners (afterwards Act of "Parliament) may indicate as metropolitan, can be originated in each separate munici-"pality, but cannot be carried out without report first made to the aldermen, and their "assent. The Lord Mayor shall not reside in the Mansion House, which shall be used as "the justice room for the stipendiary magistrate, for meetings of the aldermen, for the "offices of business belonging to that body, and any special municipal purpose to which they "shall think fit to apply it. A sum of money not exceeding 3,000*l.* to 5,000*l.* per annum con-"tributed in equal proportion by the metropolitan municipalities, to be at the disposal of "the aldermen to be expended in such way as shall best beseem so great a city. Dinners "to public men, literary, scientific, political, to other municipalities, to foreigners, in literary "or scientific soirées,—all to be decided and ordered by the aldermen, but never to exceed "the prescribed annual amount; nor must it be permitted that any Lord Mayor should "exceed by his own private means. Lord Mayor to preside at all meetings of the alder-"men, or if unable to attend, his nominee, being an alderman. Lord Mayor a magistrate "for the year, specially for municipal or commercial purposes. Aldermen not magistrates, "because aldermen. The municipality of the City of London to use the offices at the "Guildhall for their meetings and the transaction of their business matters. If a second "stipendiary magistrate expedient, to sit in an office at the Guildhall. Sheriffs of London "and Middlesex to be nominated at a general council of all the metropolitan munici-"palities, to be held at a stated day in the Mansion House, the Lord Mayor presiding. "A sum carefully calculated as the necessary expenditure of a sheriff to be appropiated "thereto; the sheriff to render audited accounts quarterly, which are to be immediately "paid; but the annual amount not to exceed the regulated sum. Sheriff to do his own "work as prescribed, having nothing to do with the corporation, except to report annu-"ally. If sheriffs cannot be procured on such terms, let the nomination be as everywhere

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" else throughout the country ; chamberlain not necessary. Let all monies collected be " paid into the Bank of England, to the account of the Lord Mayor and aldermen, or the " separate municipalities, as the case may be ; and let all accounts be kept in every " department as any merchant or banker would keep his accounts. Three auditors to be " elected in each municipality for the separate examination of the accounts of each. The " whole number of auditors may meet together once to nominate three others to inspect " the accounts of the Mayor and aldermen. An annual report to be printed and dis- " tributed ; that of the Lord Mayor and aldermen to every voter in the metropolis ; that " of each separate municipality to each voter in the district. Power by law to make " municipal rates. Every decision by a simple majority. All elections and divisions to " be by ballot. All political matters excluded. Lord Mayor, aldermen, and councillors " to be satisfied to be as well dressed as members of the House of Commons. All tom- " foolery to be abolished." Those are my suggestions arising from an experience of thirty years. The Commission will see that I am a thorough disbeliever in the present constitution of things. I have seen the working of the system, seen their elections, witnessed Lord Mayor's day, seen the sheriffs' day, dined with the Lord Mayor ; and I only wish to say, as one of an outside body, I am sure I speak the sense of a great many thousands of citizens, that it is a grievous offence to them, and nothing would be so acceptable to them as that it should be changed ; I am sure that is a calm and quiet announcement of a simple fact. I have seen common halls and know how they are packed. I would suggest to the Commissioners, if they want to know more about those 'long-shore men, which are so great a grievance and scandal in the City, that they should ask such a man as Mr. Rose respecting them. Some of the City men who come up here will tell you who he is. Gentlemen, men of thought and feeling, do not often go there. Those 'long-shore men used to be originally watermen, boatmen, and men of that order ; but it has come to be the descriptive name now of a certain class of poor livery men, who are to be obtained by a day's wage, as they call it, something which hires them to do certain work. Those men fill the halls, control the elections, get shows of hands, and altogether make the whole of the elections of the City of London a great mockery.

2347. Do you think it desirable that the livery should retain their votes for the City officers ?—I do not. I am a liveryman ; but I know how liverymen are made. In the olden time the institution was good and right for its then purposes ; skilled men of the different trades banded together, and the men who then were skilful in their hands, or thoughtful in the construction of anything, were considered to be fitting men to be taken care of, and to be put in some position. I belong to the Goldsmiths' Company, but I am not a goldsmith ; I am a timber merchant. The liverymen of the Goldsmiths' Company are very few of them goldsmiths. The Goldsmiths' Company is a great political organization ; high Tory. They will not elect a man who is not a high Tory. They make votes, and they have votes for the City officers.

W. S. Masterman, Esq.

WILLIAM STANLEY MASTERMAN, Esq., having been sworn, was examined as follows.

2348. Are you a practising attorney and solicitor ?—I am.

2349. Where do you reside ?—My chambers are at 15, Clifford's Inn, Fleet Street.

2350. Have you any statement to make in respect to the exclusion of attorneys and solicitors from the Lord Mayor's Court ?—I have some suggestions to make in reference to the Lord Mayor's Court of London. Having understood that the Lord Mayor's Court had been thrown open to the legal practitioners of England, I went to the Lord Mayor's Court office, and there signed a roll, as we do at Westminster, thinking, as an attorney of Her Majesty's courts at Westminster, I should be at liberty to practise in that court, by some order, as I understood, of the common council. I have, however, learnt that there are six attorneys who have hitherto enjoyed the exclusive privilege of practising in that court, similar to that possessed by the attorneys which we had in the Palace Court of old ; and that in consequence of some one of the new attorneys beginning to practise, arising out of this resolution of the common council, one of the six has commenced an action against him. I believe it was Mr. Cox, who is an attorney in Broad Street, and also a member of the common council. That being so, I felt I should scarcely be safe, notwithstanding this resolution of the common council, in presuming to practise in that court, because I did not wish, of course, to bring upon me an action-at-law. I have therefore abstained from doing anything in that court. If the Commissioners will excuse me I would observe, that we see the perfect inefficacy, practically, of the Court of Common Council coming to any such resolution as this, which leaves attorneys open to an action to be brought at the instance of one of the six exclusive attorneys. I have been told that those six attorneys, or their predecessors, actually paid the corporation for those offices. It is then put by them to their brethren, " Is it fair, we having paid for those offices, that you " should be allowed to come in and sweep away our privileges ?" Assuredly, it appears to be a very unjust thing that the Court of Common Council should have taken away those privileges from those six gentlemen without giving them any compensation. We remember that the Legislature, in regard to the Palace Court, compensated the particular attorneys practising there ; but it would appear, though I do not know the fact, that these attorneys of the Lord Mayor's Court received nothing whatever.

2351. Have they all paid for their situations?—I cannot say.

2352. The Commissioners were informed that in the case of the pleaders, as the offices fell in, the corporation declined to resell them?—I hope the Commissioners will understand that I am only stating what is floating about as a report. Of course, it is very difficult to get at the facts. With regard to the practice of that court, a client of mine was served with a process out of that court. It is a notice that A. B. has entered a plaint, and that if there is any cash of the alleged defendant, or anything of the sort within the confines of the City, an attachment will be put upon it. Before an appearance can be entered to that process, as in the superior courts at Westminster, and a man can defend that action, he is constrained to find heavy bail. In the case of which I speak, which was a case of an alleged debt, for there was really a valid defence to the action, unless my client could find bail for 500*l.* he could make no defence whatever. See, then, the injustice done to the whole body of creditors. Here one man may possibly get hold of a sum of money in the hands of a banker or solicitor, or whoever else it may be, exclusive of the general body of creditors. I humbly conceive, therefore, that this practice is extremely mischievous, looking at the general policy and wisely improved condition of the laws of England.

2353. Is there any other point connected with the franchise of the freemen of the City to which you wish to allude?—Yes; I happen to be a freeman of London. I thought it right, as many other gentlemen appeared to be freemen of London, that I should become so. I went through the necessary ordeal, being then one of the householders in the ward of Farringdon Without. I think I have exercised my right to vote for the common council upon one occasion; but on the 1st of August, 1849, an Act passed the Legislature, which professed to give greater privilges to freemen than they had hitherto enjoyed; in fact that was the pretence for this particular Bill. In the preamble of the Bill, it states that the Legislature thinks it wise that those advantages should be extended and enlarged; but I find by the second clause of the Act, that not only are you to occupy warehouses, cellars, or shops, or something of that kind in the City of the value of 10*l.*, to enable you to vote for this class of officers, but you are also to be upon the parliamentary list of voters in addition; so that supposing, by mere accident, a man is excluded from the parliamentary list, he finds himself entirely excluded from this list of voters for corporate officers. So he has a double duty to perform: he must see that he is on the parliamentary list, for if he is not there, he does not make his appearance upon the list made out under the new Act for the regulation of municipal offices. Why parliamentary rights should be mixed up with municipal rights, I, as a lawyer, never could understand, and as a freeman I think it unfair. If I have an office in the City of London, for which I am paying 30*l.* or 40*l.* a year, it appears to me very hard that I cannot go to the Old Bailey or wherever it may be, and give my vote for the gentleman whom I prefer. I live at Croydon, which is beyond the boundary (seven miles), and therefore I lose my vote, not only for parliamentary purposes, but also for municipal purposes. In the fifth clause, which states the qualification of a common councillor, we find exactly the same ingredient, that you shall not only occupy within the City or liberties a counting house, &c., but you shall also be on the parliamentary list of voters for the City of London. The result is, to my personal knowledge, that they positively keep only a certain knot of persons filling those offices, to the exclusion of gentlemen, who I think would feel a delight and pleasure in endeavouring to do any gratuitous amount of good which they might be able to do to the City of London. I think, therefore, that that is a very unfortunate statute. I know the corporation had the conduct and government of this affair, and I say the Act does not come up to what it professed to be. I mentioned it to one of the representatives of London, and took the liberty of saying I thought it was a mistake. He said he understood it would be rectified. Certainly, after paying one's fees, one hopes to have the privileges for which one bargained.

2354. Is there any other point to which you wish to call the attention of the Commission?—There is an office still in being, known as the secondary of London; there were two. On the death of the late Mr. James, who had been secondary some years, Mr. Potter, being his colleague, who is now the remaining secondary, considering myself fit for that office, and having some knowledge of Mr. Cotterill, who then was one of the sheriffs, I took the liberty of writing and offering myself to succeed Mr. James. I saw Mr. Cotterill upon the hustings on one occasion in Guildhall. He said, "I have received your letter, and if the office were in my gift, I would appoint you." He then asked the under sheriff a question touching this appointment, and he was told that the appointment was in the gift of the common council, and not with him as sheriff. I would take leave to remind the Commissioners that here is a state of things which is very different to that existing in the other counties and cities of England, where we see the wholesome and wise practice pursued of pricking for sheriffs, who appoint their own under sheriffs. The effect is, that in London there is a constant monopoly, and we find that instead of the sheriffs of London and Middlesex being always what we should like to see them, the office is too often made a kind of job. We find two or three solicitors, who are usually under sheriffs of London and Middlesex; and at the present moment a member of my own profession, Mr. Sheriff Wire, who is actually in practice, is an alderman and sheriff of the City of London; and Mr. Anderton, who has been under sheriff once or twice before, is again under sheriff. This appears to me to be a course of practice which is fraught with mischief. I conceive that it is not proper that practising solicitors should have the execution of writs in

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sheriffs' offices. It is likely to be a very injurious practice to the community, and we know that in no other county or city can we, as practising solicitors, be either magistrates or sheriffs. I hope I shall be excused for calling your attention to these facts. For these reasons, I conceive I may be permitted to add, that if some wholesome change were made by Act of Parliament for the better government of the corporation of London and its privileges, it would be an acceptable boon to the freemen of London.

2355. Before that Act of Parliament was passed, which professes to amend the 11th of George I., was not it necessary, in order to qualify a man to be a voter for aldermen and common councilmen, that he should be a householder in the City?—I cannot remember the exact words.

2356. If that were the case, this Act of Parliament did in some measure extend the right?—Yes; but I believe that the question was never well understood. If a freeman resided in a room in the City of London, I think he was permitted to vote.

2357. If, before the Act passed, a person who occupied a warehouse or shop in the City, but did not reside there, was nevertheless entitled to vote; then this Act of Parliament would rather cut down his right?—Exactly so.

2358. If, on the other hand, by the 11th of George I., in order to entitle him to vote, he must have been an actual householder, that Act of Parliament extended his right?—Yes.

Adjourned to to-morrow, at twelve o'clock.

Friday, 25th November, 1853.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P., IN THE CHAIR.

Captain W. J. Williams.
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CAPTAIN WILLIAM JOHN WILLIAMS having been sworn, was examined as follows.

2359. You are one of the prison inspectors?—I am.

2360. How long have you filled that situation?—About eighteen years.

2361. You are on the Home Circuit, are you not?—I have had the Home Circuit for six years.

2362. Do the City prisons come under your jurisdiction?—Wholly.

2363. Have you been able to form an opinion of the manner in which they are conducted?—I have.

2364. Are you in the habit of regularly inspecting them?—Very regularly indeed. I go very frequently through the whole of them.

2365. Will you have the goodness to state what prisons are under the control of the corporation of the City of London?—The prisons under the jurisdiction of the City of London are as follow: Newgate, which is the county gaol for Middlesex and a gaol for the City of London; the New Prison at Holloway, which is the house of correction for the City of London; the City Bridewell, which belongs to the Bridewell Hospital, but to which the aldermen of the City have the right of committing in conjunction with the chamberlain, and as I have lately understood, the comptroller of City lands. There is also the Debtors' Prison in Whitecross Street, for London and Middlesex; and also the Borough Compter, which is now disused, but which was lately occupied by women. In consequence of the great influx of female prisoners, I recommended that they should be removed there; but some doubts having entered into the mind of the Secretary of State, as also of the City authorities, as to the power of the City magistrates to commit there, prisoners were removed by the order of the Secretary of State under the statute, after conviction from the Giltspur Street Compter to that prison. Those are all the prisons within the City of London.

2366. The whole of those prisons are not situated within the limits of the City, are they?—The prison at Holloway is not.

2367. With that single exception are they so situated?—They are.

2368. Will you have the kindness to inform the Commissioners what is the state of each of those prisons?—Perhaps the Commissioners will allow me to state previously how they are situated under the statute, and then how they are managed. A very extraordinary power is given to the City of London under the 4th of George IV., chapter 64, by which the Court of Aldermen are constituted a Court of Quarter Sessions at all times for prison purposes. I will read the clause of the statute, if you will allow me. It is the 13th section of the 4th of George IV., chapter 64: "Be it enacted, That all powers and "authorities given by this Act to justices of the peace in general or quarter sessions "assembled in the several counties, and all other acts to be done and performed by "justices of the peace at any sessions in pursuance of this Act, shall be exercised and "performed, so far as regards the prisons in the City of London and liberties thereof, by "the Court of Mayor and Aldermen of the said City, as heretofore has been accustomed, "and not by the said mayor and aldermen as magistrates at the general or quarter

" sessions of the peace to be holden in and for the said City, anything in this Act con-
" tained to the contrary thereof in anywise notwithstanding."

2369. Does that clause lead to differences of practice between the City and other parts of the country?—It does; and I think it is a power which ought never to have been given to the City of London. The Court of Aldermen have the power and they do sometimes exercise the power by which strangers are excluded from their court, which is not the case in the Court of Quarter Sessions. In fact I have been present myself on one occasion in the Court of Aldermen when the subject under discussion related to the erection of the New Prison at Holloway, and the standing order was enforced for all strangers to withdraw. Consequently this may be done where money is voted away in superannuation to the officers, and in all other cases where, it this saving clause had not been inserted in the Act, the business would have been done as everywhere else in the public Court of Quarter Sessions.

2370. Is the Court of Aldermen in the habit of voting compensation allowances to prison officers?—It is.

2371. Under what power is that done?—I suppose it to be under the Act of Parliament the 4th of George IV., chapter 64. I cannot speak upon oath as to any actual case which has occurred, in which they have voted compensation under the statute, but I know that they do not adhere to the provisions of the Act, and have not adhered to the provisions of the Act in one particular case which has recently occurred. I cannot state the particulars of it, because I have only come to the knowledge of it by hearsay; but in the case of a late superannuation or rather pension to a prison officer, the governor of the late Giltspur Street Compter, I have understood that the Act of Parliament has not been adhered to. I am not able to explain why the aldermen have not adhered to the Act of Parliament, I only state what I have heard.

2372. Was the decision by which that grant was made come to in one of the courts which you have described with closed doors, the public being excluded?—That I cannot say. What I have understood is this, that it was by a recommendation from the gaol committee. I may say, that the gaol committee is composed of the mayor and aldermen. The gaol committee reported to the Court of Aldermen.

2373. Is the gaol committee composed exclusively of the mayor and aldermen?—Exclusively. This was a report, as I understand, from the gaol committee, composed of the mayor and aldermen to the Court of Aldermen as a sessions, who confirmed the report of the committee, and the sum of 500*l.* a year was granted.

2374. What can be the object of excluding the public on those occasions from the Court of Aldermen?—I have not the least idea. I can only speak to one occasion when I was excluded, being merely a spectator; but I know it is competent for any member of the Court of Aldermen to move that the public be excluded.

2375-6. Any resolutions which they come to for the payment of money must be afterwards published, must they not?—I am not aware. I have seen no notice as to the case referred to in the public papers; there may have been. I generally watch these things pretty closely, but I have not seen it. If the Commissioners will allow me, I will state my experience with regard to the management of the City prisons. I believe there are no prisons in the country where the visitation is so well kept up as in the City. The management of the prisons generally, I think, reflects very great credit upon the authorities there; at least it has been the case since I have been officially connected with the City. The new prison at Holloway is managed in a way which I should say would almost make it a pattern prison for the entire country.

2377. By whom is the actual superintendence exercised?—By the aldermen, the visiting justices. There is a rota, and the justices visit in turns.

2378. You are of opinion that the duty is very well performed?—Exceedingly well performed. The visiting perhaps is more frequent to those prisons in the City of London than to any of the prisons I am acquainted with anywhere. The attention paid generally by the aldermen reflects great credit upon them.

2379. Is the visitation of the aldermen exercised in rotation, or do they appoint a committee of visiting aldermen?—It is in rotation. With regard to Newgate prison, its construction is such, that it renders it totally impossible, even as a well regulated-prison, to do anything with it. It really is without a single qualification, but security from escape; it is a mere quarry of stone, without any order or convenience, or the possibility of establishing order within its walls. It is cut up into a variety of dark rooms, over which there is no inspection whatever; and though every attempt has been made, and the best advice has been taken on the subject, it has been found impossible to do anything with it with respect to its reconstruction.

2380. When was Newgate constructed?—Shortly after the riots in the year 1780. It was then burnt, and the present building has the most imposing and deterring exterior of any prison that I know of, and perhaps does more good by its out than its inside.

2381. Does it remain now in the state in which it was originally built?—Pretty much so. Improvements have been effected, and everything which could be done by the magistrates has been done. It is exceedingly clean, and the prisoners are generally well conducted, except when masses of transports have been congregated there together, when the Government at times have not been able to remove them.

2382. Is it your opinion that there is only one remedy for Newgate: namely, the

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entire abandonment of it, and the construction of a new prison, either on the same or a different site?—It is my opinion; and I think the present Lord Mayor coincides with me. The house of correction at Holloway is most admirably situated; it is infinitely too large as a house of correction solely for the City of London. There are at the present moment, and have been since the prison has been erected, from 100 to 200 cells vacant, which it is not at all likely will ever be filled; and the removal of the Newgate prisoners to Holloway, and constituting it the gaol for the county and City would, I think, be attended with amazing advantages. Then the City would have the opportunity of building ample and more convenient courts upon the site of Newgate.

2383. What classes of prisoners are now confined in Newgate?—Middlesex prisoners, who are committed for trial at the Central Criminal Court, and others from the adjacent counties, comprised within the Act of Parliament. The population of Newgate is exceedingly fluctuating. In the intervals between the sessions of the Central Criminal Court there are scarcely any prisoners in Newgate, more especially since the jurisdiction of the assistant judge of Middlesex has been so largely extended. Mr. Serjeant Adams now tries a great proportion of the prisoners which were previously tried at the Central Criminal Court; consequently, Newgate is comparatively empty, and the labours of the Central Criminal Court are infinitely less than they used to be, which renders the removal of Newgate to Holloway much easier, if this had not been the case.

2384. The prisoners in Newgate are all untried?—They are, with the exception of the City of London convicts under sentence of transportation, who remain after trial there for a short time till they are removed.

2385. Are there any prisoners at Holloway who are not convicts?—It is a house of correction; none but convicted prisoners are committed there. At Newgate there may sometimes be prisoners sentenced to imprisonment without labour; when the judge wishes to pass a light sentence of a month or a fortnight for a very light offence, he sentences the man to imprisonment in Newgate, and occasionally prisoners are there for non-payment of taxes or frauds upon the revenue. There has been one case of a man who is not yet discharged, who has been there between three and four years for frauds and defaults connected with the revenue.

2386. How long has the new prison at Holloway been open?—About a year and a half.

2387. From what funds were the expenses of its construction defrayed?—I am not aware. I have asked the question, but never could ascertain.

2388. It was built at the exclusive expense of the City, was not it?—Entirely so.

2389. The plans were probably arranged in the ordinary manner; that is to say, submitted to the Secretary of State, and approved of by him?—Yes; and it is one of the most convenient prisons that I have met with. It reflects great credit upon the City architect, Mr. Bunning.

2390. No prisoners are confined in the prison at Holloway before trial, are they?—None.

2391. What is the reason of there being so many unoccupied cells in the prison at Holloway?—I can scarcely answer that question; it was built with 400 cells. One obvious reason is, that crime has in a certain measure decreased. I have no idea that the City had any intention of removing the prisoners from Newgate there, but the unoccupied cells certainly has induced the opinion, that it would be a great pecuniary saving to the City to do so, independently of the advantages accruing from the superiority of the penal discipline at Holloway. The salaries at Newgate are enormously large. They amount to 3,953*l.* annually, besides fees and emoluments.

2392. Are they fixed by the Court of Aldermen?—They are. Some of the officers have other trifling emoluments. The keeper has 700*l.* a year, with emoluments to the amount of 35*l.* 14*s.* The chaplain has 500*l.* a year, with other emoluments which are rather curious: he receives 6*l.* a year from the chamberlain, an old bequest of Lady Barnardiston; then he has 3*l.* 12*s.* from the sheriffs, in compensation for black cloth; he receives 10*l.* also as Newgate visitor, from Bethlem Hospital, a donation which dates from or previously to the time of Henry VIII. There being no priests specially deputed to visit the prisons at that period, the priests of the priory probably took upon themselves this duty, and the ordinary now receives this sum under the hospital charter.

2393. From your official capacity, are you well acquainted with the general scale of prison salaries in other parts of the country?—I am.

2394. Comparing the ordinary scale with that at Newgate, what is about the difference?—It must be remembered that the lessening of the jurisdiction of the Central Criminal Court has operated to materially diminish the number of prisoners committed for trial to Newgate, and therefore the salaries now appear so very much larger than they would have done when the number of prisoners was so much greater. Now, I think we have arrived at the time when those salaries may be reduced by uniting the gaol with the house of correction at Holloway. The salaries at Newgate are very large indeed for the number of prisoners; in fact, too large.

2395. Are the officers of the prison too numerous, as well as their salaries too large?—The population is so fluctuating at Newgate, that I can hardly give an opinion. By Act of Parliament, the counties which send their prisoners to the Central Criminal Court for trial, are obliged to convey them there so many days before the sitting of the court, which

swells the population for a time, but in the intervals between the sittings of the court there are but comparatively few prisoners in Newgate; indeed, just before the sitting of the Central Criminal Court, Newgate may not be half full.

2396. Do you think, that considering what the state of Newgate was when the prison establishment was formed, the salaries at that time were too large?—I think some of them were. With regard to Newgate also I may observe, that the City do not require the payment of any charge from Middlesex for prisoners committed to Newgate as the county gaol. They defray the expense of all the Middlesex prisoners committed to the Central Criminal Court, and the Middlesex debtors in Whitecross Street prison are also a charge upon the City purse. The prisoners from other counties are charged for their maintenance at Newgate previously to trial.

2397. If county executions take place in the City, at which gaol is it?—At Newgate always.

2398. That class of convicts would be received in Newgate?—Those sentenced to death are tried and convicted at the adjoining sessions house in the Old Bailey, and they return to Newgate from whence they have been brought to trial, and remain there till the day of execution, and are executed opposite the debtors' door at Newgate, the ordinary attending them till the moment of execution. Middlesex and London convicts, under sentence of transportation, are detained in Newgate until removed by Government. The average annual expense of a prisoner at Newgate amounts to the large sum of 39*l.* 3*s.* 2¾*d.*

2399. What would be the ordinary rate as regards untried prisoners in other prisons?—I should think not above 20*l.*

2400. What is the reason of that great difference?—The large amount of salaries, and the small number of prisoners.

2401. Is the condition of the prisoners in Newgate at all better than in the other prisons?—Not at all.

2402. Are there any funds added to the ordinary allowance for the maintenance of the prisoners in Newgate from ancient charities and endowments?—I am not able to state whether this is the case or not. I have no doubt but that there are bequests, but none are received by the governor or chaplain, and applied to prisoners; but there is a fund called the sheriffs' fund there, of a very considerable amount. The funded property now consists of 8,100*l.* in the 3 per cents.; 2,000*l.* in the 3¼ per cents.; and 1,000*l.* in the reduced. The funds are applied very beneficially to prisoners who are tried there, and who are acquitted; and even after conviction, when they have passed through their imprisonment, they are assisted and looked after; and lately a considerable portion of those funds have been applied to assist them in emigration.

2403. How has that fund been created?—By bequests; also by subscription, and from other sources. Each sheriff annually contributes, and there are a variety of other voluntary contributions.

2404. That fund is of great utility with regard to the prisoners at Newgate?—Very great utility. It is exceedingly well managed, and very liberally managed as regards the prisoners. There are also dinners given by the Lord Mayor and sheriffs on Christmas and New Year's day, to all the prisoners in the London prisons, which are paid for from the City purse. One of these dinners I have recommended to be discontinued, as vagrants and disorderlies have been known to get themselves committed for short terms, just before Christmas, that they might partake of them.

2405. Will you now pass to the City Bridewell?—The City Bridewell is situated in Bridge Street, Blackfriars, and is an appurtenance of the Bridewell Hospital. It is one of the most inconvenient and ill-arranged prisons that I ever saw, and I may add, a most useless one.

2406. What class of prisoners is confined there?—Generally vagrants committed by the magistrates, and apprentices by the chamberlain, and, as I now understand, by the comptroller of the City lands. I was quite aware that the chamberlain committed apprentices there, but I was not aware till a short time since that the comptroller of the City lands also exercised that power. If the Commissioners will allow me, I will read a copy of the conviction by the comptroller. It is as follows:—"City of London.—To the superintendent of Bridewell, in the said City, or his deputy. Receive into your custody the body of "Robert George Barrell Shields, the apprentice of Alfred Thomas Layton, citizen and stationer of the said City, duly convicted before me, comptroller of the said City, of indifference "to rebuke, being self-willed and hardened to any expostulation, inattention to business, "and spoiling his work by carelessness, with other acts of misconduct;—whom I have sentenced to be safely kept in your custody for the space of fourteen days. Him, therefore, "in your custody safely keep for the space of fourteen days. And for so doing this shall "be your warrant. Dated at the Guildhall of the said City, this second day of August, "1853.—Thomas Saunders, comptroller."

2407. Have the chamberlain and the comptroller a criminal jurisdiction over apprentices in the City?—I was not aware that the comptroller had. From my earliest visit to this prison, I had always found that the chamberlain had, but the exercise of the power by the comptroller is wholly new to me.

2408. Do you know under what legal authority he acts?—I have made some inquiry, and I could not ascertain.

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2409. Are there many instances of apprentices committed by the City authorities to this prison?—They average about ten a year; they would be very much better committed to Holloway, where the prison is so much more suitable for them.

2410. Are all the other prisoners vagrants?—Yes. Chiefly boys. Confinement in the prison acts most mischievously on boys. I have repeatedly spoken of it, and the authorities are themselves aware of it. In connexion with this prison is one of the most valuable institutions that I know of anywhere; I refer to the House of Occupation, which is attached to Bethlehem Hospital, and stands close to it It is an institution both for boys and girls, where they are educated and provided for when destitute, or after having been inmates of this prison. Every boy prisoner is asked whether he will go there; but unfortunately the connexion between the prison and the House of Occupation has such influence, the boys invariably refuse to go there, supposing that it is merely a step from one prison to another. I have always urged the abandonment of this Bridewell as a penal establishment. I am happy to say that there is a disposition now on the part of the governors and magistrates of the City to allow the jurisdiction to fall into abeyance, by not committing there, so that the House of Occupation may become of greater utility in reclaiming boys and girls also, whose cases would render it desirable to send them there for reformatory training, as at the Philanthropic Society at Redhill. It would, perhaps, induce the governors hereafter to remove the House of Occupation into the country, where the boys and girls would be much better trained, and subject to fewer temptations, than they are at the present; though it is even now a most valuable institution. I may add that the present cost of the prisoners at the City Bridewell, at an average of thirty prisoners, would amount to 50*l.* for each prisoner.

2411. Are vagrants of both sexes as well as of all ages committed to this prison?—They were; but lately, from a disposition to allow the jurisdiction to fall into abeyance, and from seeing the utter inutility of it for the treatment of women, the aldermen have ceased to commit women there, and they send them now to the House of Correction at Holloway.

2412. What would you propose with respect to Bridewell?—If there is any legal authority by which the governors of Bridewell are obliged to maintain it as a prison, I should think the sooner the Legislature gave them the power to discontinue it, and diverted the funds to the House of Correction, the better. It really is the most useless, and I may almost say, absurd institution as a penal one, that I ever met in my life. The prisoners have no court-yard to take exercise in, and the whole thing is of no public utility, and acknowledged to be so by the officers themselves. I may at the same time say, that the present treasurer, Mr. Johnson, has done everything in his power, as far as the buildings will admit, to make it a useful institution.

2413. Who are the governors of Bridewell?—They comprise a great number of influential persons; the Lord Mayor and aldermen are, by virtue of their office, governors. I believe, unfortunately, there has been some difference between some of the City authorities and the governors; but I am now happy to say that it is very likely that this prison may fall into complete abeyance, by the aldermen ceasing to commit there. Still I believe, by their charter, the governors of Bridewell are obliged to maintain a prison.

2414. Are there separate estates or endowments for the maintenance of Bridewell?—I am not aware.

2415. The Giltspur Street Compter is abandoned?—It is.

2416. Does it exist as a public building?—It does exist as a public building, for the City have not disposed of it, nor I believe have they at all come to a decision as to what uses they intend to apply it, or whether they intend to sell it. The House of Correction at Holloway is the next, and I believe certainly, as I said before, it is one of the best managed prisons in the country in every respect; and it reflects, I think, great credit upon the City magistrates.

2417. When was that constructed?—Two years ago. I come now to the Borough Compter, which is no longer used as a prison, all convicted prisoners being sent to the House of Correction at Holloway.

2418. Does that building still exist?—It does. I am not aware that the City of London have as yet disposed or it.

2419. Is there any other prison?—There is the Debtors' Prison for the City of London and the county of Middlesex. The prison was erected in the year 1812; at least, the Act received the Royal assent on the 29th of July, 1812. I believe there is scarcely a prison in England which is in so bad a condition, from its injudicious construction and inconvenient internal arrangements. To show that I am not singular in this opinion, I may as well quote a Report from a Committee of the House of Commons on this prison, before it was occupied. The committee was appointed to examine into the state of the King's Bench, Fleet, and Marshalsea prisons, and into the arrangements made for the better management of the prisons of Newgate, Giltspur Street, and the Borough Compters in the year 1814. This prison was then in course of construction, in fact it may be said to have been completed. The committee expressed their opinion to this effect:—
"No part of the prison is fire-proof—neither the floor, nor the division of the rooms; and
"your committee have much to regret that those who have had the management of the
"building, should have suffered a prison to be undertaken upon a plan so little likely to
"answer its object as that which has been adopted by the London committee. They

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" are also of opinion that the placing debtors in large communities in the sleeping rooms " is a great aggravation to the pains of imprisonment, and they cannot conceive a mode " by which the distressed situation of a debtor can be more augmented, or the forlorn " condition of a decent and respectable woman more aggravated, than the turning them, " on the first day of their arrival, into a room with six to fifteen persons, most of them " probably strangers to the new comers, and many perhaps of characters and manners " the most disreputable. Such, then, is the plan and arrangement of the new London " prison, which is, as far as the women's apartments and those for the debtors from the " Giltspur Street, Ludgate, and Poultry Compters, nearly completed. No alteration can " now take place. But your committee cannot approve of the plan; and they regret " that so much money has been so ill laid out." I beg to confirm every word of that report.

2420. Has any improvement been made since the date of that report?—None. I will explain the wretched arrangements of this prison: this debtors' prison comprises four prisons within its walls. There were four old prisons, called Ludgate, Poultry, the Compter, and Giltspur Street, where debtors and other prisoners were received. By the Act the 52d of George III., chapter 209, this prison was appropriated to debtors from all the City prisons and the county of Middlesex, preserving still the old distinctions and jurisdictions. It was enacted, " That when the said new prison and offices shall be erected and built " as hereinbefore is mentioned, the said new prison shall be called the Debtors' Prison " for London and Middlesex, and such one of the four parts or prisons into which the said " new prison shall be separated and divided as aforesaid, as the said Court of Mayor and " Aldermen shall think proper for that purpose, shall and is hereby declared to be the " prison for persons confined under civil process in the custody of the sheriff of Middlesex, " and shall be appropriated accordingly, and that such two others of the said parts or prisons, " as the said Court of Mayor and Aldermen shall think proper for those purposes, shall " and are hereby declared to be the two Compters of the City of London, and shall be " appropriated for the custody of prisoners confined under civil process in the custody of " the sheriffs of London; and that the remaining or other part of the said four parts or " prisons shall and is hereby declared to be the prison of Ludgate, and shall be appro- " priated to every use and purpose to which the said prison of Ludgate is now appro- " priated by law, usage, or prescription." The consequence of which is, that this prison now is, as I may say, four prisons in one, with the exception of the women, who are all huddled together without reference to particular jurisdiction. The charities, or rather the bequests, which are exceedingly large, amounting to 1,600*l.* a year, (and I believe will be still further increased,) are applied, in accordance with the wills of the donors, to Ludgate, to the Compters, and to the Middlesex prisoners;—the latter, being much the greater in number and the bequests fewer, receiving but a comparatively small proportion of the whole amount. To the Ludgate prisoners the bequests are very large, so much so that the keeper finds it impossible to apply the funds for the real benefit of so small a number of prisoners. To the Compter the fund is not quite so large; while to Middlesex, which has the largest number of prisoners, the distribution is almost provokingly small. I have here an account of the charities, showing how they were disbursed during the last year. There are a number of donations in money, which are received from the hall-keeper of Guildhall, amounting on the average to 282*l.* 17*s.* 5*d.* a year. Then from the Mercers' Company, Christ's Hospital, the Merchant Tailors' Company, the Drapers' Company, the Clothworkers' Company, Captain Curtis's Charity, and the Grocers' Company, a sum is received amounting to 1,351*l.* 8*s.* 8*d.*, besides several in kind, consisting of such articles as beer, beef, and other provisions; one, I observe, is the gift of Nell Gwynne, being 30 twopenny loaves to Ludgate ward the last day of every month. These donations in provisions are exceedingly inconvenient, and I think it desirable that power should be obtained by which all donations in kind might be commuted into payments in money.

2421. Is the operation of charities of this description to prisoners upon the whole beneficial or otherwise?—I very much doubt whether it is not attended with some evils in a debtors' prison. My experience leads me to believe that whenever there is a large amount to be disbursed in charity, low practitioners often get prisoners placed in prison for the mere sake of obtaining their costs from this source; the experience also of the managers of the Thatched House charity is much to the same effect. They lay down as a rule that no costs shall be paid but where a creditor is angry with a debtor; the solicitor says, "I will put the man in prison, and we will get it commuted through the Thatched House, " and whatever they allow I will engage to take in discharge of my costs." That I know has been done, and I have no doubt that the knowledge of these large charities must lead to a good deal of similar abuses. That the benefit, however, far exceeds the abuse, I have no doubt in the world.

2422. You have stated that the prison was in very unfortunate circumstances. Do you believe that it is mismanaged in any way?—Not actual mismanagement. I believe it to be well managed; a better officer or a more discreet man than the present governor I know not anywhere. The magistrates have done all that could be required in the way of ventilation. They might indeed have altered the construction and interior arrangement certainly.

2423. You attribute the defects of the prison solely to its construction?—I do. Another Act passed shortly after that, chapter 98 of the 55th of George III., which gave the

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magistrates the power to remedy all the defects of classification, and to place the prisoners together, under the circumstances of their being overcrowded, but this they have never done.

2424. Do you mean defects in construction or in arrangement?—Defects in arrangement. The Act also requires that the charities should be strictly regulated by the bequests, and therefore the Middlesex prisoners could not enjoy anything that was left to freemen of the City of London and the other divisions.

2425. Did not you say that you thought that those who have had the superintendence of the prison have done all they could to remedy the evils which were necessarily caused by the bad construction of the prison?—Only as regards the visitation and the existing discipline of the prison. Under this second Act they certainly might have altered the classification of the prisoners and abolished the absurd distinctions still maintained.

2426. Have you ever represented to them the propriety of doing that?—I have; but it is rather extraordinary that hardly anybody connected with the prison was aware that this Act was in existence. In my last report I observed that I thought that it was desirable to apply to the Legislature for power, but afterwards I found this Act to be in existence.

2427. Were not the visiting magistrates of the prison aware of it?—I do not think they were.

2428. Does it not appear to you that when bequests are made to the inmates of a prison, the distribution of those bequests ought to be subject to the visiting magistrates and to the regulations of the prison?—I was going to refer to that very subject. I am quite satisfied that the keeper, however discreet and honest a man he may be, is not the individual who ought to be entrusted with so large a dispensation of money as 1,600*l.* a year. It gives him a power which he ought not to possess; and the cases ought to be looked into much more closely than they are. I believe Mr. Burdon to be a most conscientious man; and the time he bestows in searching out those cases, and the trouble he takes, is most praiseworthy; but, looking to the principle, I do not think the keeper of any prison ought to be entrusted with so large a sum of money as he has to dispose of. The City have instituted an inquiry into these charities at the instance, I believe, of the present Lord Mayor, and very many of them which were almost obsolete, and had not been paid for many years, have been recovered. The inquiry is not yet completed, and it is likely others may be brought forward, so that the present amount may be greatly increased.

2429. Looking at the whole question, how do you think it would be best to deal with those bequests to debtors; do you think the Legislature should interfere?—I think, under circumstances like these, they certainly should. Some higher authority should deal with those bequests rather than the keeper of the prison.

2430. Would it not be very difficult for any person, whatever his standing was, and whatever pains he might take, to enter into all those cases and judicially deal with so large a sum of money?—Yes; very difficult.

2431. The gaoler would, in some respects, have great advantages over any other person, would not he, in judging of the way in which this money should be distributed?—But he is under no responsibility for the appropriation of it. You may have a good man now; but it seems to me to be a power without any check. You want a controlling power over him.

2432. Are you of opinion that upon the whole it would be better if no such charities existed?—I am not prepared to go to that length; but I think an excess in their number and application may tend to great mischief. When they amount to so large a sum, and when distributed over so small a surface as is the case in this prison, it may lead to great abuse.

2433. You think that, within reasonable limits, it would be possible to give money in charity to debtors without producing injurious consequences, and which really would have the effect of relieving distress?—I have known the greatest possible benefit arise from it, and the greatest possible injury from the want of application of small sums to enable debtors to schedule.

2434. You think, within certain limits and properly controlled, it is not a bad way of disposing of money in charity?—Quite the contrary; and I am satisfied that if this money were distributed among all the prisoners, including the Middlesex prisoners, who are by far the larger number and are now excluded, a great many objections would be done away with; but applying so large a sum to so few prisoners appears to me to be liable to extreme abuse, not by the governor of the prison in its distribution, but from attorneys and creditors outside.

2435. Do you think that it would be a wise course for the Legislature to take, to establish a wider field for the distribution of this money, retaining the nature of the objects to which it was originally appropriated?—Yes; I think so. Applying the funds generally to destitute prisoners, whether from Middlesex or elsewhere.

2436. Do you know whether there are similar bequests to other gaols in the metropolis?—I believe not in the metropolis. There may be to Newgate, but I do not know. I have asked the question, and the only answer I have received is, that the governor does not receive anything of the sort.

2437. Are there such bequests in other places in the country?—There are. There

is scarcely a town,—particularly the Universities and where there have been religious houses,—where there are not obits and other bequests of small amount.

2438. Are most of those bequests of an ancient date?—Very ancient date. Most of them have been left in Catholic times. No doubt they arose from the dreadful state of the prisons at those periods. There are many bequests which might be recovered by inquiry. In one case at Christ's Hospital there is an unapplied bequest of 10*s.* 6*d.* for preaching a sermon on Easter day to the City debtors, which has not been inquired for for twenty-eight years, and the officers at Christ's Hospital hardly know what to do with the money. But from the late stir which has been made by the Court of Aldermen on the subject of prison charities, I suppose they are anxious to get rid of it. By whom the bequest was left, or its positive purposes, I do not know.

2439. The giving any part of those charities to the Middlesex prisoners would be in derogation of the testator's intentions?—It would be an extension of them.

2440. The money was left for debtors in particular prisons?—Specifically. Many of these charities emanated from the companies in the City of London, and are mixed up with other bequests, sometimes to freemen, sometimes to one class, and sometimes to another.

2441. The Middlesex prisoners do not receive anything because the money has been appropriated to others by the bequest?—That is the case.

2442. Is there any other point to which you wish to call our attention?—I think the City ought to have the credit of its being known that very considerable sums have been diverted from the Orphans' Fund for the benefit of the county of Middlesex. As far back as 75 years ago the sum of 10,000*l.* was paid from the Orphans' Fund for the erection of a sessions house in Middlesex, and 5,500*l.* for a sessions house at Westminster.

2443. What is the Orphans' Fund?—It is the fund to which the duty upon coal is applied.

2444. Did the City obtain an Act of Parliament empowering them to make this diversion of the receipts?—Yes; the 18th of George III., chapter 67., and 18 George III., chap. 72.

2445. Those were voluntary contributions to purposes for which they were not bound by the law to make any provision?—Quite so. I may mention with respect to the police courts of the magistrates in the City of London, that they are very inconvenient. The places for the prisoners underneath the public offices are really terrible; they are devoid of ventilation, and most improper for prisoners, under such or indeed any circumstances. The courts also are very inconvenient for the transaction of public business. If they would apply Giltspur Street Compter to the purposes of a police court, it would be a great public convenience. They might there place prisoners under remand, till they were required to be brought up, and I am satisfied that a single magistrate would do the daily magisteria duty at the police courts of the City with the greatest ease. The appointment of a stipendiary magistrate for the City of London would be, in my opinion, one of the greatest benefits which could be conferred.

2446. Do you think one stipendiary magistrate could do the business of the present two courts?—I am satisfied of it, looking to the number of prisoners daily brought before the courts. The late Mr. Rushton, of Liverpool, used to deal with 110 prisoners in one day, and even more than that.

2447. Do you think it would be advisable to substitute the jurisdiction of one or two paid magistrates, for the present jurisdiction exercised by the aldermen in the City of London?—I do. I think it would be one of the greatest benefits which could be conferred upon the City of London. Of course, under those circumstances, public business would begin much earlier than it does now. I think 12 o'clock much too late an hour for a magistrate to commence his duties.

2448. At present the aldermen have other official duties to discharge?—Yes. I think such a measure would tend to promote uniformity in the administration of justice. You would not have one boy committed for the same offence to a fortnight's imprisonment one day and to a month's imprisonment another, which may arise under the present circumstances. Having been for many years inspector of prisons in the manufacturing districts, the benefits which have arisen from the appointmemt of stipendiary magistrates have been to me most manifest.

2449. Do you know how many stipendiary magistrates there are now in the country?—There are not so many as there might be. Having been inspector at Manchester and Liverpool, and all the manufacturing districts, I have found the confidence in the administration of justice very much increased by such appointments; and even the local magistrates themselves, who were often called upon to decide matters in which they were personally interested, were very willing to acknowledge the benefit. It has been regarded as a most valuable privilege, wherever there is a large and close population; and I cannot but think, looking to the peculiar circumstances in which the corporation of the City of London are placed, that the appointment of a stipendiary magistrate would be one of the greatest benefits which could be conferred upon them. I have always been treated with the greatest courtesy by the present magistrates of the City; but I cannot forbear giving my opinion upon a point of public utility which appears to me so obvious.

2450. You spoke of the propriety of discontinuing the committals to the Bridewell. It is stated in the report of the late Commissioners that the chamberlain of London in his judicial capacity "Has power to commit either master or apprentice to Bridewell, or to a

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place of temporary confinement in the Guildhall, now little used." If they were committed anywhere else but to the Bridewell, probably the chamberlain's jurisdiction would drop also?—Yes. I have that object purposely in view in urging my recommendation.

2451. It is stated also in this report that part of the comptroller's duty is "To perform "the functions of vice-chamberlain, so far as regards matters connected with the admission "to the freedom, enrolment of apprentices, or settlement of disputes between apprentices "and their masters, whenever the chamberlain is prevented from doing so by illness or "other cause, and during a vacancy in the office of chamberlain." Probably that may be the reason for what you state as to the comptroller?—Yes, that may be the reason.

Mr. Martin Pratt.

Mr. MARTIN PRATT, having been sworn, was examined as follows.

2452. You are connected with the General Steam Navigation Company?—I am secretary to the General Steam Navigation Company.

2453. How long have you held that situation?—Four years. I was assistant-secretary previously for seven or eight years.

2454. Are there any observations which you are desirous of addressing to the Commissioners, in reference to the inquiry which is committed to them?—With regard to the navigation of the Thames, it is in a very imperfect state at present, in consequence of the impediments caused by numerous shoals between London Bridge and Erith. They cause great detention. The company have a large fleet of steam vessels which are constantly going up and down the river, and which are subject to detention on coming to those shoals. A vessel drawing twelve or thirteen feet of water, will be stopped when she comes up to the shoals when the tide is within two hours of low water, in consequence of the want of water over them.

2455. Do you mean you have reason to believe that proper care has not been taken to keep the river as free from shoals as it might have been?—That is my meaning.

2456. Have you formed that opinion from having heard what has been said by engineers on the subject?—Yes. The best information I can refer the Commissioners to, is the Report of the Commission which sat in 1846 on Tidal Harbours. I think Captain Washington, of the Royal Navy, was chairman. The Commissioners will find in the evidence regarding the port of London, the report of Mr. Joseph Hume, who was examining commissioner at the port of London, in which he alludes to Mr. Walker's report on the state of the river, and enumerates those shoals which I speak of. We experience very great obstruction from those shoals, and very great detention; and at times serious damage is done to our ships when the pilots venture to cross them. Some of them being of very hard substance, they affect very injuriously the vessels in passing over them.

2457. Do you believe the river to be getting worse?—No. It remains very much in the same state. About seven or eight years ago the City partially removed a shoal at Limehouse, by increasing the depth of the water about eighteen inches; but it still remained very bad, and there are others worse than that.

2458. Have you made representations to the navigation committee on the subject?—Not exactly. We have known that the subject has been before them repeatedly.

2459. You have had probably the means of observing the manner in which the harbour master discharges his duties?—Yes. The present harbour master has done his duty very efficiently. I believe, under his directions and recommendations, the water has been deepened at the tiers where the steam vessels drawing a large draught of water lie

2460. The draught of steamers is not greater than that of sailing vessels, is it?—No; generally speaking they are not of such heavy draught as sailing vessels.

2461. Therefore there has been nothing in the circumstance of the introduction of steam navigation to bring about the fact of the existence of shoals more than before?—Except that they proceed against the ebb tide when sailing vessels do not attempt it. In coming up the river against the ebb tide when the tide is within two hours of low water, we are impeded by those shoals.

2462. With regard to the regulation requiring steam vessels to carry lights, has the corporation anything to do with that?—Yes. The regulations of the corporation and of the Admiralty clash in this respect. In a list of the byelaws of the City, revised in 1851, the 38th byelaw requires that steam vessels navigating in the river Thames between unset and sunrise shall hoist a light at the masthead and a light at the bowsprit end. By the Act of Parliament last passed for the regulation of steam navigation, which is the 14th and 15th Victoria, chapter 79, power is confirmed to the Admiralty to issue regulations for steam boats to carry lights, and legalize the regulations issued by the Admiralty in virtue of the 9th and 10th Vict. cap. 10, and published in the London Gazette in July 1848, which are the regulations at present in force.

2463. Do you mean that they are at variance with the regulations of the corporation of the City of London?—Yes, for this reason: the regulation of the Admiralty requires that steam vessels shall carry a green light on one paddle box, and a red light on the other. The Act under which those regulations were enforced, in a concluding clause saves the right of the corporation. The regulations of the corporation require a light at the

masthead and a light at the bowsprit end; but the Admiralty regulation is, that steamers shall have a light at the masthead, a light at the starboard paddlebox, and one on the larboard paddlebox.

2464. So that there are two contrary regulations actually in practice on the river?—There are. A representation was made from the Steamship Owners' Association of London to the corporation, pointing the discrepancy out, but it had no result.

2465. How do you manage under those circumstances; which regulations do you comply with: those of the City of London or those of the Admiralty?—As all our vessels are seagoing vessels, we follow the Admiralty regulations.

2466. And not those of the corporation?—We do not.

2467. Does the corporation interfere?—They have not done so.

2468. Practically you disregard the corporation regulations, and they take no notice of it?—That is so; all our vessels are seagoing vessels.

2469. Do you apprehend that legally both those authorities have the right to lay down rules?—Yes; I cannot conclude otherwise. The 38th byelaw is very distinct.

2470. Is that the case with other steam vessels belonging to other companies besides your own?—Precisely.

2471. They all comply with the regulations of the Admiralty, and neglect those of the corporation?—I observe that the river steamers comply with the regulations of the corporation. The 49th section of the Act I speak of, which confirms the regulations published by the Admiralty, is to this effect—"Nothing in this Act contained shall "prejudice or derogate from the estates, rights, interests, privileges, franchises, juris-"dictions or authority of the Mayor and commonalty and citizens."

2472. Does the Trinity House make any regulations upon the subject?—Not on the subject of steam vessels carrying lights.

2473. Is there any danger or inconvenience in one set of steamers carrying one set of lights on the river, and another set of steamers carrying another?—There is always some danger arising from it. The regulations published in 1848 led to the most serious inconvenience; it was not known for a long time, and it is only now being understood.

2474. Do you consider the corporation of London to be a fit body to exercise the conservancy of the river?—I think not. From the constitution of the committee, which is changing every year, and composed of a class of gentlemen who are not supposed to be conversant with the subject, great inconvenience arises. With respect to the removal of the shoals I speak of, we conceive that there should be an efficient professional engineer attached to the committee, to point out how they should be removed.

2475. Do you think the functions of conservators of the river would be better exercised by the Government?—No doubt of it.

2476. Are there any City dues which interfere with your trade?—Yes; in regard to certain stations particularly. There are certain compulsory dues upon grain; I allude to metage dues, and fillage, and lastage. On some stations where we compete with the railroads, if we were to put ourselves on an equality by offering to pay the compulsory dues, we should forfeit one-third of the freight.

2477. Do you mean that the dues amount to one-third of the freight?—Yes, they do; the same grain brought from the same place by railway would be exempted from such compulsory dues.

2478. Does it appear to you that the conservancy of the river bears any resemblance to municipal duties; is there any body of persons whose rights can be said to be directly affected by that jurisdiction?—I cannot say that it is so.

2479. Supposing, for example, it was desired to introduce the representative principle into the management of the river, can you point out any class of persons whose interests are more affected than those of others?—Of course the shipping interest is very largely interested in the arrangement.

2480. The shipping interest is hardly susceptible of representation separately?—There are a variety of interests mixed up with the conservancy question.

2481. Is there any point connected with the coal duties to which you wish to call the attention of the Commission?—Yes; by the Act of the 1st and 2d Victoria, chapter 101, we had the power to claim a drawback of the whole of the dues levied on the coals when they are exported in quantities exceeding 20 tons.

2482. Do you mean exported to foreign countries?—Though not actually exported, if they are not landed, but put into steam boats, they give us the advantage of their being regarded as coals exported and permit the drawback. By the 14th and 15th Victoria, chapter 146, the drawback was reduced to 1*s.* per ton on the same quantity, not less than 20 tons, the duty being 1*s.* 1*d.*

2483. Then you lose 1*d.* a ton?—Yes; we lose 1*d.* a ton upon the whole quantity.

2484. Upon what ground was that alteration made?—I believe some reference was made to the expense of the office or the expense of the collection. I merely wish to mention the fact that we are at a considerable loss from this circumstance.

2485. It has been stated that the cost of collection is estimated at 1*d.* Of course, if the duty is drawn back it must have been collected; therefore, it is possible that the cause of the difference may have been that it allows to the City the expense of collecting the duty?—I believe the reduction was rather made to meet the circumstances of the import by railways.

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2486. Is there any other point to which you wish to call our attention?—There is a company called the Watermen's Company in connexion with the corporation; they have great privileges; they have the exclusive working of all craft on the river. The consequence is, that the business of the river generally having increased so much of late, there are not craft sufficient to do the business in a proper way.

2487. Do you mean that there are not vessels enough?—There are not barges or craft sufficient to discharge and load the vessels lying in the stream.

2488. What is the nature of the privileges of this Watermen's Company?—I am not so thoroughly acquainted with them probably as many gentlemen who have been before the Commission. We know that no barge can be navigated on the river except by a freeman of the Watermen's Company. The consequence is, that they are not only very independent but they are limited in number. What with the want of barges and the want of lightermen, we have great difficulty in getting our cargoes unloaded in sufficient time to leave again at the appointed time for starting. The only remedy which we can suggest is, that the trade should be thrown open.

2489. Do you think it would be a great saving of expense to you if the trade were thrown open?—Yes; we should make more voyages with our vessels if we could load and discharge them in less time than is now possible, owing to the insufficient number of craft. A short time ago there was a strike of the journeymen lightermen on the Thames, which nearly threatened the suspension of the entire business of the river.

2490. Are you allowed to employ the men on board your own boats if you do not hire other people?—Not in navigating craft; there must be a freeman of the Watermans' Company in any craft which is navigating the river.

2491. Have you had any experience of the privilege of porterage in the City?—No; I believe the lightermen themselves would admit that the business of the port of London is so large as to overwhelm them.

2492. Do you understand the Watermen's Company to be a close corporation, or that anybody who wishes it and is prepared to pay the admission fee can enter it?—I believe the entrance is by servitude.

2493. The numbers are limited?—The numbers are necessarily limited.

2494. If you have any complaint to make of the conduct of members of the Watermen's Company, to whom do you make it?—To the court and wardens of the company.

2495. Have you ever had occasion to apply to them on any subject?—Not that I recollect. The complaint is a general one, and we know there is no remedy except that of throwing the trade open to strangers.

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JOHN MATTHEWS, Esq., having been sworn, was examined as follows:—

2496. You are a solicitor, are you not?—I am a solicitor, having my offices in Arthur-street West, London Bridge.

2497. You are desirous, are you not, of making some statement to the Commission on the subject of the state of the river?—During the last twenty years I have had frequent occasion to apply to the authorities connected with the conservancy of the river Thames on behalf of clients who have either requested some privilege to be conceded to them, or have had some complaint to make concerning obstructions or erections in the river Thames.

2498. Were your clients engaged in trade upon the river?—Principally.

2499. As shipowners?—As warehousemen or wharfingers.

2500. Will you have the goodness to make any observations which you are desirous of bringing before us?—My experience during a period of between twenty or thirty years, in the course of that time having had many interviews with the party managing the conservancy of the Thames—I mean the navigation committee—is, that they either want authority or that they are incompetent to the proper discharge of their duty to the public.

2501. On what grounds do you make that assertion?—I arrive at that conclusion from the practice, as it appears to me, of the conservancy endeavouring to effect a compromise on almost every occasion, without reference to the rights of the parties litigant, or they avoid altogether the matter referred to them, or they delay it; or, if they are forced to come to a judgment, execution does not follow, and consequently relief is not obtained.

2502. You say you have had personal communications with the navigation committee?—Frequently.

2503. When that was the case, with whom did you come into communication?—I came into communication with a sub-committee first, and afterwards with what is called the grand committee.

2504. Of how many members was the sub-committee composed?—I think about twenty.

2505. Upon that sub-committee were there persons who had any professional knowledge of those subjects?—If I exclude the officers, the water bailiff, and the harbour masters, I should doubt if there were any parties who possessed a knowledge of the river Thames beyond what they would acquire as committee men.

2506. Were the harbour master and water bailiff present to advise the sub-committee?—No doubt they would do so; but I am not aware that they were called in, or that they sat with the committee as assessors. No doubt, when required to attend, they appeared before the committee.

2507. The duties of the harbour master and the water bailiff require their presence upon the river, do not they?—Yes; to carry out the orders of the committee.

2508. They have their executive duties to perform?—They have; and I may say, so far as my experience of those officers goes, they are most competent to discharge their duties, and very attentive; but I believe they require power to act, and they defer to the administrative part of the navigation committee, and thence arises the mischief.

2509. What is the nature of the cases which you have brought before the sub-committee?—I will mention the last. A client of mine, of the name of George Simmons, occupies on the southern part of the river Thames, at Gravesend, warehouses and premises where he carries on the business of a mast and block maker. He and his predecessors have occupied those premises for nearly a century, certainly above sixty years. The premises front the river on the north, and they have also a river frontage on the east, so that on the east side the river ebbs and flows and forms a sort of small bay or harbour, or lay-by place for small craft, wherein my client and his predecessors have from time immemorial placed their masts, for the facility of carrying them off to ships when they were required, the business being chiefly that of supplying ships which have lost their masts from stress of weather, and which require new ones at the moment,—my client having occupied these premises between thirty and forty years, and, as I have said, their predecessors for more than sixty. In the year 1850 Mr. Simmons was surprised upon finding that an application had been made to the navigation committee by a powerful neighbour for permission to enclose that part of the navigable river of which I am speaking, wherein were placed his spars, and where the fishermen belonging to Gravesend and the river Thames were accustomed to anchor.

2510. Do you mean that there was an intention to turn it into dry land?—At low water the land was uncovered, and at high water the tide flowed over it.

2511. The object of enclosing it was to turn it into dry land, and use it as such?—Yes; and to attach it to his own estate, which was immediately opposite.

2512. In the form of land or water?—In the form of land, for the purpose of erecting houses; he desired to take as much of the river Thames as would make a wharf, as an addition to his premises. Much of that kind of encroachment has been accomplished, and many such applications granted up and down the river in various places, but in this case it so happened that it would be destructive of the business of my client, and would necessarily drive out the fishermen and watermen from their anchorage. I ought to explain, that in the time of Henry VIII. a fort and powder magazine, called the Block House, were erected 200 yards more eastward, my client's premises being then the easternmost of the whole town, his site and the fort forming a kind of bay or lay-by place. Upon this application being made to the navigation committee, my client naturally appealed to them, and said, "I have been in possession of this property so long, you surely are not going to deprive me of my business." And the watermen and fishermen also appealed to the committee in like manner. There was a petition signed by about 330 watermen and fishermen, begging the navigation committee to have regard to their rights to use the navigable river, and to respect the comfort and convenience of the public. Of course my client also urged the same. On the other hand, the wealthy and powerful neighbour of my client made his application to the City, and I believe I may say the navigation committee were greatly pestered with applications on both sides, till it was almost impossible for them to understand what the merits of the case might be. They ultimately went down to Gravesend, and, having viewed the *locus in quo*, it was supposed justice would be done. This was in December 1850. On the 3d of April 1851 the navigation committee (having been in the interval occupied with the applications of the various parties on either side) determined to make no grant, but they intimated that it would be an advantage to the neighbourhood to fill in the spot, and that it would not be detrimental to the navigation. Upon that hint the party who desired to obtain the soil, lay by till August, which is the holiday month in the City, when most parties are away, and the courts of law are closed, and he then began with a large number of men to pull down some old houses he had, and fill in the bay or place with the rubbish, and he did so to a considerable extent, driving out the fishermen and watermen, and driving out also the stock in trade of my client. Applications were made to the City upon this. Information was given to the City authorities, but we could get no redress; and the result was, though my client was by no means desirous of going to law, he was compelled to apply to the Court of Chancery for an injunction to restrain his neighbour from enclosing the shore of the river to his and the public detriment. In March 1852 the injunction was granted, upon condition that my client tried the question at law as to whether he had the right, with others, to use this portion of the river, or whether the party who set up a right to take it was a person so entitled. It was tried before a special jury at the Guildhall, on the 23d of December in the year 1852. Some of the City authorities attended, and other officials; and I may here say that the City authorities gave me every possible facility for the purpose of trying that cause. I was allowed access to their books and documents, nothing was reserved, and having investigated their proceedings for more than a century back, I was led to the con-

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viction that the management of the conservancy of the river, however defective at the present moment, had been very much improved during the last quarter of a century. The result of the trial was a verdict for my client, establishing his right to the use of that part of the river. The defendant having pleaded a custom by the owners of adjoining property to embank the shore between high and low water marks, that custom was negatived; and ultimately on the 5th of May of the present year the Court of Chancery granted a perpetual injunction restraining the defendant and all other persons from depositing or casting rubbish, or dirt, or anything of the kind into that part of the river. I have also the record of the verdict at law. That being concluded, though at a vast expense to my client, I addressed the water bailiff, and called upon him in the exercise of his duty to cause to be removed the earth and rubbish so filled in.

2513. Did the City take any part whatever in this contest that went on between your client and his neighbour?—No part whatever, except to watch the progress of the cause.

2514. Did they express any opinion whatever?—They privately expressed an opinion to me, of which I had no doubt whatever, that there was no custom for any person having adjacent property to enclose the shore between high and low water mark of the river Thames; beyond that they did not go. I called upon the water bailiff to remove, or cause to be removed, the obstruction, which at that time, after the decision at law and the decision in equity, I thought I was perfectly justified in requiring, especially as I found that in May 1847, the City and other places were placarded with the information under the signature of the water bailiff: that, by a certain statute, any person throwing rubbish, earth, &c., into the Thames, or on the shore below high water mark, or from any wharf, quay, or bank adjoining the Thames, was liable to a penalty of 20*l.*, and that the above penalty would be strictly enforced. In pursuance of that, I called upon the City to exercise their authority. I served the water bailiff with a copy of the decree for injunction; and I had a note from the water bailiff, to say that he would refer my letter to the Thames navigation committee. On the 2d of August, again, that part of the year in which nothing can be done, I received a letter from the town clerk, which I hold in my hand, and which I will read: "Guildhall, 5th August 1853.—Sir, I am directed by the Thames "Navigation and Port of London Committee, to inform you that they have considered your "letter of the 18th of June last, addressed to the water bailiff, relative to Block House "Dock at Gravesend, and to state that the committee are of opinion it is not desirable "for that officer to interfere in the matter.—Your obedient servant, H. A. Merewether." The result of that is, that the obstruction still continues; the fishermen are deprived of their anchorage, and my client, I will not say has been ruined, but has been most grievously injured.

2515. Your client has no power to remove this obstruction?—None specially.

2516. The decision he has obtained merely establishes the fact that he has received damage?—That he has received damage.

2517. It gives him no right of positive interference to remove the obstruction?—I dare say he might lawfully remove it, but it would be attended with an expense of 40*l.* or 50*l.* It is a mortifying thing that he should have to do it at his own expense, when the conservators of the Thames receive a large income for the purpose of removing such obstructions, and it being their especial duty to do so. I have a book with me, in which laws against encroachments and obstructions are specially laid down as framed by the City, published in 1746 by Mr. Roger Griffiths, the then water bailiff. From that time to the present the City have claimed the right, as conservators of the Thames, to prevent encroachments and to remove obstructions. What I complain of is, that the City do nothing where a difficulty arises. They are very polite and kind; but when a case comes before them like this, where two parties cannot agree, and which is incapable of compromise, and the City are called on to exercise their power, nothing is done.

2518. Do you conceive that your client, if he is willing to incur the expense, has a legal right to remove that obstruction?—I have no doubt of it, because it is rubbish thrown contrary to the statute on a portion of the navigable part of the river Thames, and obstructs it.

2519. Has he any right to remove an obstruction from the navigable part of the river Thames?—Possibly the conservators of the river would say, you shall not do anything—you shall not carry away the soil or bed of the river; but my remark was made upon the assumption that it could not be considered the soil and bed of the river, inasmuch as it was rubbish and dirt unlawfully thrown there.

2520. The injunction which had been obtained from the Court of Chancery would not give him the right of removing an obstruction?—No.

2521. Did the other decision give him any right?—None.

2522. Then in virtue of what would your client have the right of removing that obstruction?—I apprehend that a person possessing waterside property, if another comes there and throws something in the river which creates a nuisance, or which is altogether unusual, the occupier may take it up and throw it away. Here, however, is a large body of earth, and it is so settled down now, that it would be attended with considerable expense to remove it. If that is to be considered as part and parcel of the shore, undoubtedly he has no authority; but looking at it as a mere temporary and unlawful lodgment of earth and rubbish, I think anybody might remove it. The City, claiming the conservancy of the river Thames, and also claiming the right to the soil between high

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and low water mark, induce the public, or a certain portion of it, to rely upon their proclamations and upon their powers, and to confide in them; but when a case like this comes before them, but we find that either they have no authority, or that it is a disputed title, or a doubtful one, or that their officers cannot get instructions to enforce it; and so nothing is done. The time I think has arrived when a complaint may be very fairly made against such a tribunal.

5523. Your complaint is of their inefficiency in cases where their interference would be not only useful, but just, in conformity with the legal rights of the parties?—It is.

2524. Is there any other case of the same sort which you can mention?—I have had occasion to solicit in Parliament bills for the erection of wharves and piers on the river Thames. I always find on those occasions the City are upon us, and they not only require a clause reserving their rights as conservators of the Thames, but they insist upon plans being lodged, and their previous approval of those plans; in fact, they interfere very much with parties who are seeking the authority of the Legislature to make such advances into the river Thames. I do not complain of that; but when these requirements have been submitted to, and a great outlay has been made, I find that the City on the other hand do not interfere to prevent encroachments set up by way of competition to those larger and legalised establishments. The town pier at Gravesend was erected in 1833, and a certain toll became necessary to pay for the cost of erecting it. The public advanced their money; but, such has been the effect of what has been done in the way of competition, that even the interest at the present time cannot be paid. That has partly arisen from the encroachments made in the immediate vicinity of it, close to it, indeed, in the spirit of competition and not for any public convenience or necessity. If I may use the expression, those "little goes" can afford to land the summer visitors at a very small cost, because, by running out a construction at an expense of 200*l.* or 300*l.*, they can very well compete with a commodious and safe structure, which may have cost 30,000*l.* I find last year a petition was presented by myself on behalf of clients interested in that pier. Among other things, I find it there stated: "That with the consent and under "certain restrictions and control, and subject to the rights and privileges of the corporation "of London, the said pier was erected at a considerable cost, and more than 25,000*l.* has "been borrowed, and is still due upon the security of the said tolls and dues, and upon "the faith of the Acts of Parliament, and of the rights and powers of the said City. That "the said Acts were passed, and the consent of the corporation of London previously "obtained thereto, upon the representation and belief that no pier or projection into the "river Thames between high and low water marks could be made without the express "licence of the said City. That very recently projections into and encroachments on the "river Thames at Gravesend between high and low water mark have been made without "the consent of the said City, and in some cases against its consent, and in defiance "thereof. That your memorialists are aggrieved by the erection of a floating pier known "as Lightfoot's Pier, which has been recently constructed to the west of and within forty-"two yards of the said Town Pier, and there is now another pier or projection into the "river constructing within seventeen yards of the projection called Lightfoot's Pier, "and called or intended to be called the Cross Ferry Pier." I represented to the City that those were not necessary works and erections for the advantage of the public, and were only put up to enable individuals to obtain money at the expense of those who had advanced the funds for a useful public work. To that memorial no answer whatever has been returned that I am aware of. The same thing occurred at Greenwich some years ago. I had a client who lost 7,000*l.* or 8,000*l.* there, in consequence of a similar erection being made by the watermen, who felt they had been aggrieved by the pier rendering the hire of small boats to land passengers unnecessary, and therefore they set up a small rival pier, and the result was to deprive the shareholders or the persons who built, under the City conditions, the Greenwich pier, of a great portion of their capital. A client of mine of the name of Bryan lost a large sum of money thereby.

2525. When those large piers were erected, was there an agreement made with those who advanced the money that they should have the monopoly of the passengers, and that no other pier should be erected within a certain distance?—No; but the tendency of my observation is, that the Conservators of the river ought not to permit any erections to be made which are not for the public good. If it were to be tolerated that anybody could run out projections into the river without reference either to the authority of the Crown or the conservators of the Thames, the whole shore of the river would be filled with speculative projections of that kind. The City do prevent projections in many cases where they are not resisted; but if a person chooses to defy the City, it appears that they either want the authority to exercise their power, or they are not competent to enforce it.

2526. If a person comes before Parliament with a private bill for running a solid pier into the Thames, does the City remembrancer interfere and require clauses to be inserted in the bill?—I have always found it to be so. Upon the point of obstruction I will read to the Commissioners an extract from a report made on the 20th of January 1842. It is a report from the navigation committee to the Court of Common Council, and it says, "That serious complaints have at different times been made to the committee of various "projections occasioning obstruction to the navigation. That these projections have been "erected, not only without the sanction of the committee, but in some instances in avowed

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"defiance of their authority. The committee recommend that they should be authorised "to confer with counsel as to the means of enforcing the City's authority."

2527. In that report they speak of themselves as having authority in cases of that kind?—They assume that they have the authority. I believe the real state of things so described by the navigation committee in 1842 exists at this moment. I am driven therefore to the conclusion, seeing I can get no redress on the part of my clients, who have occasion to complain of obstructions, that the City feel they have a defective title or have no title, or it is a disputed title, or they have really no authority to enforce the powers they claim a right to exercise.

2528. Has the City in no instance interfered to prevent improper encroachments upon the river Thames?—Their practice, formerly, was to allow no party to encroach upon the river Thames without a fine or rent; but in later times I believe there are many instances, in fact I know some, where parties have said: We do not care for the City; it has no right at all, and we will make what we consider to be or choose to call an improvement; and project our piers or do something of the kind, without reference to the City. In those cases I believe the City authorities have not in recent times interposed by indictment or otherwise, and I suppose for the reasons which I have just assigned.

2529. Are you able to state that that has been universally the case in recent times, that in no instance the City has interfered to prevent what they considered to be an improper construction and encroachment?—I am not aware of any encroachment which has been made that has been removed by the City. They interdict it as far as they can; but in the cases of those persons who have thought for themselves, and resisted the authority of the City, they have not interfered by the actual removal of the encroachment.

2530. You say that the City shows a desire to exercise its rights when parties yield; but where they are met by resistance, they afford no effective protection?—Decidedly.

2531.—Do you think the corporation of London well qualified to perform the duties of the conservancy of the river?—No. I think it is absolutely necessary that there should be a tribunal connected with so important a matter as the navigation of the river and the conservancy of the shores, consisting of a permanent chairman with legal acquirements; and that there should be infused into that committee or court of conservancy, some parties especially connected with shipping, similar to the Trinity masters, as in the instance of the Admiralty courts. There should be parties also on the committee who should be competent to advise their less experienced brethren as to what ought to be done in reference to embankments; but above all, it requires that the committee should be composed of men of sufficient moral courage to enforce the law when a breach of it has been made.

2532. The conservancy of the river is a matter which concerns the metropolis at large, is not it; it does not refer to the City proper, especially?—No.

2533. The corporation of London, therefore, in exercising that right, must be considered as representing the entire metropolis?—No doubt.

2534. Does not the conservancy and navigation of the river also imply some special and professional knowledge?—Yes.

2535. On either of those grounds do you think the present corporation is fitted to discharge the duty, either as representing the entire metropolis, or as having a special knowledge of the metropolis?—If the officers be excluded, I should say they are not; and I suspect that the officers do not feel themselves at liberty to act without the directions of the committee; therefore, excluding the officers, I should say the committee is not a properly constituted authority.

2536. Does it appear to you that the conservancy of the Thames has anything about it of a municipal nature, or anything which would cause it to be properly exercised by a municipal body such as the corporation of London?—Only as it may have reference to the port. Supposing the City to be owners of the port of London, it would be their duty to cleanse the port, &c., and they must have all the powers necessary to maintain it.

2537. Is there any other point to which you wish to call the attention of the Commission?—As a citizen of London, I do not agree with many gentlemen who think that the rights and privileges of the City should be interfered with. I would purge the corporation of all anomalies and incongruities, and correct every possible abuse. That is no doubt necessary; but I would otherwise keep the City intact. It appears to me that the citizens have well earned their privileges and immunities, and I do not see what benefit it would be to other parts of the metropolis to endeavour to make a fusion with the City with respect to City property or City rights. The other portions of the metropolis without the walls of the City might, if it so pleased the Legislature, be formed into municipalities; but I think, looking to the history of the City and to its antecedents, it would be an extraordinary measure indeed if the rights of the citizens and their privileges were wholly removed from them, or that strangers were incorporated with them. It would lead, I think, to a great deal of confusion. Indeed, it appears to me that when once you touch the constitution of the City with the view to removing privileges, you must do the like to all other municipalities in England and Wales.

2538. To what privileges do you particularly refer?—I do not know that I can define them. There are a great many exemptions and privileges,—the right of voting within the City, for instance; the right of electing municipal officers; the distribution of charities; the management of estates; the patronage of appointments to office; the control of the

police, and such matters. As far as regards the administration of justice, of course that would be a matter in which the Government would always take care that there should be no defect. *J. Matthews, Esq.* 25th Nov. 1853.

2539. Supposing the present boundaries of the City were preserved, and the governing bodies properly constituted, would you preserve such a privilege as that of metage or porterage, for example, or the privilege of preventing any person who is not a freeman of the City exercising a retail trade within the City?—No, not altogether; but I would distinguish between a man who has served his time to a freeman and acquired a perfect knowledge of his business, and a man who comes into the City merely for the purposes of trading, without reference to his qualification. I would require that man to pay something in the shape of a fine, or otherwise take up his freedom.

2540. Would you think it right that the City should retain any privileges which are found to be injurious to the general commerce of the metropolis?—Certainly not. I consider that much good would be attained were there a public auditor of the City accounts, one who should disallow all illegal payments; and there might be an appeal to the recorder, so that the public then would have a view of the expenditure, and could correct through their representatives any improper application of the immense funds which the City have at their disposal.

2541. Is it your view that the municipal institutions of London should be preserved, but that whatever is connected with them which is injurious to the community should be put an end to?—Certainly.

2542. When you say that a public auditor should be appointed, by whom would the appointment be made?—There should be a Government auditor; it should be an audit on the part of the whole nation.

2543. At present the City appoints its own auditors. What you propose is, that the Government should appoint an auditor of the City accounts, and that there should be an appeal from his decision to the recorder?—Yes; I would have a public auditor associated with the City auditor; his province would be not merely to cast up columns of figures, but to see that sums of money were not applied contrary to the trusts imposed upon the City, or for illegal or notoriously useless and improper purposes.

2544. You would, in short, provide for a really independent audit of the City accounts?—I would. So I would have an independent official connected with the conservancy of the Thames, and with respect to all other great and responsible branches of authority over which the City have control, there should be a competent head to direct and carry out a faithful execution of duties.

2545. Do you know anything of the system of City brokers?—I do not.

WILLIAM MILLER CHRISTY, Esq., having made a solemn affirmation, was examined as follows. *W. M. Christy, Esq.*

2546. You are connected with the City of London?—I am.

2547. Do you carry on trade within it?—I am not in trade at present in the City of London. I am a liveryman of the City of London.

2548. Do you reside in the City?—Occasionally; I generally reside at Kingston, but I have accommodation for lodging in the City.

2549. Have you ever taken any part in the business of the corporation?—I have not.

2550. Have you any observations which you are desirous of addressing to the Commission?—Yes; I wish to speak generally of what I consider to be abuses and defects in the City management. With the large income of the corporation I think they should do many things which remain undone, the want of which is a very great disadvantage to the community at large. I think they should have a house of refuge for the destitute of all ages, from infant children up to old persons. I am not aware that they have any institution of that sort. It has been a matter which I have mentioned for many years past, that there should be a place of refuge for the destitute, from which, when rendered decent and cleanly, the inmates might be drafted off to places where employment can be had, otherwise they are obliged to be passed to their parishes, however distant, and great evils follow. I think, with the very great property which the corporation possess, it would not be a burden at all serious to it to provide such accommodation. The City paupers are now otherwise provided for.

2551. Is not the City bridewell used partially for the purpose you are describing?—I do not know.

2552. Your suggestion is, that there should be a place of refuge within the City to which vagrants might be sent?—Yes; one or two.

2553. Is not it the duty rather of the City unions than of the corporation to provide such an asylum; the corporation have not charge of the relief of the poor?—The City unions are obliged to proceed according to the statute law. The corporation may act upon its own laws; but I think, apart from what the poor law unions can do, the corporation might do a great deal. The vast number of paupers and destitute persons who find their way into London as the winter approaches, is a very great evil, and I think should be dealt with very promptly. It is most pitiable to see the destitute children from the earliest ages who are in considerable numbers about the streets, courts,

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and alleys of London; this continues till the summer comes round again, and then a large proportion of them disperse and overspread the country parts.

2554. Are there many vagrants of the class which you describe within the City proper?—A great number; and among them are many young thieves, whom you may see standing about the Mansion House and other public places. They are objects of pity, not to be dealt with harshly, but there should be some provision for them, using them kindly, and finding employment suitable for them in the sea service and in other channels. It is wanted exceedingly; and for London, which is the largest and probably the richest metropolis in the world, to be without something of that kind is very extraordinary.

2555. Are there any other points to which you wish to call the attention of the Commission?—There are a variety of matters chiefly with reference to the improvement of the state of the City. I think London should be a model in its police and social regulations for all other cities, and particularly the cities under the British Crown. The streets are now so crowded with vagrants and petty thieves, and blocked up with carriages and carts, public and private, that it is an interruption to the traffic of the City going on in a regular and orderly manner. It is a perfect nuisance that such characters can so occupy much of the foot pavement all day long; following no proper calling, they turn into the streets and pace about from morning to night. I think the corporation should have effectual means of dealing with all cases of that sort.

2556. Is not that rather the duty of the police than of any other authority?—I think not, as I have questioned the police many times, and they say that they have no instructions to deal with common and street beggars. The courts and alleys are in a neglected and filthy state, and so are the public stairs and entries; they are badly lighted, badly cleansed; and I think, both for decency and health, and also for the convenience of persons having to pass through them, they should be kept in good trim, lime-washed every year, and the sides painted every two years. Those things are, I think, altogether withdrawn from the care of the corporation. I do not find that the corporation make it their business, except at their own pleasure, to see to them.

2557. Would not that be rather the care of the sanitary board of the City?—I think it might be so, but it would be a hardship to throw everything of that kind upon the sanitary commission.

2558. You are generally of opinion that a large portion of the City funds should be devoted to the improvement of the abodes of the poorer part of the population of the City and the improvement of the streets and alleys?—I think so; a large portion of their funds should be used for purposes of this kind, which would make the state of the City very different from what it is. The street orderlies have been lately displaced. They were a very useful body of persons, and kept the streets very clean where they were suffered to go, but it was not a system that was sufficiently extended over the City.

2559. Do you think there is reason to complain of the way in which the duties of the police are discharged in the City?—No; I think, from the crowded state of the streets, the police have very difficult duties to perform, and that they do their best under the circumstances. Their jurisdiction and authority is not so extensive as it might be to advantage in removing interruptions and obstructions; but they follow the instructions, I suppose, of the commissioners or the inspectors, and do not interfere with nuisances in general. Nuisances since the street orderlies have been withdrawn have increased wonderfully. It must be supposed, where there is such a large traffic, the manure or droppings from the horses must be ground to powder, and render the streets very unhealthy, if suffered to remain over many hours. In dry weather their state is the worst of dust, and in wet weather also most objectionable. For a small saving, such as the withdrawal of the street orderlies occasions, I think it is unworthy of the City. The other scavenging or sweeping of the streets, I think, proceeds in a very improper way; it should be done at nightfall, or very early in the morning. It is very easy to get relays of persons to work through the night, on suitable or extra pay. The other scavenging in the City is by carts, with the coal ashes and dust from the houses, now allowed to be done at all hours of the day; whilst brewers' drays and others are obliged to unload before 10 o'clock in the morning, under penalty for non-compliance; there is much more need of the scavengers getting their business out of the way by that time, or earlier, say 8 to 9 o'clock in the morning. I think the paving should be all done apart from the hours of business; in the summer time, and not in the winter; and should be done by relays from two or three o'clock in the morning, when it begins to be light, and closing at eight, when business comes on, so that the streets may not be blocked up at any time, when the regular business and traffic of the City is coming forward. You can always have labour in the night as well as in the day; paying, of course, an increased price. I think also that the gratings of the public drains should be all properly trapped. These are details, but they are very important. At present London abounds with a great many nuisances of one kind or other, which might be got rid of without any great difficulty. Persons from the country coming into London are perfectly bewildered with the noise and confusion in the streets, and dangers of crossing them. There should also be proper urinals established, as there are at Paris. These are small things in some respects, but I consider them to be important ones; and the corporation seem to be so much asleep in respect to them, that unless they are stimulated from a higher quarter, I question whether they will not remain very much as they are.

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2560. Do you believe the City to be worse off in those respects than the rest of the metropolis?—Yes; I believe, from its narrow streets and crowded state, the City has lost very much of its retail trade, and has been losing it for forty or fifty years. When I was a youth, I recollect the west end was thought very little of for general trade, except by the fashionable world and the aristocracy; hardly any persons, except of those classes, dealt at the west end, because it was thought extravagantly dear for purchases at the shops as compared with the City. That idea is now very much changed. The bridges are most insufficient for the traffic. Any bridges which are closed, I think should be opened by purchase, upon proper valuation; and at least one or two more bridges for the accommodation of the town are required. With respect to burial grounds in the City, I had hoped they would have ere this been closed (under Lord Palmerston's direction), in a great degree at least, but I see they are not in some places. St. Paul's Churchyard might be made one of the greatest accommodations to the inhabitants of that part of London, by giving up the space around it to public use, well flagged, and by placing the railings or others flush against the cathedral; thereby showing to all pedestrians more of the elegance of its architecture. We do not now see it to its basement at any time, and pedestrians can hardly see it at all as they pass along. Another important consideration is, the loss of time which occurs to persons in business. They cannot now count upon keeping their engagements in general, while the streets are in their present narrow and very crowded state, unless they go on foot, as, if in carriages, persons may be blocked up for hours. I think that Temple Bar should be removed; it certainly is a great obstruction. If a barrier be required, it is easy to have one of a handsome kind, and much more convenient than that which exists, and in a recess on one or both sides of the street, to be brought forward on state occasions only; but none would be the greatest improvement. I think there should be lads, from 14 to 15 years of age, and upwards, who might have a stand at the ends of the principal streets, to do small services for the public, at the charge of a penny up to a shilling; and be registered, each wearing a label with their respective number thereon.

2561. Is there any other point to which you particularly wish to call our attention?—The City is a nuisance in other respects. Lately, in particular, the foot pavements have not been fit to walk on. It is put upon 10,000 persons, more or less, or on every householder, his or her, each to scrape the pavement before their own doors. Why should not the scavengers be required to do it, and before eight in the morning; now it is very partially done, and by most perhaps *not* done. I think the vagrant laws require great consideration and revision. That applies as well to London as to other parts of the country. There is a vast mass of crime arising out of the neglect of many of these matters. The ready mode too of licensing public houses and gin shops, in my opinion, claims especial attention and curtailment. I think these social improvements are deserving of attention as much as some larger matters.

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PHILETUS RICHARDSON, Esq., having been sworn, was examined as follows.

2562. You are a solicitor, are you not?—I am.

2563. Are you connected with the City of London at all?—I carry on my profession in the City of London.

2564. Are you a member of the corporation?—I am not.

2565. Have you ever been a member of the corporation?—I have not.

2566. Was not there a newspaper called the Citizen set up some time ago in the City of London?—Yes. The paper was established I think in the latter part of the year 1848, or the beginning of 1849.

2567. Were you connected with the newspaper at all?—I was subsequently professionally employed on the purchase of the copyright of that paper.

2568. For whom?—For Mr. Benjamin Scott and Mr. Toulmin Smith.

2569. From whom was the copyright purchased?—It was purchased from a man named Peet.

2570. Have you any objection to state whether the corporation of London had anything to do with the purchase of that newspaper?—I have not the least objection to state what I conceive I am properly authorised in stating; and I have instructions from my clients Mr. Scott and Mr. Smith to do so. I do not know exactly with whom the idea of purchasing the copyright of the Citizen newspaper originated—whether Mr. Scott or Mr. Smith; but I think Mr. Scott. They did not establish that paper as I mentioned; but Mr. Scott I believe communicated his ideas to Mr. Smith, and it resulted in Mr. Scott and Mr. Smith becoming the purchasers of the copyright of the paper.

2571. Have you any objection to state whether you have reason to think that any part of the expense of establishing that newspaper, came out of the funds of the corporation of the City of London?—I think a portion of the funds necessary to carry on the newspaper were furnished by officers of the corporation.

2572. Do you mean furnished by those officers by contributions in their individual capacities, or furnished out of the corporate funds?—In the first place out of their individual funds; but whether they were recompensed their outlay wholly or partially, I

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cannot state as a fact. What occurred was this: Mr. Scott was extremely anxious, as an active member of the corporation, that some efficient report, from time to time, should be made of the proceedings of the Corporation. The reports of the proceedings of the common council were, he thought I believe, very inefficiently given, and sometimes almost wholly suppressed from one circumstance or another. He thought it would be desirable that the corporation should have some organ—I believe that is the proper term to use—wherein their proceedings might be reported, and reports of the committees published, and I think expression given to the views, in some measure, of the corporate body. I think that was his object.

2573. Do you mean by newspaper articles in the ordinary way?—No; I mean principally by reporting their proceedings.

2574. Was it intended that the Citizen newspaper should be confined to the publication of reports, or were there to be leading articles also in it?—Not wholly to the publication of reports, I believe. If the design were that there should be leading articles published on behalf—so to say—of the Corporation, it was not, I think, carried out. The paper had a short life. A representation was made to the Lord Mayor of this supposed want, that is, the want of a proper report of the proceedings of the corporation. I believe it was presented by the Lord Mayor to the Court of Common Council. I was not present on the occasion; it was ordered to be referred to the consolidated committee. and was so referred, and the committee considered the subject. But what decision they came to I do not precisely know; but I know this, that the solicitor of the City and Mr. Scott did, I believe by authority, wait upon Mr. Toulmin Smith, with a view to obtaining his services as editor of that paper.

2575. Do you refer to Mr. Charles Pearson?—Yes.

2576. Did Mr. Toulmin Smith act as the editor at any time?—He did; he superintended for a short time the general management and publication of the paper.

2577. You stated that certain officers of the corporation subscribed money for the purpose of purchasing this newspaper and for establishing it; but you were uncertain whether they recompensed themselves or not from the funds of the corporation?—That was not precisely my statement. My statement was, that Mr. Scott and Mr. Toulmin Smith were the purchasers of the copyright of the paper, but that officers of the corporation did, by subscription I apprehend, among themselves, support the paper after it was so purchased. Whether they were recompensed the expense so incurred by them out of the City funds I do not know.

2578. Do you remember what officers of the corporation subscribed for that purpose?—I have no certain information on that subject.

2579. Have you any belief on the subject?—Yes; I believe the remembrancer did so, Mr. Tyrrell.

2580. Have you any belief with respect to any other person?—I think Mr. Scott also by contributions may have endeavoured to support the paper with the object I have mentioned.

2581. Did not you say that Mr. Scott was the purchaser of the copyright?—He was, jointly with Mr. Smith.

2582. The paper then did appear, did it not?—The paper appeared. I think ten numbers in all were published; perhaps eight of them after the purchase by Mr. Scott and Mr. Toulmin Smith.

2583. Were there leading articles in those numbers?—Yes; there were.

2584. Were they devoted chiefly to corporation matters?—Yes; they were.

2585. You stated that Mr. Toulmin Smith was applied to to be editor of the newspaper?—He was.

2586. You also mentioned that he was one of the parties to the original purchase. What was his inducement for purchasing, with Mr. Scott, the copyright of the paper?—Mr. Toulmin Smith had given a great deal of attention to the subject of municipal corporations. He had, entirely gratuitously, previously to this purchase, taken up various matters connected with the City. He was desirous of doing so in the most effectual way, and I think upon the strong representation of Mr. Scott of the utility of this paper in advocating his general views as well as Mr. Scott's general views, he was induced to become the purchaser.

2587. Do you remember for what length of time the newspaper appeared?—I think there were about ten numbers published in all, about eight numbers after the purchase by Mr. Scott and Mr. Toulmin Smith.

2588. What was the reason why it was discontinued?—The reason, I think, was this: I think Mr. Toulmin Smith's views as to the management of the paper did not accord with those of the officers of the corporation who were interested in the establishment of it.

2589. Have you any objection to state what was the amount of the sum given for the purchase of this newspaper?—I think, if you will pardon me, I would rather refer that question to Mr. Scott, who has desired me to say that he will answer any questions which you wish to put to him.

Mr. SYDNEY HEDLEY WATERLOW, having been sworn, was examined as follows.—

Mr. S. H. Waterlow.

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2590. You are a citizen and liveryman of the City of London?—I am a liveryman of the Stationers' Company.

2591. There are some points connected with your trade to which you are desirous of calling our attention, are there not?—There is no point connected with my trade in particular, but a point which all tradesmen and occupiers in the City of London are, in my opinion, interested in. The point I refer to is, the continuance of the election throughout each of the twenty-six wards of the City of a score, or thereabouts, of inquest men, to serve upon the inquests for the ensuing year. The reason why I think this is an annoyance, and needlessly so, is, that the duties of the inquest have almost entirely, I may say entirely, passed into the hands of paid officers appointed by the corporation. If you will allow me, I will explain the mode of election, and then explain the duties and the manner in which they have lapsed. Some few days prior to the 21st of December in each year, precinct meetings are held throughout the wards. No public notice being given of these meetings, very few persons attend, generally two or three only, including a common councilman, who is expected to preside. Those meetings should be held in the vestry of the church where churches still exist, but they are not always so held; they are frequently held in a solicitor's office, or in a merchant's house, or even in a public house. The meeting for St. Christopher-le-Stock has been held for some years at the European Tavern. In consequence of those meetings not being known, the persons nominated are nominated in a very arbitrary manner. You have no notice of your nomination till the wardmote takes place on the 21st of December, before which you are summoned, and if you cannot show reason for exemption, either that you are over age or are a solicitor, or have served during the previous three years, you are elected as a matter of course. You are then required to take an oath and have a charge given to you, a copy of which I now put in—(*producing same.*) Almost all the matters with which you are charged you are no longer required to perform, but still you are required to hold and attend meetings. The first charge is, that you shall see that the Queen's peace is kept. That we leave in the hands of the police, thinking they can attend to it much better than we can. The second portion is, that you shall take care that no common ground of the City is taken. This is always looked after by the surveyor or the commissioner of sewers. The third is, that you shall see to the weights and measures. This has been taken away by the appointment of an inspector of weights and measures, who attends, I believe, very efficiently to his duties. The City also appoint annually certain ale conners, who are privileged to see to the measures of the publicans, and who get a small fee for doing so. The other item is, that you shall see that no parties keep shops in the City who are not freemen. There is no necessity for the inquest men to attend to this, because the Court of Aldermen have ordered that the beadles in each ward shall give in returns of parties so offending. Inquest men continue to be elected, although their duties have been transferred to the hands of other persons.

2592. It is an antiquated form which is kept up, and which causes trouble without serving any useful purpose?—Yes. There is one duty which the inquest men still perform; but when I stated that their duties had all lapsed, I did not consider that, because it is not contained in the charge which they are bound to follow. The duty consists of walking round the City in silk gowns with furred edges, going into the shopkeepers' shops and merchants' counting houses, asking for contributions towards charitable funds. The inquest men are expected to do this, and if they do not, they are looked down upon very much in their wards. This part of the duty they are not obliged to do. However, large sums are collected by these means. In the ward of Broad Street more than 400*l.* a year for the last few years has been collected.

2593. The inquest men do go round soliciting contributions?—Yes. Their annual collections from this source amounted to over 400*l.* for the last few years in the ward I have mentioned.

2594. How are those contributions applied?—In charitable purposes, at the discretion of the inquest men.

2595. Those are voluntary contributions?—They are.

2596. Does not the arrival of a deputation of that kind place many persons in a situation in which it is almost impossible to refuse?—Yes; that is one of the annoyances to the citizens which I complain of. The deputation present themselves, headed by the beadle in his gown and with his mace; he thumps at the door, and says, "I have come for a contribution to the inquest." To get rid of them some parties give more and some less.

2597. Is there any other point to which you wish to advert?—The inconvenience is that citizens should be elected upon the inquest at all. The only thing I think which sustains it is, that they always manage to elect about one-third, who they expect will not serve, but who they hope will be willing to pay the fine of five guineas for not serving. This fine was exacted in the ward of Broad Street from seven or eight persons this year. These fines the inquest men think they have a right to do as they like with. The fines have been always understood to be compulsory, and have been paid by many gentlemen. The governor of the Bank of England, only a few years ago, was elected upon the inquest, and five guineas was demanded from him for non-attendance. As foreman of the inquest this year, I was anxious that all those who did not attend should be placed upon

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the same footing. Having been told that those fines might be legally demanded, I called upon the Court of Aldermen to enforce them against an absentee who refused to pay the five guineas. I then found, in pressing the question, that the Court of Aldermen had no power to enforce the fine. All they could do was to compel the inquest man to take the oath of service, and then if he neglected his duties they could bring an action against him for the damages which might be caused to the ward by his non attendance. But inasmuch as those duties have all lapsed, no damage can accrue. I make these statements upon the credit of a member of the Court of Aldermen, thinking, perhaps, if this were generally known, that the inquest might die a natural death.

2598. You were informed that there was no power of enforcing the fine of five pounds?—Decidedly.

2599. Do you see any reason why those inquests should be maintained?—None whatever. I think if there is any charity to be dispensed throughout the several wards, it would be much better done through a body of half-a-dozen persons who may voluntarily associate themselves for that purpose.

ARTICLES of the CHARGE of the WARDMOTE INQUEST.

The Queen's Peace.—Ye shall truly enquire if the peace of our Sovereign Lady the Queen be not kept as it ought to be, and in whose default, and by whom it is broken or disturbed.

Suitors.—Ye shall truly enquire, by the oath you have made, of all the suitors that owe suit to this Court.

Ale-houses, &c.—Ye shall truly enquire if any person keep any gaming house or other house of ill-fame, or keep an ale-house or victualling house, or sell beer or ale without a license.

Officers.—Also, if any officer by colour of his office do extortion to any man.

Encroachments.—Also, if any man encroach or take of the common ground of this City.

Way, Watercourse.—Also, if any common way or common course of water be foreclosed or letted, that it may not have its course as it was wont, to the annoyance of the ward, and by whom it is done.

Weights and Measures.—Ye shall diligently make search and enquiry whether there be any person or persons within this ward that do use, or keep in his, her, or their house or houses, any measures which be unsealed, and do sell thereby, or by false scales, weights, or measures.

Freemen to show their Copies.—Also, forasmuch as it is thought that divers and many persons dwelling within the liberties of this City daily occupy as freemen, whereas indeed they be none, nor never were admitted into the liberties of this City, ye shall therefore require every such person dwelling within this ward whom ye shall suspect of the same, to show you the copy of his freedom, under the seal of the office of the chamberlain of the said City; and such as ye shall find without their copies, or deny to show their copies, ye shall write and present their names in your indentures.

Freedom.—Also, if any have fraudulently or unduly obtained the freedom of this City.

To meet twice or oftener.—You shall assemble yourselves twice, or oftener if need require, so long as ye shall continue of this inquest, and present the defaults which ye shall find to be committed concerning any of the articles of your charge, to the end due remedy may be speedily applied, and the offenders punished as occasion shall require.

Presentments.—And in making your presentments, your clerk is carefully to write the Christian name, sir-name, and addition or calling of every offender, and the name of the parish wherein the offence was committed, and some certain time how long the offence hath been continued, in order to the better prosecution thereof; and also to write in the margin, on the side of every presentment, the name or names upon whose evidence you make such presentment; and that you set down at the bottom of your indenture the names of one or more persons, either among yourselves or others, whom you shall agree on to prosecute your presentments.

GOD SAVE the QUEEN.

The OATH of the FOREMAN of the INQUEST.

You swear that you shall truly enquire and true presentments make, of all such offences and nuisances as shall come to your knowledge, to have been committed against the Queen's Majesty's peace, within the ward of contrary to the articles now given you in charge. The Queen's Majesty's Council, your fellows, and your own, you shall keep secret and undisclosed. So help you GOD.

The OATH of the rest of the INQUEST.

The same oath that your foreman hath taken on his part you and every of you shall well and truly observe and keep on your part. So help you GOD.

Mr. BENJAMIN STEELE, having been sworn, was examined as follows.

Mr. B. Steele.

2600. Are you connected with the City of London?—At the present time I am not.

2601. Were you ever connected with it?—Yes, I have been in some measure connected

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with it. I have filled various offices in it, and am tolerably well acquainted with its general management.

2602. What offices have you held connected with the corporation?—I have been collector for consolidated rate. My claims to the consideration of this Commission are founded upon the circumstance of my birth taking place in the ward of Farringdon Without—my education in the ward of Farringdon Within and Cripplegate Without, having fifty out of sixty years of my life slept in the City of London, and taken an active part in all its proceedings. As a further claim, I have been harassed and tormented by corporation spies for carrying on a trade within two hundred yards of the place of my birth and education; and was consequently compelled by the Corporation to collect its taxes, and subsequently became a corporation spy. Those are the positions in which I have stood in the City of London; and I am now here for the purpose of making some general complaints against them, with a view of proposing certain matters as remedies.

2603. Will you state the general nature of the complaints which you have to allege against the corporation?—I shall make but little complaint against the corporation as to personal matters; but I have to complain of their accounts, founded upon the knowledge I have acquired of the first four rules of arithmetic. I find there is a great variation between commercial and corporation arithmetic; for according to Cocker, when the government of twenty men cost twenty shillings for one year, the expense of fourteen by the rule of proportion would be fourteen shillings; but by the City arrangements, I find that the expense of a less number is much more extended than that of a greater. In 1752 the income of the City was under 50,000*l.*, and with that sum its hospitalities were maintained, and a population of 200,000 citizens were governed, giving a product of five shillings a head. In 1852 the population was reduced to less than 130,000, and the income increased to 213,000*l.*, yielding a product of twenty-five shillings' charge for every citizen's government. The City have always found the means of expending all the money which has come to their hands; so that if they should proceed in the next century upon the process which they have adopted in the previous one, 125*s.* will be the cost in the course of that time. As the Commissioners have heard so much upon the City accounts, I will only just notice one other item in them; that is an item which runs thus, I think:—"To Mr. Scott, for preparing the City accounts for the auditors, 100*l.*" This Mr. Scott was recently an unsuccessful candidate for the office of chamberlain; he being one of his principal clerks, his principal claim for filling the office was founded upon the situation which he held. I apprehend it is the duty of the chamberlain and his clerks officially to present and to prepare the accounts for the auditors, and to have them in a state of readiness for the auditors' examination, without any after cooking process by Mr. Scott in his individual capacity. Mr. Scott has the power—I do not say he has exercised it—of substituting a false document for a real one, in the preparation of these accounts. I do not charge him with having so done; but he has that power, and therefore there may be the possibility for an individual who is the servant of the corporation, who was to prepare an account after it has passed out of the hands of the Chamberlain, to substitute one word for another, the amount remaining the same; or to substitute an item in the place of that which was originally supplied to the corporation. I therefore object to Mr. Scott preparing the City accounts for the auditors, contending that it is the duty of the chamberlain to place those accounts in the state in which the auditors should examine them, without the intervention of any other person. I have to make some few observations upon what I consider to be a little misunderstanding of the true state of the case in which the corporation is actually placed, which has led in some measure to the issue of this Commission. I have to endeavour to show that the corporation consists of three parties or sections, two of which—in the language of Mr. Pulling—form integral parts of it, the common council and the trading companies. The third part are the freemen of London. In the joint names and on behalf of all those parties, the property of the corporation is vested. Among those three parties an intestine war has long existed, the settlement of which has puzzled Her Majesty's ministers so much, that they have appointed a Commission to inquire into the cause of the complaint of the citizens. The trade companies, the second integral part of the corporation, are opposed to all reform. The third party are the freemen, who like myself have no more rights in the City of London than in the City of Canton. The corporation of London are favourable to a certain degree of reform, and in the behalf that that reform could be carried out, they applied to the liverymen of London for their support. The liverymen of London decided that no reform was necessary, and thereby neutralized the efforts of the corporation to accomplish that object. I appear here as a citizen of London to make the following propositions: that the trading companies of London have become wholesale shams, and are unserviceable for all the purposes for which they were established. That the money and estates left to them in trust by the older citizens should be amalgamated, and the objects of the donors carried out in the spirit of the givers; but such money or estates as may have been acquired by the collection of rates, fines, or contributions, be devoted to the promotion of education under the superintendence of the corporation. That, as every poor man pays at the rate of one halfpenny per cwt. of coals in the shape of a tax, it would be expedient to retain that duty for the purpose of applying its produce to giving land and bounties to builders or societies, for erecting in every district wholesome habitations for residence, in which a suitable room may be let at sixpence per week, and that the summit or basement of the

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building contain rooms suitable for infant and other schools—a room for reading or instruction for those who dwell in the range of buildings, so that morality, cleanliness, and education may characterize the humblest of the community, and thus diminish vice, crime, and destitution. That the societies or individuals who accept the bounty of the corporation, shall give ample security that no person receive more than five per cent. for the capital invested; and when the period for which the land might be granted has expired, the renewal of the lease shall be continued as long as the buildings are devoted to the objects for which they were erected. That the ancient duty of the corporation to superintend gaols and prisons, be left to the executive government; that duty to be exchanged for the superintendence of the sanitary condition of the public buildings and all educational establishments, so that the labour and intelligence of a reformed corporation shall be more devoted to the prevention of crime than its punishment. That the income of the corporation from estates, tolls, and fines, amounts to 200,000*l.*; but by an effectual reform, 100,000*l.* may be annually devoted to public objects, by the removal of turnpikes, erecting bridges, widening streets, embanking the Thames, forming works, and other objects of public utility; but should chartered rights be advanced as an impediment to public improvements, the same respect should be paid to their claims which the corporation have displayed towards the charter of the fair of St. Bartholomew. That to secure an effective body of local representatives, they should be chosen from a large area, and it would therefore be expedient to extend the boundaries of the City of London five miles round the General Post Office; to divide that space into twenty-five wards and 100 precincts—each ward to return one alderman, and each precinct two representatives, so that an undivided jurisdiction may govern and regulate the interest of the whole community.

Adjourned to Tuesday next, at 12 o'clock.

Tuesday, 29th November, 1853.

The Right Hon. HENRY LABOUCHERE, M.P., in the Chair.

Capt. F. Bullock.

29th Nov. 1853.

Captain Frederick Bullock, being examined, deposed as follows.

2604. You have been employed by the Admiralty in the survey of the port of London, have you not?—Yes; both of the Thames and Medway.

2605. When did you hold that appointment?—From the year 1830; but I have not been employed all the time in these rivers, but have surveyed all the coast; to Great Yarmouth on one side, to Portsmouth on the other.

2606. But during that time you have occasionally visited the Thames and Medway, with a view of ascertaining the condition of these rivers?—Not the Thames; but I partially surveyed the Medway fourteen years after its completion.

2607. You have surveyed the Thames, have you not?—Yes.

2608. Why did you re-survey the Medway and not the Thames?—The Medway was re-surveyed on the report of Mr. Gooden, who represented the Medway to have fallen into such a state of decay as to threaten its destruction.

2609. Beginning with the Thames, will you have the goodness to state what, in your opinion, is the condition of the Thames?—I have no means of making a comparative estimate of the present condition of the Thames, as there has been no authentic survey prior to mine, which is now the standard. It remains with the Lord Mayor as conservator, to give to the public and to science the advantages of a comparison; and I may here observe, that I have always advocated periodical examinations, as the only means of attaining a practical knowledge of the changes which take place in this important river.

2610. Have you any means of knowing whether the duties of the conservancy of the Thames have or have not been efficiently exercised by the City?—As I do not pretend to know what are the precise duties of that corporation, I cannot presume to give an opinion.

2611. Can you describe what is the actual state of the river with respect to the navigation?—There are certainly many shoals, that at times impede the navigation, and ought to have been removed long ago. I remember to have given evidence before a former committee upon this subject, when it was proved that the City had not the right to remove shoals, as they were claimed by the corporation of the Trinity Board. But before I proceed further, I must, in justice to the City of London, remark, that I believe this generation has done more towards the improvement of the Thames, than any other; for that in 1841 it was proposed in Parliament to embank the river between London and Westminster, and in 1842 a commission was appointed, under the direction of their energetic solicitor, Mr. Charles Pearson,—consisting of Mr. James Walker, president of the civil engineers; the principal harbour master, and other officials,—in which I was

associated, and desired to report upon the condition of the Thames, as well as upon the best means of improving it.

2612. Do you mean that the navigation committee of the City of London employed you to report upon the state of the river?—Yes; and this is a copy of that report (*producing the same*).

2613. This report bears date of 1842?—Yes; it does.

2614. Do you know whether the recommendations you made in the report have been carried into effect?—I believe not, and for the reason that their Bill proposing to carry out these recommendations, and which was presented to Parliament in the session of 1845-46, was rejected by the Legislature.

2615. Are there any of the recommendations contained in this report which could have been carried into effect without the aid of Parliament?—I think not. The City, as I have said, have not the right to remove shoals; as the Trinity House claim, by their charter, all the soil of the river for ballast, and are bound to supply the port of London, but not to remove shoals.

2616. Is there any authority which has the power to remove shoals?—Yes. I believe that power to be in the authority of the Lord High Admiral; but I question whether that high power would not find opposition in the chartered rights of the two corporations, the City and Trinity.

2617. Do you mean that you understand that it is a matter of dispute on whom the right and duty of removing shoals in the port of London lies?—I mean to infer that it has been alleged that the City corporation has not the right, or they would not have applied to Parliament for authority to exercise it. The Trinity Board could remove shoals, and do, when their product serves for *ballast;* but otherwise they have no funds to apply for that purpose; only it seems to me therefore to be, in reality, vested in the Government, not only to improve the river or Queen's high way, by removing every obstruction to the navigation of it, without reference to corporate bodies; but to direct and enforce such sanitary measures as would help to maintain the health of the metropolis; and which is, I may be allowed to suggest, of much greater importance than disputes about the vested rights, real or assumed, with which the Government has lately had to deal. I beg here to allude to the report of 1842, in which we endeavoured to illustrate the advantage of an uniform embankment of the Thames; by which all the corrupt mud banks that abound in the vicinity of London, and pollute the atmosphere, would be *covered* in; and the unsightly steam-boat piers which at present disfigure the Thames, be replaced by safe, ornamental, and commodious landing-places.

2618. Have you surveyed any other river than the Thames and Medway?—Yes; both in America and England.

2619. Are you acquainted with the general state of the navigation of rivers?—Yes; but I do not think there was one, except the Thames and Medway, likely to afford instruction or useful data.

2620. What is the condition of the river Medway?—With respect to the embankment, it is in a bad condition.

2621. Is that in consequence of neglect, in your opinion?—No one takes an account of its decay. The proprietors of the marsh lands through which the river runs, do not generally think them worth preserving at a cost necessary for the purpose. I beg to impress upon the Commissioners the difference of condition of the two sister rivers, viz., that the Thames has been embanked within substantial sea walls from the time of the Romans, and is well guarded by parliamentary enactments. The Medway, on the contrary, has been allowed to pursue its own natural way towards the sea, through unprotected marsh lands, which, occasionally overflowed, and exposed to the devastating effects of strong winds, as well as high tides, are daily falling into the river; and must, therefore, in the end be inevitably submerged. (*Vide Report on the Medway.*)

2622. Are there any measures which, in your opinion, could be taken to prevent this injury occurring to the river Medway?—They are of so costly a nature, that we can hardly suggest such a measure now-a-days. The Thames was walled in, or embanked by the Roman soldiery, as I before observed; but although we have no soldiers to spare for such a purpose, we have convicts, who could be thus usefully employed by the State; but even then it would be at an enormous outlay.

2623. Are there any traces of embankment having at any time existed in the Medway?—Yes; on the Bishop's Marsh, which appears to have been entirely enclosed by sea-walls; but these have yielded to the effects of natural causes, as I have before explained, and are now in a dilapidated state; so that this marsh suffers like the rest. There are some other marshes walled in.

2624. Is the navigation of the Medway rapidly getting worse?—No; the river remains perfectly navigable, nor have we found any material alteration since our survey of 1837; but the unprotected edges of the marshes are falling into the river, and have a tendency to contract the river. The depths are maintained throughout its course.

2625. The injury then is to the marshes, and not to the river?—Not to the river, certainly.

2626. Those marsh lands are private property, probably?—All of them, I believe.

2627. It has been stated to us that there is some inconvenience from the conflicting nature of the signals, which are carried by steam vessels: some carrying the signals

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prescribed by the Admiralty; and others, those prescribed by the corporation of London. Have you any knowledge upon the subject?—I believe there is a discordance, but I do not know to what extent. I remember to have stated to the Admiralty, some time ago, this defect, and recommended *uniformity* in night signals—not only national, but international.

Mr. F. Whistler.

Mr. Frederick Whistler, having been sworn, was examined as follows.

2628. You are connected with the wine trade, are you not?—Yes; and also Portugal and Brazil merchant.

2629. Where is your house established?—In Sise Lane, Bucklersbury. I have been there and in that neighbourhood forty-six years. I should state, perhaps, that I am a freeman and liveryman of the Merchant Tailors' Company. Having lived upon that spot many years, of course one is known, and I have had the honour of having had a proposition twice made to induce me to become a common councilman. On the last two occasions of a vacancy, an alderman's gown was proposed to me if I would take it. I mention these things as having occurred, but the paramount duty of attending to my own business forbade me; and also, in my opinion, an alderman should be in independent circumstances, and have time at his command to devote to the duties of the office.

2630. Are there any points connected with your trade as an importer of wines which you desire to bring before the notice of the Commission?—I do not know that there are. There are orphans' dues, about 2*s.* 4*d.* per pipe, which are received by the City, but to those I make no objection. I only allude to them as one of the sources of revenue of the City. Among other articles, we import extensively oranges and lemons, and such like produce of Portugal, and we have sometimes felt rather vexed that 2*d.* should be charged on a trifling package in however decayed a state it may be, perhaps when the thing is hardly worth the money. I thought it right, as there is a large trade done in these and other things subject to metage, to wait upon the City solicitor some time ago, and ask him if he had a tariff as a guide to what those meters should charge. I found he had not, but he said I had better consult the meter. I was received very courteously; he said there was an old Act of Parliament in the time of James I.; he said, "It is not too hard "upon this foreign produce, when you consider that every sack of potatoes also pays 2*d.* "brought coastwise." I have volunteered to come before this honourable board as an old citizen, wishing that justice should be done to the City in what is represented to you, not doubting that every gentleman who has been examined may have spoken as he feels. But I think it would be very unjust and very ungrateful towards the City to sweep away the City corporation with its rights and immunities. That there wants a great reform there is no doubt, and one of the causes or reasons why I think so I beg to state, and it is this; the improvements in the City of London have been exceedingly slow. We are now in that state in the City that one can hardly move from one part of it to another, and we want another bridge. The corporation are very slow in coming to a conclusion, but if we do not have another bridge, we shall soon be brought to a complete stand-still. I have not been able to read the whole of the evidence before the Commission, but I see our police have been touched upon. Now, I beg to bear testimony to the excellent arrangement of our police. We have rather a large establishment, and under the old system of watchmen I think we paid for our premises about 10*l.* per annum. We now have both day and night watch by this most excellent police, admirably regulated, and it costs me about 5*l.* a-year, and has done so for many years successively. They are a very effective force, in one particular too much so. The serjeants walk abreast, which I believe the Guards do not do, and so occupy the narrow parts or paths of the City. With respect to the navigation also, I believe I am warranted in saying that there are no shoals in the river Thames which ought particularly to be complained of. There is one at Limehouse Reach, which is a part of the bank. It runs out, in fact; but the City very wisely some years ago, instead of allowing all the colliers to remain in that neighbourhood, distributed them in twos and threes almost as far down as Gravesend, so that there is a free navigation. I cannot help remarking upon what was said by the General Steam Navigation Company. I know that that company runs its large ships, even at low water, at a considerable risk. The Steam Navigation Company cannot expect that at low water they can bring up their heavy ships. With respect to lights, I think it is most commendable in the City of London to order a light to be placed on the bowsprit. It appears that the General Steam Navigation Company act under the Admiralty regulation, and they have only the two paddle-wheel lights and one at the masthead; consequently there is much more danger in those large ships coming up the river rapidly. I only regret that the City of London do not prosecute them for not carrying out their regulations.

2631. Are you yourself a ship owner?—No; but I have a good deal to do with ships. There is a complaint made that there are not sufficient watermen and craft for the loading and unloading of the goods and conveying them. There are upwards of 6,000 licensed men who are all lightermen and watermen, and able to steer a craft. I look upon it that if I effect an insurance at Lloyd's, if I were to employ an unqualified man, a man who did not understand well the navigation of the Thames, and the craft were lost, the underwriter would not be liable for the insurance. It is absolutely necessary that a man should

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be educated and serve his time to know the various currents and sudden turns of the Thames. With regard to the magistracy, I certainly have heard that some very respectable and intelligent gentlemen have given their evidence that it would be better for us to have a stipendiary magistrate. For my own part I quite differ from that. I have never in my forty-six years heard a complaint of the decisions of the magistrates of the City of London, and I have heard some of the first judges of the land admire and praise the manner in which they got through their business. I think therefore an alderman who has gone through the various paraphernalia of office, and arrived at that high position, is a very fit man to occupy it. In drawing a distinction, which I have heard one gentleman draw, between an alderman magistrate and a country magistrate, with all due respect to the latter, I conceive that an intelligent alderman, who has been in London so many years, with so much experience, is a much more able man to preside over cases which may come before him. At the same time, with regard to the aldermen, we certainly are in a very unpleasant position. An alderman is elected for life. If he falls into a dilapidated condition, he remains still a magistrate, and presiding over his fellow-men when he himself perhaps is under the lash of the law. Great complaints are made that we have not a higher class of persons in the council, and it is to be lamented; but, at the same time, I think, as by the effect of the Reform Bill the freedom costs very little, the gentlemen who find so much fault ought to be willing to pay that small sum, and so have an opportunity of being in the council. However, they do not do so, and it is very true that there is a want, in my humble judgment, of a larger number of men who are perhaps in a different position in life to bring in their experience, and I can conceive, if I may be permitted to make the suggestion, scarcely any other way of accomplishing it than that of throwing open the franchise, or, in other words, taking away the right of freedom, not making that the qualification, but saying that the man who is qualified to vote for a member of Parliament shall be qualified to be admitted to the council. If that were done, it might perhaps be wise to have it stipulated that when a man is elected he shall serve or be fined. Then we should have many of those gentlemen in the council who make such great complaints of the paraphernalia of the Lord Mayor's show, and of the eating and drinking. I certainly do complain of the heavy rates we have to pay, and particularly the consolidated rate, which may have come under the notice of the Commissioners. It is excessive, and I believe the corporation have an Act of Parliament which gives them great latitude, and very often in that consolidated rate the expense of sewers is included, notwithstanding we have a heavy sewer rate. Certainly greater control is required over the finance of the City in my judgment, and that would be accomplished, I think, by doing away with the freedom, as by that means we may have gentlemen in the council who hitherto have not been so. I say, from positive knowledge, that in the City of London we have not water enough. The water may be said to be very good—it is supplied by the New River Company. In days gone by the City of London, by an arrangement, had plugs opened in the streets, which were flushed as well as the sewers, but now that is never done. The supply of water is shorter in the houses than it was. I know that to be the case from my own experience. I think it is a disgrace to the City of London that we have not better markets. When you visit Liverpool and Manchester, you find in those great populous places there are wholesome good markets, but the City generally, with its immense means, manifests great apathy. There is Leadenhall Market for one, and Newgate Market for another. They are really pests. There is an immense mass of eatables there, but so crowded that people can hardly move, and the waste is very deleterious to health. The rentals, not only of the markets, but the houses round about, no doubt bring in a great income, but I conceive the City might get as large an income if they were to rase the present markets to the ground, and build proper and suitable places. I have said that I am a freeman of the Merchant Tailors' Company, though I am not in the court. I believe there are erroneous impressions prevailing with respect to the companies. The funds of those companies I believe are most virtuously and righteously administered. Indeed it is delightful to see what our forefathers have done in the way of leaving money to their poorer brethren. With respect also to the City funds, I have no doubt the corporation exercises its trusts rightly; but it requires to be spurred on, if I may say so, from time to time, and I do not see any other way of doing it but by bringing in a different class of men to those who at present occupy the position of members of the corporation.

T. Rogers, Esq.

THOMAS ROGERS, Esq., having been sworn, was examined as follows.

2632. What is your connexion with the City of London?—I am a solicitor. I have been a solicitor in the City of London for nearly thirty years.

2633. Are you connected with the corporation in any manner?—I have been connected with the corporation. Having lived nineteen years in the ward of Bishopgate in the year 1839, I was returned to the common council and served during that year.

2634. You are not now in the common council?—No; but I am a liveryman of the Spectacle Makers' Company.

2635. While you were a member of the common council did you take any part in the business of that body?—Yes; a very considerable part.

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2636. Will you have the goodness to state any points to which you desire to call our attention, particularly with regard to the working of the common council?—In the first place I think the practice of the common council is as nearly as possible that of the House of Commons. It is presided over by the Lord Mayor; the recorder is called the mouthpiece of the corporation; he takes the votes when anything is to be regulated as to the number of the common council, then an Act is passed as was the case shortly after I left. There was an Act passed to reduce the number of the corporation from 243 to 206 or 203 I forget which. The mode in which an Act is passed is this:—A member brings in a bill. It is read. A copy is sent to each member; it is then considered in committee, and it is afterwards gone through clause by clause and passed.

2637. Were you a member of any of the committees of the common council while you belonged to that body?—I was.

2638. Have you any observations to make with respect to the working of the committees of the common council?—I was on two committees; the coal, corn, and finance committee, and the general purposes committee. Those committees are ward committees; that is, each ward sends a committee man. Those committees have the right of calling before them any officer in the corporation; and, although the navigation committee, as I have seen it stated here, might not have a merchant upon it, yet if they require any information, they have four harbour masters to send to, who can give the proper information in respect to the point on which they desire it. If any of those committees require for instance any knowledge on municipal law or general law, they send to the clerk. If they want information upon the statute or common law, they send to the solicitor. If they want any information about opposing any bill before Parliament, they send to the remembrancer.

2639. Are the proceedings of the committees conducted with closed doors?—I have seen persons present, but very seldom. I think I may say strangers are excluded.

2640. Are the proceedings of those committees published?—No.

2641. Are any divisions which take place in them published?—No; minutes are taken.

2642. Are those minutes regularly laid before the common council or the Court of Aldermen?—Yes; the book is laid before the Court of Common Council.

2643. Are they printed?—No.

2644. Are not the reports of those committees which are made to the common council ever printed?—There was one report during my time which was printed. It was with respect to the coalwhippers.

2645. Was that by a special vote?—Yes.

2646. What were the functions of the committee for general purposes?—The functions of that committee were generally as to the Mansion House, the furnishing it, and various matters; furnishing Guildhall, and upholstery generally.

2647. Do you mean that they controlled the miscellaneous expenditure of all kinds?—To a certain extent. The whole of the Mansion House was under their supervision.

2648. Are they a finance committee?—No; there is a coal, corn, and finance committee.

2649. Can you give us any idea as to the manner in which those committees are composed; do you consider that persons who are acquainted with the different subjects referred to the committees are placed upon them?—Not in general. There are some special committees appointed, but in general in the ward committees they do not look at that at all.

2650. They do not look to any special fitness in the persons appointed?—No.

2651. Is there any regard to special fitness in the person selected as chairman?—There is. By the rules of the court a person cannot be elected as chairman till he has served two years in the committee.

2652. Reverting to the committee for general purposes, do you recollect what allowance was made to that committee while you were on it?—Not a sixpence, so far as money is concerned. I can show you what was expended for dinners.

2653. What was the amount of allowance made to that committee for the purpose of dinners?—The City lands committee were allowed 400*l.*; the committee for general purposes were allowed 200*l.*, and the coal, corn, and finance committee 200*l.*

2654. How was that sum of 200*l.* spent when you were upon that committee?—It was spent in this manner: in order to induce the members to attend punctually the chairman waits five minutes, and then his hammer falls, and all who are then present in the monthly meetings have a right to dine together; all who come after the five minutes are excluded from the dinner.

2655. This dinner is once a month?—It is. Though the committee may meet four or five times in the course of the month, there is only one dinner. The chairman orders that dinner, and 200*l.* is spent for the purpose in the course of the year.

2656. Do you think that the system of dinners for the committees is a good one?—I think it is.

2657. On what ground?—On the ground that it brings various members of the committee to the consideration of questions brought before the committees who otherwise would not be brought there; and besides that, they are gentlemen generally who have to leave their house for the whole of the day. The dinner hour of those gentlemen is generally past before they break up.

2658. You think it produces a larger attendance than would otherwise take place?—I

am sure it does. If that committee do not attend to their business, there must be a steward or some officer paid for managing the business, and I think the business is particularly well managed by the committees.

2659. Are the guests at the dinners exclusively composed of the members of the committee?—The chairman has the right of inviting two friends generally from his ward. Aldermen who are upon the commission attend, and occasionally one of the officers of the corporation.

2660. You say that these dinners only take place after the monthly meetings, but the committees meet on intermediate occasions; have you observed that the attendance is fuller on the days on which there is a dinner than on the days on which there is not?—I think so.

2661. Do you speak confidently?—I have no doubt of it.

2662. Is the business of more importance at these monthly meetings than it is at the intermediate meetings?—The meetings on the intermediate occasions are generally meetings of the sub-committees. In this coal, corn, and finance committee, we produced a blue book which would not have disgraced Parliament in regard to the evidence taken before it.

2663. The members of the sub-committee are not so numerous as those of the committee generally?—No.

2664. Then the comparison would not be a fair one?—No.

2665. Are there any meetings of the committees on the intermediate occasions?—Yes; in the coal whippers' business there were various meetings.

2666. Did you observe that the attendance on the days on which there were no dinners was less full than on the occasions on which there were dinners?—No; that was a committee which was considered of some interest and importance.

2667. When there are questions of interest and importance your experience leads you to state that the members will attend without the inducement of a dinner?—I do not think the dinner has any effect then.

2668. Are there any other points to which you wish to call the attention of the Commission?—I have with me a statement of the trades of the members of the common council while I was a member of it: wholesale druggists, confectioners, undertakers, victuallers, wholesale butchers, bakers, builders, auctioneers, surveyors, goldsmiths, tailors, wharfingers, tinmen, wholesale grocers, plumbers and glaziers, livery stable keepers, foundrymen, engineers, hardwaremen, wholesale hatters, fruiterers, stationers, upholsterers, paper manufacturers, carpenters, oil merchants, drysalters, hosiers, orange merchants, wholesale tea dealers, plate glass merchants, accountants, architects, coal merchants, carpet manufacturers, spirit merchants, wholesale boot and shoe makers, warehousemen, surgeons, proctors and solicitors. With respect to the aldermen, I wish to say a word, with the permission of the Commission. I will look to them as aldermen, and then as justices. As aldermen of course they have the conduct of the various wards, and I must say that they show an admirable example to all gentlemen as to charity. Hoping that all the other aldermen are like my own, I may say that if Alderman Copeland has given 1*l.* he has given 10,000*l.* to the ward while he has been alderman.

2669. Are you speaking of his private charities?—Yes; and I have no reason to suppose that the other aldermen do not do the same, perhaps not to the same extent, because he is a most liberal man. As justices of the peace, I should be very sorry indeed to see them superseded. I think perhaps as a class they are the best magistrates in the country, and I think they ought to be so from their previous education, many of them in the Court of Common Council, and many of them in the Court of Aldermen, and their sitting for three months in the course of a year by the side of the judges, the best school I should think a man could have for learning the magisterial duties, and a superior school to that which any country magistrate enjoys, for he only sees the judges twice a year if he attends the assizes, whereas those magistrates are there from fortnight to fortnight. They attend according to rota, and, so far as my judgment goes, they make admirable magistrates. I will not mention any present magistrate, because that would be invidious; but I will mention that I have frequently seen with much satisfaction the late Alderman Gibbs presiding at the Mansion House. I think for tact, for an aptness in the administration of justice, and for seizing the salient points of a case, I never saw a man of more ability in a magistrate's chair; it was perfectly beautiful to see the way in which that gentleman conducted his business. It is very easy to say that these magistrates shall be superseded, but they stand upon very superior grounds to any magistrates in the country; and I think there is a charter which will prevent anything like a supercession. That charter is very short, and I will read it. In 1461 King Edward IV., in his first charter to the City of London, grants—"To the mayor, recorder, and aldermen to be "justices of the peace for putting all ordinances for the preservation of the peace and the "good government of the City and the suburbs thereof, as well by land as water, in "execution; and that the said mayor, recorder, and alderman shall be justices of Oyer "and Terminer, and that the mayor for the time being, and his successors, shall be of the "quorum. The sheriffs in the City are to be attendant on the said justices." Suppose you say these gentlemen are not fit for the magistrates' chair, are they fit to be justices of Oyer and Terminer? No magistrates in the country are justices of Oyer and Terminer.

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There is therefore a great distinction between the two. These magistrates sit along with the judges.

2670. Do they exercise any of the functions of justices of Oyer and Terminer?—They can give their advice.

2671. Do they practically exercise the functions of justices of Oyer and Terminer?—I have seen them interrupt and ask questions, but very seldom; still they are there as justices of Oyer and Terminer.

2672. Have you ever observed them ask a question of a witness in court?—No.

2673. Did you ever see them take any part in the trial of a prisoner under the commission of Oyer and Terminer?—I cannot say that I did. I have heard them speak to persons in court as judges.

2674. Can it be practically said that they take any part in the trial of prisoners under the commission of Oyer and Terminer?—No further than assisting the judge.

2675. Do they practically give him any assistance?—Of course they allow the judge to take the whole of the management upon himself.

2676. Can it be said that they do render him any assistance?—Yes; by advice and counsel frequently.

2677. By oral suggestions do you mean?—As to various practical points which the judge may not understand.

2678. Do you think it desirable that the aldermen should sit in court to make private suggestions to the judges while they are trying prisoners?—I should not suppose that any person would make private suggestions against a prisoner.

2679. Then what part is it which they take; if they do not take any part in public and do not make private suggestions, what is it they do?—They never deliver judgments, but they sit there as judges. I have frequently seen in the Queen's Bench the judges deliberate together, but only one gives judgment.

2680. Does the judge deliberate with the aldermen in the same manner that the judges do in the Court of Queen's Bench?—Very frequently.

2681. Do you speak from personal observation?—Yes; I have been in those courts, and have observed it.

2682. Will you proceed to any other point to which you wish to call our attention?—I wish to say that I think it would be a very difficult matter to deprive this City of any part of their charter, which is considered one of the brightest gems belonging to the corporation. I am quite sure it will he fought quite as earnestly as the proposal with regard to the police, which happened in my year of office. In that case the Minister of the day, Lord Melbourne, brought in a bill to unite the City police to the metropolitan police; it was objected to by the corporation. They petitioned the House of Commons. They saw that the Minister was determined. They then addressed the Crown, and a gracious answer was given; but they understood its nature. The Minister was still determined, and they then acted on the French maxim, "Help thyself and Heaven will help thee." They immediately fixed their town clerk in New Palace Yard; they gave him a large body of assistants, and instructed him to communicate with every corporation in the United Kingdom. The consequence was, by the influence of those country corporations, the Minister found that his support fell like a rope of sand. He gave up his measure, and the police of the City has been in the hands of Mr. Commissioner Harvey since that time; and you have just heard how the gentleman who has just preceded me has spoken of the police.

2683. What was the nature of the communications made to the country corporations?—I do not know; I was not on the committee who superintended the business.

2684. You say that the town clerk was established at New Palace Yard?—Yes; as a solicitor would be to watch any important affairs.

2685. And he made communications to the country corporations?—He made communications everywhere to obtain strength.

2686. And in consequence of the feeling produced in the country corporations, the Government desisted from its intentions?—It did.

2687. What do you suppose was the nature of the representations made to the country corporations?—That an attempt was being made to take away from them a portion of their duty, that is, the preservation of the peace; just the same representation, I have no doubt, would be made with respect to the attempt to take away the justice business.

2688. How did the country corporations influence the Government?—It is not for me to say how; but the thing was done. We all know how these things are done in the country; what influence those corporations have upon members of Parliament.

2689. In dealing with the other corporations in England by the Municipal Reform Act, Parliament thought itself justified upon the ground of public policy in interfering a good deal with the judicial functions of the magistrates of those boroughs, did not it?—It did.

2690. Can you see any reason in point of principle, without entering into the question whether it would or would not be right to alter the situation of the aldermen in London in that respect, which ought to deter the Legislature, if they think it for the public advantage, from dealing in like manner with the corporation of London?—In point of principle I think the objection lies in the charter against it.

2691. Were not there charters in the case of some of the country corporations?—Very recent charters only; not beyond the reign of Charles. *T. Rogers, Esq.*

2692. Do you think that a charter of the reign of Edward ought to be respected when a charter of the reign of King Charles should be regarded as a more modern document?—Yes, I do; because the practice under the charter has been longer 29th Nov. 1853.

WILLIAM EDWARD HICKSON, Esq., having been sworn, was examined as follows. *W. E. Hickson, Esq.*

2693. Have you given much attention to the subject of the corporation of London?—The subject of the corporation of London and municipal institutior s generally, as connected with the City and the metropolis, is a subject to which I have given very great attention.

2694. I believe you are the author of various articles which appeared in the Westminster Review some time ago, and have since been reprinted as pamphlets?—Yes. I was formerly commercially connected with the City, and have been acquainted with City affairs from my youth upwards. I am not at present so connected, and have not been for many years; but I still retain a personal and pecuniary interest in the reduction of City local burdens, as an owner of property in the City. I am a ratepayer to some considerable extent in the parish of St. Dunstan, Fleet Street, and the local rates I am called on personally to discharge every year, somewhat painfully remind me of the necessity of a Commission of Inquiry, such as that before which I now appear, and of efforts being continually made for the improvement of City local administration.

2695. Were you ever an inhabitant of the City of London?—Yes. But it is perhaps fifteen years since I was an habitual resident. I still, however, retain chambers in the City; and when in town occasionally sleep there.

2696. You do not now carry on any trade in the City?—I do not. I have not done so for the last fifteen years. Since the subject of the Westminster Review has been mentioned, it may be as well to explain that I carried on the old series of the Westminster Review, as proprietor and principal conductor, for a period of eleven years. During that time I endeavoured to make that organ subservient principally to questions of administrative improvement, and among those questions of course matters relating to the corporation of London with which I was familiar, naturally engaged my attention; and I frequently wrote myself articles on that subject, several of which were reprinted and extensively circulated.

2697. Were you ever yourself a member of the common council?—I never have been a member of the Court of Common Council.

2698. Will you state generally the view you take of the defects of the present system?—I should state that the object I have always had in view, and the object of those who have acted with me in reference to this matter, has not been so much to make out a case against the corporation of London, as to show the necessity of a better system of local government generally for the City of London, than now exists, both for its internal affairs and in its relations to the whole metropolis. I wish also to state, that I have never been solicitous to prove charges of corruption against any member of the Court of Common Council or the Court of Aldermen. I do not think that the charge of personal corruption does apply, generally, to the members of either court. I think, on the whole, the members of both courts may be regarded as a fair average of the middle class of the United Kingdom of Great Britain and Ireland. There are among them as honourable men as I am myself, and as are to be found in any municipal constituency of this empire. The case is not that of corruption as against individual members of those courts, though of course there may be corruption in that body as there is, more or less, in other bodies similarly constituted; and we all know that corruption has been brought home in former times (we will say nothing of the present) to Government departments. The gist of the matter is this: we are eaten up in the City with establishment expenses. It is an instance of the principle of divided management and conflicting jurisdictions, carried out to the *reductio ad absurdum*. The question of City reform is not one chiefly affecting particular abuses, but a question of consolidation; consolidation of useless establishments and general simplification. It is like the case of a man who, having had a large fortune left him, calls in all his friends and neighbours to assist him in its management. Though his friends and neighbours might be perfectly honest men, somehow or other it would happen at the end of the year, from the interference of so many persons, little would be left for himself; and that, on the contrary, perhaps that he would be called upon to discharge a heavy bill of expenses. I have investigated the municipal institutions both of this country and the continent, and am of opinion that there is not a City in the world in which local burdens ought to be so small as in the City of London, nor one in which, instead of being light, they are so heavy, and overwhelmingly so, as they are in the City at this present moment.

2699. Do you mean by City burdens the rates paid by the citizens of London, or do you mean that taking into consideration the great amount of property which the City has, the expenditure is unreasonably large?—I mean both. I speak with reference to the direct taxation of local rates, and with reference to the indirect taxation; also to the immense trust estates available, or which ought to be rendered available for municipal objects.

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2700. Are you able to substantiate those statements?—I believe I am; and in proceeding to do so, perhaps I should begin by requesting the attention of the Commission to the mode of keeping the accounts of the corporation. Here is an account before me which the corporation publishes annually; it is called a statement of the proceeds and expenditure of the City estate. In this, as in everything else in the City of London, we find the same principle of a divided management; so that it is extremely difficult to get, and no person but those who have studied the subject for many years as I have done myself, can get, such a complete view of the whole as could be obtained in a few minutes from the accounts of any large municipality on the continent, or even in this country, from those of provincial corporations since the passing of the Municipal Reform Act. The account of the City estates relates principally to the rents collected from real property in their possession, the proceeds of the 4*d.* coal duty, and the markets; altogether amounting to 200,000*l.* a year. When the last Commission of Inquiry was sitting, a corresponding account was produced before it, and the officers of the corporation referring to that account stated that the income for which the corporation was then answerable in its corporate capacity, amounted only to about 150,000*l.* They made a distinction, to the fallacy of which the last Commission was not sufficiently alive, between what they call their corporate estate (that is, the estate for which they are responsible as a corporate body), and the funds which they administer under Acts of Parliament, which they call Acts of Parliament funds. Now, nothing relating to Acts of Parliament funds is to be found in this account of the City estate; and the officers of the corporation endeavoured to impress the minds of the last Commissioners with a conviction that their inquiry related only to matters connected with this account as that of funds which the corporation held in its corporate capacity. Unfortunately that impression was made upon the minds of the last Commissioners, those of 1837, who passed very lightly over the question about the management of funds administered under specific Acts of Parliament, and reported that the annual income of the City corporation was about 148,000*l.* This was at a time when it was perfectly known to those of us who had taken an active part in the matter out of doors, that the corporation of London ought to have been considered financially responsible, in both capacities, for something like 600,000*l.* per annum instead of this 148,000*l.* This was stated one day by Lord Brougham in the House of Lords, and in consequence of it there was a shout of incredulity raised the next day by the members of the corporation. Members of the House of Lords and of the House of Commons were personally waited on and assured that the noble Lord had been most grossly misled; that the City expenditure was nothing of the kind; and that they might see in the Commissioners' report of 1837, that the estate of the London corporation really amounted to this sum of 150,000*l.* a year. The result was, that the City reformers, like myself, have more or less been subjected to the imputation of having very greatly exaggerated the gross receipts of the corporation, and that the reform of the corporation has been postponed till now as a question which did not press. This impression that there has been a great exaggeration on our part both of corporation receipts and expenditure is, I have no doubt, the very honest belief at the present time of many honourable men both in the Court of Aldermen and the common council, whom personally I myself respect; and it arises from this mode of keeping the accounts of the corporation; that is, so divided and sub-divided that they become almost unintelligible. Here is the last statement of the City estate, showing a revenue amounting now to 200,000*l.* for the year 1852; but, turning to one of the pages in this very book, we find a list of balances, showing that all the funds that pass through the hands of the corporation or the members of the corporation are embraced in no less than sixty different accounts or more, kept by the City chamberlain; and as he presents no annual balance sheet showing the gross aggregate of his receipts, the members of the common council really know little or nothing about the matter. The most active and inquisitive members of the court have but an imperfect idea of what a business-like balance sheet would reveal. It is like the case of a fly on St. Paul's, setting itself to consider the magnitude of the stone upon which it has alighted. It sees the stone and can calculate its dimensions, but can form no adequate conception of the size of the whole building. This will give the Commissioners an idea of the reason why there is always a great discrepancy between the statements made out of doors and the statements put forward by officers of the corporation. The chamberlain never presents a balance sheet in which all the receipts that come into the hands of the officers of the corporation appear as they ought to do upon the one side and also all the expenditure upon the other.

2701. When you talk of all the receipts that come into the hands of the corporation, do you include such receipts as the 8*d.* for coal duty, of which the corporation are the mere recipients, but which they immediately hand over to other parties who are not accountable to the corporation?—I shall be happy to speak to that point; the more so as I perceive, from the nature of the question, the evidence hitherto submitted on the subject has not been exact. I must entirely demur to the statement that they are the mere recipients of the 8*d.* duty, and that all they have to do with it is to hand it over to the Commissioners of Woods and Forests; but before I come to it let me observe, that in taking up any one of those accounts, there is scarcely an item which is not calculated to mislead. For instance: one naturally looks for items of establishment expenses. Taking first the office of Lord Mayor, the sum that appears in this City estate account is 6,000*l.*, as paid out of the City cash to that officer; and persons accustomed only to take

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a superficial glance at accounts of this kind, would at once set down the salary of the Lord Mayor at 6,000*l.*; but it is well known, and a fact which will not be disputed by any member of the corporation, that in addition to this 6,000*l.*, the Lord Mayor receives about 2,000*l.* in fees at the Mansion House; his real salary being 8,000*l.* in round numbers. This 2,000*l.* does not at all appear in the account of the City estate.

2702. Does that sum of 2,000*l.* which is received in the shape of fees, appear in any City account?—It does not.

2703. Does not it appear in the City account which the corporation gave to the last Commissioners of the emoluments attached to the office of Lord Mayor?—It may do so; that is very possible. I have not lately referred to that part of the report.

2704. Does it occur in any of the annual financial statements of the City?—I am not acquainted with any in which it occurs.

2705. Would an item showing the fees which are received by the Lord Mayor properly appear in an account of the receipts and expenditure of the City?—Yes; in all well regulated municipal establishment, the fees of office appear in the accounts of the office; and latterly, in the case of several City officers, in whose salary some reduction has been attempted, the subject of their fees has been taken into consideration by the Court of Common Council. As a mere matter of account, I think they ought to appear, because they are really burdens upon the public, and the public has a right to know what it pays in all shapes, whether in fees or any other way.

2706. Though a burden upon the public, it may not be a receipt of the corporation?—I think the object of this inquiry and the general object of City reformers is to discover, not merely how much goes into the hands of the corporation in a corporate capacity, but what the public pays altogether, directly or indirectly, to the officers of the corporation. There are many items I might take up to illustrate the general complexity and obscurity of the corporation accounts to which I have referred. With regard to the City tradesmen, it is well known that the office of City tradesmen in some instances is worth upwards of 1,000*l.* a year, but the bills of the City tradesmen are never stated, so that the gross amounts of them can be ascertained. They appear in fractions such as 5*l.* in one place, 6*l.* in another, 14*l.* in a third, and so on. Tradesmen's bills are sent in to different committees, and the different committee classify the accounts in their own way, so that the members of one committee do not know the expenditure of another.

2707. Does divided management necessarily imply divided accounts?—It does not, of course, necessarily imply them, but in this case we have to do with a simple fact. In reference to this subject of fees, a return has been recently given of the salaries and fees received by the different officers of the London corporation. A report has been printed, dated 28th July 1853, of the nature of the emoluments and salaries of officers of the London corporation at the present time. This report, I see, has been quoted in the evidence before the Commissioners now sitting, and therefore I am desirous of referring to it to explain a misconception. It is an incomplete report, although there is not a word of intimation in it from the committee appointed in March last to inquire "Into officers' "salaries and emoluments" that the return is imperfect. This return amounts to 55,000*l.*, which persons unacquainted with the subject would naturally suppose to be the whole amount of the salaries and emoluments of the officers of the courts. Such a supposition, however, would be altogether a mistake. The incompleteness of the return may be seen at a glance. In the first place, we have the chief officer of the corporation omitted. Neither the Lord Mayor's salary nor the Lord Mayor's fees of office are stated in this return. We look for the officers of another important branch of the administration of the corporation, and we find that the commissioner of police of the City, who receives 1,000*l.* per annum, and his chief officers are also omitted. We search for those of another branch of the administration, and we find that the district surveyors and their fees, which are considerable, are omitted; officers connected with the metage charges are also omitted. In fact, salaries and emoluments of officers connected with the corporation of London to the amount of at least 50,000*l.* are not included in this return. And yet this report of the committee does not make any reference whatever to its incompleteness.

2708. Does that return profess to be a complete return?—It does not. The headings of the columns are: "Name of office, salary, and emoluments; sources of emoluments, "whether under Act of Parliament or otherwise." It is an instance of that suppressio veri which in its effect, unintentional perhaps, is tantamount to the suggestio falsi. The report is silent upon its omissions; and my attention was drawn to it by seeing that one of the witnesses had quoted it as if it were complete. This has induced me to bring forward a statement which I drew up some years back, after going through the figures with Mr. Williams, M.P., when member for Coventry; who had at a former period been a member of the court, and had taken great pains to ascertain what the salaries and emoluments of the officers of the corporation really were. I will re-produce that statement for the purpose of throwing a little light upon the subject, and also with reference to a very important branch of the question—namely, the compensation which the Commission will have to contemplate if any extensive reform should be carried out. This is a statement of the patronage of the London corporation:—

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A STATEMENT of the Cost to the Public, in the year 1833, of the Officers and Clerks of the London Corporation, in Salaries, Fees, and Office Allowances, from Returns signed by the Officers themselves, and presented by them to the Revenue Committee of the Court of Common Council in 1835 :—

	£	s.	d.
Legal Staff, (consisting of appointments held by solicitors, barristers, proctors, and attorneys' clerks)	38,067	19	6
State Officers, (the Lord Mayor, chamberlain, sheriffs, yeomen, trumpeters, &c.)	24,187	2	9
Officers of Customs and Market Dues	29,338	12	8
Officers of City Gaols	4,330	7	2
Officers of Public Works	5,403	12	5
Miscellaneous Officers, (including hall-keepers, beadles, Irish Society, Port of London, &c.)	9,653	5	3
	£110,980	19	10

Even this account was incomplete at the time it was rendered; but it was made from returns by the officers themselves, and signed by themselves. There is a general impression that since the report of the committee to which I allude, published in 1835, a great change has taken place for the better. One of the witnesses before the Commissioners, for whom I entertain a great respect, Mr. Dillon, who acted with me about that time in the promotion of City reform, stated in his evidence that he believed matters had much improved since then; and that they have so, is generally given out by the Court of Common Council. I have looked a little into the facts, to ascertain for myself how far the impression sought to be conveyed of an improvement is well founded, and the facts are these: there has been some reduction of office expenses, and there has been some increase of them. Some offices have been abolished, and new offices have been established. There has been in several instances a composition of salaries. Salaries have been given in lieu of fees. The fees in 1835 amounted to something like 70,000*l.* a year, received by officers of the corporation in sums not at all passing through the City accounts; that amount has now been somewhat reduced.

2709. Do you mean including metage dues and receipts of that sort?—Including the fees connected with the metage dues.

2710. Do you include the trade dues?—Not all the trade dues. I speak not of dues credited by the corporation in their accounts, but of fees of the same miscellaneous class as are received by the Lord Mayor at the present time, of which Sir Peter Laurie made a return in 1833. These fees have been in various instances reduced, but altogether the amount of salaries and fees, so far as I can satisfy myself on the subject, is now not less than it was in 1835, and I believe it to be in the gross considerably more. I will not take upon myself to say how much more, but if I were to state the sum received in salaries and emoluments by officers connected with the London corporation at 120,000*l.* per annum, it would not, I think, exceed the amount, but rather be within it. That is my bonâ fide impression. Of course, like all other human beings, I am liable to err.

2711. Are those fees received by different officers of the corporation in their individual capacity, or are they received by the corporation and put into the general funds?—In a few cases the fees go into the hands of the chamberlain, and appear in the City accounts, but that is not the general rule.

2712. Do you include, for instance, in the sum you have named, fees received on the admission of freemen?—No; the amount of them is now small; and regarding the subject of fees as a minor point, I have not prepared myself with all the figures that I might have done to show the details. If the Commissioners wish to obtain an accurate account of these receipts, the question of the compensation to be given City officers is one of the first matters upon which it will be necessary to decide. It is rather hard to call upon any man to make out a case against himself. If you ask an officer to give an account of his fees and emoluments, when he knows that your object is to consolidate useless establishments and save the public money at his expense, you must expect a natural reluctance to disclose the truth under such circumstances. In the former case, as soon as the returns of 1833 were added up, and the public got an idea of the grand total, there was a general expression of regret among the officers of the corporation that they had given accounts so fully as they had done. No member of the Court of Common Council has been able to obtain a corresponding return from that time to the present; nor will this Commission succeed any better, unless it first grapples with this difficulty of how officers of the corporation are to be indemnified when the existing system is abolished, or so greatly modified as to supersede them. It is a rule, I believe, with committees of the House of Commons, when they call upon a witness to give any statement which may criminate himself, to agree beforehand to a resolution that he shall be protected from any consequences which might otherwise follow. Of course this Commission cannot indemnify witnesses, but as far as its report is concerned, I think if it were understood that the Commissioners would recommend, as I would myself suggest the propriety of their doing, a liberal scale of compensation to all officers superseded, they would get at a greater amount of truth than is likely otherwise will be brought out. I know at the present time there are many honourable men officers

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of the corporation painfully situated, desiring to give the fullest evidence on this subject; but, feeling the necessity of having some regard to their own personal position and the interest of their wives and families, they will appear with great reluctance before this Commission. I would myself recommend the principle that was carried out on the abolition of the six-clerks' office in the Court of Chancery, that is to say, the principle of a very liberal compensation, believing that the public would be very largely gainers by it. I would recommend that a retiring pension to the amount of two-thirds of existing salaries and emoluments should be given generally to officers likely to be superseded under the provisions of any bill which may be passed in consequence of this inquiry.

2713. Do all officers deriving any personal emolument from fees which they themselves receive, give a complete account of those fees to the corporation?—They do not at the present time.

2714. Is it your statement that at the present the corporation do not know the amount annually received in the shape of fees by many of their own officers?—Undoubtedly that is my statement.

2715. Can you specify any of the officers so situated?—I would rather not do so, because it would be invidious to single out individuals, and too much in the nature of personal accusations. I wish to confine myself as much as possible to general principles.

In connexion with this subject of officers' salaries and fees, there is one other point to which I wish to call the attention of the Commission, and that is, the importance of endeavouring to obtain accurate returns not merely of the salary and emoluments of each individual officer, but the expense of each individual office, which is the more important question. For example, with reference to the office of chamberlain, if any member of the Court of Common Council be asked what is given to the chamberlain for his services, the answer is 2,500*l.*; but the fact with which the public have to do is, that the office of chamberlain costs 4,600*l.*—2,500*l.* are given to the chamberlain, but 2,100*l.* besides are given to the different chief clerks and under clerks in his office, who practically do the work.

2716. Is 2,500*l.* a year the entire sum received by the chamberlain himself?—His salary is now limited to that amount; he is entitled to make as much profit as he can by the interest of the money in his hands; but he is required by the last resolution of the court to hand over the surplus above the 2,500*l.* to the corporation. Including, however, his clerks, &c., the office costs at least 4,600*l.*

So with regard to the office of town clerk and his emoluments. If you look over the returns of July 1853, which I have just handed in, you will perceive that the town clerk's salary received out of the City estates is put down at 900*l.*, and his emoluments 982*l.*; but turn to the City estates account, and there you will find that over and above this sum of 1,882*l.*, his clerks and the office expenses are charged at the rate of 2,787*l.* 9*s.* 6*d.*, showing that the office of town clerk costs 4,679*l.* 9*s.* 6*d.* Now, that rule applies more or less to all the offices of the corporation of London. There is a salary, generally a large salary, given to the chief officer in the shape of cash. In most cases he is allowed besides certain emoluments in the shape of fees; and over and above that, there is as much given to the clerks in the office and as much spent for general expenses as, in any other municipal constituency in the kingdom, or I may say in the world, ought to be considered sufficient for all the expenses of the office.

Having made these general remarks with reference to the corporation of London, it may be useful to put in evidence the accounts of some other municipal bodies, having similar duties to discharge. The first statement that I have drawn up with this view, is an abstract of the accounts of the municipal borough of Leeds, for the year ending Sept. 1st, 1853. The borough contains a population of 172,270 persons; which is 50,000 more than the City of London. Inhabited houses, 12,805. The aggregate expenses of the municipal borough of Leeds are but 17,603*l.* 6*s.* 3*d.* It is arranged under these items: expenditure in reference to police, 8,737*l.* 19*s.* 3*d.*; expenditure in reference to justice, including the prosecutions of criminals, and committals at quarter sessions, and also at York county assizes, 729*l.*; the borough gaol account, 2,439*l.*; the county lunatic asylum, 1,261*l.* Salaries and allowances for the whole of this business, including the town clerk, 500*l.*; the recorder, 200*l.*; the coroner 269*l.*; sundry officers, and office expenses, 290*l.*—making 1,259*l.* (*The same was delivered in, and is as follows*):—

"An Abstract of the Accounts of the Municipal Borough of Leeds, for the year ending Sept. 1, 1853. Population 172,270. Inhabited houses 12,805:—

Expenditure.	£	s.	d.	
Police:				
Wages of day and night constables	7,185	0	2	
Clothing and accoutrements	958	17	0	
Pensions	100	2	0	
Salary of chief constable	250	0	0	
Disbursements of do.	145	6	1	
Miscellaneous expenses for rent, gas, printing, &c.	498	14	0	
	9,137	19	3	
Less fees for summonses, &c.	400	0	0	
				£8,737 19

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EXPENDITURE—*continued.*

	£ s. d.	£ s. d.
Justice:		
Prosecutions and committals at quarter sessions	3,138 2 0	
Ditto at York assizes	1,182 8 11	
	4,320 10 11	
Returned by Government	4,102 3 4	
	218 7 7	
Fees to clerk of peace	343 12 4	
„ Justices of do.	375 12 2	
Expenses of holding Courts	151 9 0	
	1,089 1 1	
Less penalties levied by justices	359 9 10	
		729 11 3
Borough gaol	6,348 19 5	
Returned by Government for convicts	2,753 11 10	
	3,595 7 7	
Proceeds of prison labours	1,155 12 1	
		2,439 15 6
County lunatic asylums, bridges, &c.		1,261 6 2
New corporate buildings and repairs		1,365 6 3
Municipal elections and miscellaneous expenses		519 2 6
Interest on loans		1,290 8 0
Salaries and allowances:		
Town Clerk	500 0 0	
Recorder	200 0 0	
Coroner	269 6 8	
Sundry officers and office expenses	290 10 8	
		1,259 17 4
Total expenditure		£17,603 6 3
Treasurer's balance		6,879 19 2
		£24,483 6 2

RECEIPTS.

	£ s. d.	£ s. d.
Cash in hand August 31st 1852	1,666 13 11	
Borough rates	8,083 9 11	
New gaol building rate	2,647 3 8	
Cash in hand for ditto August 31st 1852	2,536 8 7	
Watch rate	4,111 10 0	
Dividends on stock and loans	189 0 8	
Rents, &c.	227 17 8	
Inspection of weights	21 1 0	
Cash borrowed	5,000 0 0	
		£24,483 6 2

The above is exclusive of the cost of paving, cleansing, and lighting, and of the relief of the poor under separate management."

I should observe that this account is of course only to be applied by way of comparison to some branches only of the expenditure of the City of London. It does not include the paving, lighting, and cleansing; nor does it include the poor's rate, which is under separate management.

2717. Does the City account include the poor's rate?—It does not; but the account which I shall now present, the account of the parish of Marylebone, does include the poor's rate.

2718. Neither the Leeds account nor the City account includes the poor's rate?—No; but it appears in this of Marylebone, which is a very important account. The parish of Marylebone is a remarkable instance of comprehensiveness in municipal matters of administration. Its governing body is known only by the humble title of a parish vestry, and yet really enjoys, in reference to useful matters of expenditure, much more power than the corporation of London. It takes, for instance, which the corporation of London does not, the management of the churches. Included in the accounts of the parish of Marylebone are seven different churches and chapels. It receives the pew rents for those churches and chapels, and pays the ministers' stipends, lecturers' salaries, and visitation fees out of the general funds; and it includes all the more customary branches of municipal administration for the whole of a very extensive district. The population of Marylebone is 157,696; inhabited houses 15,826; area 1,490 acres, more than twice the area of the City of London; which is subdivided into 110 different parochial districts. 110

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different parochial districts in the City of London occupy only an area of 600 acres, while the one parish of St. Marylebone contains an area of 1,490 acres; an extraordinary anomaly in our metropolitan system of municipal government. The rental as assessed to the poor rate is 866,454*l.*; as assessed by the police commissioners and county magistrates it is 987,548*l.* The expenditure for this parish in respect to lighting is 11,711*l.*; the police commissioners 24,688*l.* There is a difference in respect to the police as compared with the City, of 20,000*l.* per annum. Although the area to be watched in Marylebone is more than twice the area to be protected in the City, the expense is less by one half or nearly so.

2719. The parish of Marylebone pays its quota of the general expense of the metropolitan police, does not it?—The parish of St. Marylebone pays the expense of the police, and hands the sum over to the police commissioners for the metropolis; it is charged upon the poor rate, as is also the county rate, a fact of some importance to attend to; because, otherwise, we should be misled by the figures as to the burden of the poor rate.

2720. The amount which Marylebone pays of the expense of the metropolitan police has nothing to do with the parochial management; it depends upon the rental of the parish, and the amount which the commissioners decide the parish should bear of the general expense of the metropolitan police?—They have no share in the management of the county rate nor in the management of the police.

2721. All that the vestry of Marylebone do in respect to the police is, to pay the sum which they are called on by the commissioners of police to pay?—Exactly so. I refer to it now as part of the general question of consolidation. It was proposed, when the Government first established the metropolitan police, to place the whole of London under it; and the metropolitan police commissioners estimated that the City might be watched for the sum of about 25,000*l.* per annum. The corporation by their influence resisted that proposition, and succeeded in getting the management exclusively in their own hands, and the result is, confining myself to the financial question, that the City police cost 40,000*l.* per annum, and the Marylebone police, watching twice the extent of district, 24,000*l.* per annum.

2722. You say that the police commissioners calculated that they could take care of the City for about 25,000*l.* a year?—Yes.

2723. Where does that appear?—It appears in some of the parliamentary blue books, but which I have not with me.

The account referred to by the witness is as follows:—

An Abstract of the Accounts of the Parish of St. Marylebone for the year ending 31st December 1852.

Population, 157,696. Inhabited houses, 15,826. Area, 1,490 acres. Rental, as assessed to the poor rate, 866,454*l.* As assessed by the police commissioners and county magistrates, 987,548*l.*

Receipts.

	£	s.	d.
Poor rate, including assessment for police and county	87,315	2	1
Repairing, cleansing, and lighting rate	30,835	2	4
New paving rate	1,538	7	0
Highway rate	5,065	12	2
Park rate	728	1	4
Watering rate	2,170	19	11
Church rate	3,558	1	11
Cavendish Square rate	68	16	7
Pavement compositions	300	12	11
Re-laying pavements after public companies	1,808	14	5
Hoard licences and sundries	181	1	3
Breeze sold	2,001	0	0
Rents	786	18	2
Adjoining parishes, for Oxford Street repairs	304	3	4
Pew rents of churches and chapels	5,283	5	3
Burial fees, &c.	734	14	8
Fines and forfeitures	44	10	9
Crown Estate rate	31	5	6
Borrowed at 4¼ per cent.	5,900	0	0
Treasurer's balance, 1851	1,181	11	1
Total receipts	£149,838	0	8

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EXPENDITURE.

	£	s.	d.	£	s.	d.
Gas companies, for lighting				11,711	5	7
Police Commissioners (rate 7d. in the pound)				24,688	14	0
County (rate 3d. in the pound)				11,456	7	10
Scavengers				5,478	8	4
Pavement and roads				14,309	8	8
Repairs to court house				164	2	7
Receipt stamps, stationery, and sundries				736	0	8
Collectors' commission				1,756	0	2
Fires: engines, rewards, &c.				247	2	10
Rates and taxes on parish property				378	10	10
Law charges				149	18	8
Registration				676	2	6
Watering				2,450	0	4
Officers of weights and measures, &c.				56	6	0
Cavendish Square trustees				68	0	0
Court house salaries:						
Vestry clerk	400	0	0			
Three clerks and assistants	299	9	0			
Surveyor	300	0	0			
Surveyor's assistant and foreman	250	0	0			
Porters and five beadles	493	8	0			
				1,742	17	0
Seven churches and chapels:						
Ministers' stipends, lectureships, and visitation fees	3,330	17	7			
Ordinary expenses	2,600	19	7			
				5,931	17	2
The poor:						
In and out door relief	53,409	5	10			
Secretary and clerks, chaplain, master and matron, and storekeeper	565	11	10			
				53,974	17	8
Commissioners of baths and wash-houses				1,700	0	0
Interest annuities, and bonds paid off				10,837	9	10
Total expenditure				£148,513	10	8

2724. Does it appear to you that a comparison between the expenditure of the corporation of the City and the parish of Marylebone can be fairly instituted on account of the great difference between the expenses which are defrayed in each case?—I do not attempt to institute a close comparison between them.

2725. The corporation of the City maintains its own prisons, does it not?—Yes.

2726. Is not that a very large expense?—It is.

2727. There is no corresponding expense in the parish of Marylebone, except as it contributes to the county rate?—No; therefore, as I said, I do not attempt to run a close parallel between the gross expenditure of Marylebone and the City.

2728. Then, again, there are expenses connected with the separate administration of justice in the City, which do not fall upon the parish of Marylebone?—There are many expenses which fall upon the City which do not fall upon the parish of Marylebone. As I said before, it is impossible whether you compare Liverpool with London, or Leeds with London, or the parish of Marylebone with the City of London, to institute a close comparison, perfect in all respects; the comparison can only properly affect particular items of expenditure; but I submit this account as suggestive of the economy and advantage which result from a general consolidation of establishments in the place of a system of divided management.

2729. Are there not also the expenses of the conservancy of the river, which fall upon the corporation of London, to which the parish of Marylebone has nothing similar?—Undoubtedly.

I will now proceed, with the permission of the Commissioners, to a general view of the revenues of the City of London and its local burdens. But in producing this account it will be necessary to explain its object. I regard the present inquiry into corporation abuses as something more than a question of abolition or of modification. It is a question to a very great extent of re-construction. We want to know what kind of municipal government should supersede the existing worn-out, antiquated, and effete institution; and what powers should be entrusted to the new municipality of the City of London in its relations to the metropolis as a larger municipality. That is the view I have taken of the aim of this Commission; and if examined upon each of the items of the account which I hold in my hand, I shall be better able, in giving my reasons for it, to explain the principles which I think should be embodied in a new municipal constitution for the City of London than by any other means. It is "An account and in part an approximate

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"estimate of the sums collected for public and charitable objects by different local bodies "within the City of London for the year 1852." All objects which, I think, should be embraced in the new municipal government to be provided for the City of London; not in all cases to the extent of exclusive management, but to the extent at least of a general supervision. In the first place, I have considered the items of indirect taxation levied through the officers of the corporation of London. That indirect taxation amounts to 333,702*l.* 8*s.* I begin with the coal duties. First, there is a 4*d.* duty on coal, which the corporation claim as their private property, 57,591*l.* 10*s.*; the 8*d.* duty on coal, 113,559*l.* 3*s.* 3*d.*; the 1*d.* duty on coal, 14,297*l.* 17*s.* 6*d.*,—amounting altogether to 185,448*l.* 10*s.* 9*d.*

2730. What is the term for which the City have that 4*d.* duty?—The tenure, according to the statement of officers of the City corporation and Acts of Parliament which they quote, is for ever. The chamberlain says: "The 4*d.* duty was given to the corporation "for ever by the 5th and 6th of William and Mary." The market duties are 20,598*l.* The street tolls as farmed amount to 5,810*l.* I think we may add to that at least one-fourth for contractor's profit. We ought, perhaps, to add more than one-fourth; perhaps one-half. The corn dues levied by the City of London amount, according to my estimate, to 53,639*l.*, of which 10,600*l.* goes into the account of the City estate. The rest is an estimate from figures which have been already laid before this Commission, and which I have gone through years ago. Then there is the charge for fruit and potatoes, oyster metages, wine dues, and sundry other matters, which amount to 15,856*l.* If these figures were put down at 30,000*l.* I should not be surprised were the latter sums to prove nearer the mark. Then sundry corporation charges, such as weights and measures, brokers' rents, freedom fines, sheriffs' fines, and fees on ditto, amounting altogether to 5,899*l.* Fees to officers of the corporation, exclusive of metage charges. This is another estimate—30,000*l.* It was 70,000*l.* in 1835, but that included the meters. Freedom and livery fines to the trading companies necessary to the right of voting in common hall, strictly municipal taxes, since we cannot exercise municipal privileges without paying them, 5,000*l.*, a low estimate; very much less than used to be exacted in that form. The loss to the public by the exclusive privileges of town carmen, Thames watermen, and others, I put down at an estimate of 10,000*l.*, the whole amount of indirect taxation being 333,702*l.* 8*s.* Then we come to the next branch of the subject; that of local rates levied in the City over and above what is raised in the shape of indirect taxation, or by what may be called octroi dues. We have first, the sewers rate, amounting to 19,526*l.*; paving, lighting, and cleansing rates, 60,263*l.*; police rate, as I mentioned before, 44,298*l.*; but as the City pay out of that one-fourth from items included in other parts of the account, I have carried it out here as only 33,223*l.* Then there is the trophy tax for the militia and other purposes, some of them of a very antiquated character. I cannot tell exactly the annual charge, but I put it down at an estimate of 2,000*l.* The last rate levied in the name of trophy tax, which includes the expenses of the present militia, was twopence in the pound,—a tax which I paid myself a few weeks back, and which ought to produce 8,000*l.* Not to exaggerate the expense of this item, in the absence of any exact data, I put it down on a charge of 2,000*l.* per annum. Those are taxes collected by officers of the corporati at directly. The gross receipts of the poor's rate as divided and expended by the three City unions and the 110 parishes which take a separate share in the management of the poor's rate, amount to 88,475*l.*, being 35,000*l.* more than is expended for the relief of the poor in the parish of St. Marylebone. The ward rate, which is collected for twenty-six different wards of the City, and is in some measure a corporation tax, I estimate at 4,000*l.* Then there are church rates, tithes, and Easter offerings. It is impossible to get at anything like accurate figures for this item, for churchwardens and clergy have generally been more backward in making returns than even the members of the corporation; but I estimate this item at 70,000*l.* It forms an extremely heavy burthen upon some parishes of the City, whilst others are totally exempt from it. In the parish of St. Dunstan last year I paid no less than 1*s.* 10*d.* in the pound for church rates; that is to say, 11*l.* upon a rental of 120*l.*

2731. To whom are the tithes paid?—In some places they are paid to the parishes as rectors in their own right; in others they are paid direct to the clergy.

2732. Then they are not corporation receipts?—I am not giving corporation receipts alone, but an account of the whole municipal receipts of the City, over which a new municipal body, properly constituted, ought to exercise a general surveillance, with a view to the reduction of existing burthens. The total of the City local rates is 277,488*l.*

The next branch of our municipal administration relates to trust estates for public and charitable objects. We have first of all the real estate of the London corporation, including fines for the renewal of leases, which produced last year 99,112*l.* Then there is the Bridge House estate, which is also under the control of the corporation, 47,021*l.* Then there are the different charities, as reported on by the Charity Commissioners in 1836. The parochial charities amount to 38,703*l.* The charities administered by the different chartered companies, 85,685*l.* The five royal hospitals, 128,763*l.*; and sundry charity estates, 3,298*l.* These figures are taken from the report of the Charity Commissioners, dated 1837; and, as I think the increased value of this property since that time may be estimated at 10 per cent., I put down 25,000*l.* for such improved value upon the

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last four items. These trust estates for public and charitable objects,—objects usually confided, in well organized local administrations, to the municipality of the district,—amount to 427,585*l.*

Then there is another item relating to the port of London. The corporation levy river tolls, for which there appears in the last return of the City estate the sum of 8,377*l.* Their tonnage dues I estimate at 15,000*l.* There are other charges connected with the Trinity House and the Board of Admiralty, such as pilot licences, ballastage, light-house dues, and other charges connected with the river, amounting to about 45,000*l.*; total 68,377*l.*

The whole of the City revenues amount to 1,107,154*l.* With permission of the Commissioners, I will place these various items before them in a tabular form.

The paper was delivered in, and is as follows:—

CITY REVENUES.

AN ACCOUNT and in part an approximate estimate of the SUMS COLLECTED for public and charitable objects, by different local bodies within the City of London for the year 1852.

	£	s.	d.	£	s.	d.
Indirect taxation:						
4*d.* duty on coals (net)	57,591	10	0			
8*d.* „	113,559	3	3			
1*d.* „	14,297	17	6			
				185,448	10	9
Market dues				20,598	0	11
Street tolls as farmed	5,810	0	0			
Contractors' profit, say one-fourth	1,45	0	0			
				7,260	0	0
Corn dues:						
Groundage and water bailliage	1,131	11	3			
Metage duty	9,596	7	8			
The above are at the rate of 1*d.* per quarter; add 4*d.* more for porterage, holdage, lastage, &c. the gross charge for which is	42,911	15	8			
				53,639	14	7
Fruit, potato, oyster metage, and sundry dues:						
Estimate for various returns	15,000	0	0			
Profits of one fruit meter's place (see City estate account)	856	7	5			
				15,856	7	5
Sundry corporation charges:						
Weights and measures	76	8	0			
Brokers' rents	3,756	0	0			
Freedom fines	840	13	4			
Sheriffs' do.	1,200	0	0			
Fees on do.	26	13	0			
				5,899	14	4
Fees to officers of the corporation exclusive of metage charges (estimate)	30,000	0	0			
Freedom and livery fines to the trading companies, necessary to the right of voting in common hall (estimate)	5,000	0	0			
				35,000	0	0
Loss to the public by the exclusive privilege of town carmen, Thames watermen, and others				10,000	0	0
Local rates:						
Sewers rate				19,526	2	6
Paving lighting, and cleansing				60,263	8	6
Police rates	44,298	2	0			
One-fourth from City estate	11,074	10	6			
				33,223	11	6
Trophy tax for militia, &c. (the last rate of 2*d.* should produce 8,000*l.*), say				2,000	0	0
Poor rate (gross receipts):						
City union	51,647	8	0			
East London union	20,963	19	0			
West London do.	15,864	0	0			
				88,475	7	0
Ward rate (1*d.*) estimate				4,000	0	0
Church rates, tithes, and Easter offerings (St. Dunstan's church rates for 1852, 1*s.* 10*d.* in the pound) estimate for 110 parishes, containing eighty churches				70,000	0	0

	£	s.	d.
Trust estates for public and charitable objects:			
Real estate of the London corporation, including fines for leases	99,112	4	7
Bridge House estate*	47,021	18	4
Parochial charities*	38,703	8	6
Charities administered by chartered companies*	85,685	18	5
Five royal hospitals*	128,763	15	5
Sundry charity estates*	3,298	9	7
Estimate for increased value since 1836 of the property represented by the last four items, 10 per cent.	25,000	0	0
Port of London:			
River tolls collected by the corporation	8,377	17	2
Tonnage dues (estimate)-	15,000	0	0
Pilot licences, ballastage charges, light house dues, &c. collected by the Trinity House corporation, estimate for the river	45,000	0	0
	£1,107,154	9	0

* As reported by the Charity Commissioners in 1836.

Population of the City, 129,128; area, 600 acres; inhabited houses, 14,693; rental to the police rate, 1,020,000*l.*; number of parishes within the walls, 97; without the walls, 13; ex-parochial inns of court, 13; wards, 25; but including Bridge Without, 26.

2733. One of the items you mentioned was tithes. How can you speak of tithes which are paid to the clergyman of a parish within the City as City revenues?—I think in such an account as I have rendered we should include all charges relating to the church for the reason which I have stated, as necessary to a complete view of our local burdens, and because in the neighbouring district of St. Marylebone all such charges are made through the vestry. In other countries charges for church building and repairs commonly appear in the municipal accounts.

2734. Do you mean to say that it is a common practice in municipal boroughs that the parochial charities, should be a part of the municipal accounts, that the poor rate should form a part of the municipal accounts, or that Easter offerings should be a part of the municipal accounts?—I must take the first part of the question first. In reference to parochial charities, I do not know how far the term common practice may be justified; but it undoubtedly is a practice in some municipal administrations for parochial charities to be included in one common system of management, and I think a proper one.

2735. When a charity belongs to a parish and not to a borough, you think it is included in the borough account?—I shall be prepared by and by to show what is the custom and what is the principle we should now adopt in reference to such a case. We are discussing questions of municipal requirements very closely analogous to those of the municipality of Paris and other large metropolitan cities.

2736. In the case of Bristol, for instance, where there are large private charities, do you apprehend that they are administered by the corporation and not under the separate trusts to which they belong?—Permit me to observe that our municipal organization throughout the United Kingdom is full of anomalies; and to say what is done generally in the 185 cities and boroughs placed under the Municipal Reform Act, would be to commit oneself to a statement certain to be inaccurate. The rule in one municipality is not the rule in another. The defect of the Municipal Reform Act was, that it did not sufficiently define what the functions of the new corporation created under that measure were to be. The question, in fact, of the proper province of municipal administration had at the time been very little considered; and in consequence, since the passing of that Act, there has been no end to the local Acts obtained, and continuing to be obtained, by different municipal bodies, extending their power first to one branch of municipal administration not provided for, and then to another. In the present case I hope to see the bearings of the whole question considered, so that in framing a new constitution for the City of London, you will confer at once all the powers which such a governing body should possess without having hereafter to extend them; and among them, powers for controlling our present wasteful church expenditure. I should be far from proposing that this Commission should report in favour of a bill to take at once the management of the eighty City churches from the existing bodies and hand it over to a new corporation; but I should say that a new municipal board ought to be entrusted with power to take the proper steps for a consolidation of these numerous ecclesiastical divisions, by conferring with the bishop of the diocese and the clergy generally, and with their co-operation to come to Parliament with a bill for effecting the object; the first duty of such a new board being to assist their fellow-citizens in reducing the very heavy burthen now pressing upon them.

2737. In the case of the parish of Marylebone, to which you have referred, there was a special Act of Parliament, by which the rights of the Duke of Portland were purchased, and the vestry was enabled to deal in that manner with the churches within that parish?—I believe that was the case.

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2738. Your object in drawing up the statement you have put in was to collect all the local expenses of a public nature within the precincts of the City of London, whether they can properly be said to be the expenditure of the corporation or of other bodies?—Exactly so.

2739. With a view to illustrate some proposition of your own with respect to municipal government?—With a view to the general consideration of the whole question, and principally to that part of it which relates to the powers which should be given to a new municipal board.

2740. You made a statement as to a total of 600,000*l.* a year; how have you arrived at that statement?—First, by taking what is called the corporate estate, which, with the Bridge House estate, &c., amounts to 200,000*l.*; then the gross receipts of the coal duties, about 200,000*l.*; and then the rates collected, directly collected by the corporation, such as police rate, consolidated rate, and other rates which I have enumerated, with the 70,000*l.* returned by the revenue committee of the Court of Common Council in 1833, as received indirectly by the officers of the corporation.

2741. Do you know whether there is a separate item for fines and estreats and amerciaments in the City accounts?—They do not appear, to the best of my recollection, in any of the published accounts.

With respect to the first item in this account, of the coal duties, my attention has been called to some misapprehension on that subject on the part of previous witnesses. It has been stated that the 4*d.* duty was chargeable with the burthen of the City improvements. The 4*d.* duty is what the corporation call their property. The words "The property of "the corporation" occur in the last Parliamentary return of the City chamberlain in reference to this duty. The amount appears under the head of "Offices" in the account of the City estate as applicable to general purposes, but the corporation have made it chargeable with 20,000*l.* in aid of City improvements. That has been done not under an Act of Parliament, but by a bye-law of the corporation.

2742. Do you mean that they have borrowed money for City improvements and mortgaged their coal duties to that amount?— So I understand the minutes on this head of their proceedings.

2743. Do you know for what length of time they are mortgaged?—I do not.

It was stated, with reference to the 8*d.* duty, that it was simply handed over to the Woods and Forests in consideration of the cost of making New Oxford Street, New Victoria Street, and the expenses generally of some improvements at the west end. That is the general impression of the members of the corporation at this present moment, as made by their officers; but it is a very inaccurate one. Up to the present year, 1853, the 8*d.* duty was mortgaged for improvements executed within the City, and under the direction of officers of the corporation. That there may be no mistake upon that subject, I have brought the Commissioners the exact figures. Here is a statement of the loans secured upon the eightpence coal duty from 1831 to 1853. The first was the remaining part of the 96,000*l.* borrowed before, for the Debtors' Prison, 1,000*l.*; ditto of the 5,000*l.*, for the improvement of Moorfields, 1,500*l.*; the remaining part of the 80,000*l.*, for the site of the New Post Office, 61,000*l.*; London Bridge approaches, 1,000,000*l.*; removal of Fleet Market, 250,000*l.*; removing the site of the Royal Exchange, 150,000*l.*; ditto, 40,000*l.*; New Farringdon Street, 25,000*l.*—showing a total of 1,535,600*l.*, raised for improvements in the City of London exclusively, and administered by officers of the corporation of London, unless the case of the Post Office site was an exception, of which I am not certain. The whole of these loans are not, to the best of my belief, fully paid off at the present moment. They were not at least a short time ago. Up to the present time the corporation of London, or their officers, have been clearly financially responsible for the whole proceeds, or nearly the whole of the eightpence coal duty since 1831, namely 1,535,600*l.*

2744. You mean up to that time the proceeds of the 8*d.* duty would have been absorbed in City improvements?—Yes.

2745. Do you mean to say that the whole proceeds would have been absorbed if the capital of that debt had been at once paid off, or that the whole was absorbed by the annual payment of interest?—The interest and the repayment of loans have absorbed very nearly the whole of the revenue received within that time.

2746. Taking the revenue for the year 1852 from the 8*d.* coal duty, how much of it do you suppose was absorbed by payments for City improvements exclusively?—That is a question which I am not prepared to answer.

2747. That is *the* question, is not it?—I imagine it is not at all the question. I put down this item in my account of City revenues, because the corporation have hitherto administered the largest part of the proceeds of the 8*d.* duty, and because they are still receivers of the money. As such there ought to be a clear and accurate statement in the hands of every citizen of London, of how that money is collected, who are the parties who collect it, what charges are made for its collection, and what securities are taken that the whole of the 8*d.* duty shall first be raised, and then applied to the objects for which it has been destined by the Legislature. This is an important question, because we know that the coal duties are collected in different establishments. The corporation is obliged to employ officers connected with the railway companies. I desire to know, and as a coal consumer and a City ratepayer, I have a right to ask the question of the corporation of London,—what securities do you take against a possible understanding between

some of the large coal owners and the inferior class of your officers, so that the all amount of duty which ought to be levied shall come into the public coffers?

2748. Do you know how much the 8*d.* duty on coal now annually produces?—113,000*l.* net.

2749. Do you know how much of that the City paid last year or in any recent year to the Commissioners of Woods and Works?—I do not.

2750. Is not that the whole question which you raise, namely, how much of that sum is paid over to the Government?—An increasing sum is paid over to the Government; but that is very far from being the whole question.

2751. Is that part of the proceeds of the 8*d.* duty which is spent upon City improvements so spent at the absolute direction of the City, or has the office of Woods and Works any control over that part of the money?—In some cases they have had the right of examining the plans.

2752. They have not the same control over the improvements within the City which they have over improvements in New Oxford Street and other places?—Undoubtedly not. I am quite ready to go into that question, and show that the corporation of London are not only responsible for having spent out of the 8*d.* duty within the last twenty years, 1,500,000*l.*, but also that they are answerable for having retarded to a very great extent, by the sectional and antagonistic spirit of their institutions, the progress of metropolitan improvements generally, especially at the west end of London.

2753. The portion of that 8*d.* duty which was given to the City, was strictly defined by the Act of Parliament?—No doubt the whole of the 8*d.* duty has been raised by Act of Parliament. As I said before, a sum of 1,500,000*l.* has been expended *in the City* out of the 8*d.* duty since 1831. The sum further secured for general metropolitan improvements on the prospective receipts of the eightpenny coal duty is 753,000*l.* The particulars I will read:—

A STATEMENT of further LOANS, secured upon the prospective receipts of the Eightpence Coal Duty.

	£
For New Belton Street, Long Acre, New Oxford Street, and the new Street from the London Docks to Spitalfields	200,000
Ditto	100,000
For Coventry Street to Long Acre, East Smithfield to Rosemary Lane, and in aid of Improvements in Southwark and Westminster	189,000
For ditto, and General Improvements	116,000
New Street, in Southwark	30,000
Victoria Street, Westminster	30,000
New Farringdon Street to Coppice Row	88,000
Making a total of	£753,000

2754. Are not those charges principally for districts lying without the City?—Nearly the whole of them. The prospective 8*d.* duty is mortgaged for those improvements.

2755. In what respect was the statement which you undertook to correct, inconsistent with the fact?—That the whole of the 8*d.* duty is handed over to the Office of Woods and Works is an error.

2756. You think at the present time a portion of that duty is retained by the City?—Some portion of it is still liable for old mortgages.

2757. But you are not prepared to state what portion?—No, I am not. I should be inclined to think that for last year 1852 a large portion. But the statements as made to this Commission seemed rather to evade the more important fact, that up to the present time so large a portion of the 8*d.* duty as amounts to 1,500,000*l.*, has been administered by the corporation.

With reference to the 1*d.* coal duty, a statement was made that it was given to the City in consideration of the expenses of collection. That is not exact. All the coal duties are subject to separate charges to the officers of the corporation for collection, and to draw-backs upon exportation. The gross receipts of the 8*d.* duty are not applied to improvements. A portion of them is subject to charges of the corporation. So also in the case of the 1*d.* duty—a portion of it is stopped for expenses; a circumstance which ought to bring both these items into the accounts of the corporation of London, even if it were proved that the whole of the balances were handed over to other bodies.

2758. Those payments are not received net, but each of them is separately charged with the expenses of the collection?—Yes; the 1*d.* duty is the fund out of which the Coal Exchange has been built. That also has been exclusively administered by the corporation of London up to the year 1845.

2759. When was the 1*d.* duty granted, and for what period?—I am not aware. The 1*d.* duty since 1845 has been paid to the Office of Woods and Works for general improvements.

2760. Are not the expenses of the Coal Exchange paid out of the 1*d.* duty?—I thought they had been, but the return of the late chamberlain says that "The 1*d.* duty since "1845 is paid to the Office of Woods and Works for general improvements."

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The subject of these coal duties leads us to another very important question: how far the collection and administration of funds so much in the nature of national resources as these funds, should under any circumstances be entrusted to a strictly local body. My idea of municipal government is this, that every municipality should be at liberty to tax itself to any extent it thought proper, and enjoy the most absolute control over its own funds; that is to say, over the funds which the ratepayers belonging to the municipality are willing to contribute out of their own pockets; and that if they like to waste their own money they should be at liberty to do so. But it is a very different thing to allow a municipal local body to waste funds belonging to the public generally. The City of London, I think, might have the direction of City improvements to the extent of the funds which the City could raise within itself legitimately by direct taxation; but funds raised from the inhabitants of the whole metropolis ought clearly to be under the administration of a metropolitan board. The limitation of municipal expenditure to the resources of a municipality is the proper check, and it is generally an efficient one to local abuse. Of the mischief that may arise from entrusting public money to a local board there have been many striking examples connected with the administration of the coal duties. In this respect the history of the 8*d.* duty up to the present time would be a very instructive one. It is unquestionable that the funds raised by it for the approaches to London Bridge have not been economically applied; nor the funds raised for building the bridge itself. When it was determined to build a new bridge, the different architects of the metropolis were invited to compete for the design. The first-class premium for the best design was awarded to Mr. Charles Fowler, the architect of Hungerford Market, but that gentleman was not allowed to carry out his design. He was set aside through the local influence of the bridge contractors, which was exerted in favour of another architect. The appointment was determined by considerations quite apart from those of personal merit or a sense of equal justice. The erection of London Bridge was contracted for by Messrs. Joliffe and Banks at the sum of 426,000*l.* The Act for building it is the 4th of George IV., c. 50., and it received the royal assent on the 7th of July 1823. By a report to the Court of Common Council it appears that the corporation had spent up to the 3d of December 1831 upon the bridge and its approaches, 1,426,145*l.*, one million sterling more than the original contract.

2761. To what extent do you consider the corporation of the City to represent the entire metropolis?—The City of London over which their jurisdiction extends is, I believe, only about the one twenty-fourth part of the uncovered area of the metropolis, and about the one twelfth part of the covered area of London,—the area built over.

2762. Are there not certain purposes for which the corporation of the City appear to represent the metropolis; as, for instance, when they have the conservancy of the river, and when communications are made to them on public occasions and the Lord Mayor exercises hospitality, and so on; in those cases does not the City appear to be the municipal representative of the entire metropolis of London?—It appears to be so on such occasions, and of course the City, as we know, assumes more or less to represent the metropolis. That is, however, one of the prerogatives of the corporation to which it has no proper claim, and which should be taken away from the local government of the City and given to a metropolitan municipality.

With reference to the conservancy of the river and metropolitan improvements, I think it of great importance that the power of interfering with any measures that affect the interests of the whole metropolis should be taken from the corporation and otherwise lodged. It would have been well if this had been done as far back as the reign of Charle II., the date of some of their charters; and I think it desirable that I should put in, that it may be included in the report of your proceedings, and therefore be more accessible to the public than it has hitherto been, this plan *(producing the same)* of Sir Christopher Wren's for the improvement of the City after the great fire of London. It was owing to the obstructive spirit of the corporation of that day that the City of London, instead of becoming, as Sir Christopher Wren would have made it, the first city in the world in point of construction, is now a wilderness of entangled lanes and alleys, requiring the expenditure of million after million to render its thoroughfares practicable. This plan shows St. Paul's in the centre of a number of broad streets radiating from it to different points of a general circumference. It shows an embankment which was to have been left open for the use of the public, forty feet wide, along the north bank of the Thames from London Bridge. The obstructive spirit of the London corporation and that of the chartered companies prevented Sir Christopher Wren from carrying out his scheme. But one portion of it he secured, as he thought—the forty feet way or embankment along the north shore of the Thames. That, however, notwithstanding the security of the Act of Parliament to which Mr. Pulling has referred, the corporation of London have allowed to be gradually encroached upon and built over, so that I think there is now no river in the world, certainly no river connected with any metropolitan city abroad, with which I am acquainted, that presents so disgraceful an appearance as the banks of the Thames, looking at them up the river from London Bridge. And this process of encroachment,—notwithstanding all that has been said about the necessity of a Thames embankment, notwithstanding reports of the committees of the House of Commons in favour of an embankment on both sides of the river,—is still going on. We may see an instance of it in a building erected so recently as the year 1850 on the south bank of the Thames, which is

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allowed to project twelve feet into the river beyond the stairs of London Bridge, destroying the ornamental character of the bridge, and at the same time most seriously interferes with any plans which Government may hereafter seek to carry out for embanking the river on that side, so as to throw it open as a public thoroughfare.

2763. What is the building you refer to?—It is a large block, and let to different parties; partly as chambers, and partly as wharf warehouses. It stands in front of an hotel, and obstructs its view of the river. The banks of most public rivers on the continent are generally the most ornamental parts of a city. There is usually no more delightful promenade to be found, than the inhabitants of those of the capitals of Europe enjoy in their broad public quays. With reference to New Oxford Street and several of the improvements now at length going forward, I have had personal reason to know how seriously the obstructive spirit, or rather the sectional spirit of the corporation of London, from its antagonistic position to the public interest, has affected their progress. To those who have been in earnest about such improvements, the delay which has taken place in their execution has been extremely discouraging; and since the time when my attention was first drawn to Mr. Martin's plan for the embankment of the river, I have often been led to inquire into the nature of the obstacles by which the delay has been occasioned. I have found that they have arisen chiefly out of a contest about the proceeds of this very 8*d.* coal duty. The committee of the House of Commons which sat upon metropolitan improvements from 1838 to 1840, reported in favour of a number of improvements which it was thought could be effected by a surplus anticipated, of the 8*d.* duty, over and above the amount granted for the London Bridge approaches, &c. This fund, of course, was strictly and legitimately available for the object; but the corporation of London having for many years been accustomed to administer the whole proceeds of this 8*d.* duty, were extremely disinclined to relax their grasp of this impost. The Woods and Forests brought forward their plans for improvements at the west end, especially as connected with New Oxford Street; and the City of London brought forward a plan for improving the approaches to the Royal Exchange. The two parties therefore, were in mutual opposition. The corporation of London wanted to get the whole of the anticipated coal duties, which could be raised up to 1852, into their own hands, and the Woods and Forests very properly said, "It is now time that the metropolis at large should have its share; you gentlemen "have had the exclusive control of this fund long enough." This was a reasonable proposition, but the corporation were not willing to assent to it. I do not say that they passed any formal resolution to the effect that they were not willing to assent to it, but practically the fact was, that their surveyors, Mr. Richard Lambert Jones and Mr. Higgins, were continually before different committees of the House of Commons, giving evidence against the plans of the Woods and Forests, and attempting to show that many of their proposed improvements, or several of them, were really not required, and that others could be executed with certain modifications for a much smaller sum than was proposed by the Woods and Forests to be expended; the object, of course, being to secure a larger residue of the 8*d.* coal duty for the administration of the London corporation. If you turn to the report of 1838, question 137, you will find Mr. Richard Lambert Jones giving evidence against the necessity of pulling down Middle Row, Holborn, that being one of the metropolitan improvements proposed at that time to be effected by the Woods and Forests. Again, in question 1,201, you will find him giving evidence against Mr. Pennethorne's plan of a new street from Leicester Square to Long Acre; and proposing, instead, a curved or crooked line to Great Newport Street in its place; with a view to economy. In question 1,227 he is giving evidence against the line proposed by Mr. Pennethorne from Bow Street to Holborn.

The result of this, and of the influence brought to bear by the corporation upon members of the committee of the House of Commons was, that the suggestions of the officers of the corporation were to a very considerable extent adopted. They cut down the sum destined for the metropolitan improvements, proposed by the Woods and Forests, from 638,000*l.* to 390,000*l.*, and most seriously marred them, so that it is now a matter of infinite regret to every person who passes through some of the new neighbourhoods at the west end, to observe how far short the improvements realized fall of those originally contemplated. For example, it was originally proposed that there should be a new line of street from Waterloo Bridge to Upper Gower Street and the Regent's Park, of the same character as the magnificent improvement projected and carried out by George IV. and Mr. Nash in Regent Street; and that was the kind of thoroughfare the metropolis ought to have had in connexion with Waterloo Bridge. As now carried out, it is one of the most unsatisfactory improvements we have seen effected.

2764. Do you believe that the completion of that communication as originally designed was frustrated by the influence of the City?—I will not go so far back as to speak of any part taken by the City at the time of the original design. I will, with your permission, confine myself specifically to a portion of it with which I know the City did interfere, and the evidence of which is in the blue books. Mr. Pennethorne proposed that Bow Street should be continued into High Holborn by a perfectly straight line, through Mr. Houlditch's, the coachmaker. From economical considerations, suggested by the officers of the corporation, that line was given up, and it is now a crooked line made by turning round a sharp angle to the left, and widening Belton Street. The new street is both indirect and has a piebald appearance; there are new houses on the one side and old

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houses on the other; and the value of the frontage has been so much affected by it, that half the ground is not built upon in consequence to this day.

2765. Do you remember what would have been the consequence if the 600,000*l.* had been spent upon those general improvements of the metropolis instead of not much more than half that sum; would the coal duties of 8*d.* have been continued for a longer period, or would it have had the effect of only leaving less money to be spent within the City?—I cannot now state exactly the precise sums of which the application was disputed. A number of Acts have been passed in reference to the coal duties since that time. The first question raised, was about the application of a surplus of 200,000*l.* Subsequently it was determined to extend the 8*d.* coal duty to 1862.

2766. Do you think upon the whole the money which has been laid out in the City improvements of late years has been ill applied?—I think it has been ill applied in this sense, that none of those improvements have been sufficiently considered in reference to the wants of the metropolis as a whole. For instance, I would refer to the widening and continuation of New Cannon Street. Looking at it simply as a local improvement, it may be considered a satisfactory one; but in reference to metropolitan objects, it is anything but the kind of arterial communication which ought to have been carried out. It has this great defect—it brings the whole of the traffic of the eastern part of the metropolis into St. Paul's Churchyard, and down the steep and narrow declivity of Ludgate Hill into Fleet Street; when what was wanted was a new main street avoiding St. Paul's and Ludgate Hill, and leading from London Bridge direct to Charing Cross. The committee of the House of Commons had, before this improvement was set on foot, recommended that there should be an embankment on the north bank of the Thames from Charing Cross to London Bridge. It would then have been the easiest thing in the world to have made this new artery of the City run, not into St. Paul's Churchyard, but on to a new embankment on the north side of the river at Blackfriars Bridge, and then carried the whole of the traffic destined for the west end at once to Charing Cross, by the shortest route.

2767. What would you have done with the Temple Gardens?—That is another question of the obstructiveness which I can enter into if the Commissioners wish. That, and other obstacles to constructive improvements have only hitherto been formidable from the metropolis having been left without any adequate municipal representation. We have the House of Commons, it is true, sitting in the metropolis, and to some extent it no doubt takes an interest in metropolitan affairs; but it is very far from being equal to the duties of a metropolitan municipality. In the House of Commons there are persons who come from Inverness in Scotland, and from Drogheda in Ireland; from the extreme north and the extreme south; who have no interest in metropolitan questions; and yet it is by them more or less that the metropolitan public is now governed. For instance, railway companies are largely interfering with metropolitan improvements. There has been one project carried this last year which will seriously affect the question of the arterial drainage of the northern metropolitan districts: the project for a great tunnel from the Great Western Railway to King's Cross, running down the New Road. The excavations will be twenty feet deep, and will intercept the existing lines of sewers. Yet the Act for this tunnel railway has passed without the inhabitants of the metropolis knowing anything about the matter, or that portion of the public most likely to be seriously affected by it having any voice on the subject. When projects of this kind are brought forward, what happens is this: the House of Commons is found to be profoundly indifferent. But the railway engineers, and railway surveyors, and legal projectors are not indifferent, and they institute an active canvass among the members for support. When the question comes for discussion in the House, they bring forward, through this active canvass, a number of members who have no connexion with the metropolis at all, coming from extreme parts of the United Kingdom, and they practically determine the result of a division. I think it very desirable that this state of things should be put an end to as speedily as possible, and that there should be, with regard to metropolitan improvements as with regard to other things, some previous reference to a metropolitan body, which should collect the sentiments of the metropolitan constituency generally upon them before they are submitted to Parliament.

2768. Is there any other point to which you wish to call the attention of the Commissioners?—If the Commissioners will allow me, I will just advert to the question of the poor law administration as connected with municipal government. It is a great point with me, and I think with those reformers who have fairly considered the subject, that a municipal government for the City of London, without reference to the metropolis generally, would be very incomplete if there were not a change in the present administration of the poor rate. It was originally proposed, when the Poor Law Bill was introduced into the City, that the board of guardians should be formed of a committee of the Court of Common Council; that in fact the corporation, as the chief municipal body of the City of London, should take upon itself this portion of the duty of municipal government. The corporation declined to do so. When I mention that fact, I do not say that official communications were directed to the corporation, and that they officially declined; but it was the fact that the leading members of the corporation were consulted and the proposition was declined. The next proposition was that the City, for the administration of the poor rate, should be formed into one union. The intention to do so of the Poor Law

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Commissioners at that time, Sir Frankland Lewis being then at the head of the board, was announced, but met with a violent opposition. This opposition was not a manifestation of public feeling, but was got up by individuals having in view the obtaining of personal appointments under the local unions they wished to create; and that was shown by the fact, that, no sooner had they effected their object, and got the City divided into three unions in the place of one, when one would have been sufficient, and infinitely the best arrangement for the public interest, than they were found in place. The fact was this—if there had been only one establishment for the relief of the poor in the City of London, all the intended candidates for office under the new bill, could not have secured appointments, but with three unions, the local influence of the leaders of that agitation was all-sufficient. I speak positively upon this part of the subject, because I was myself for several years a member of the board of guardians of one of the City unions. I am, therefore, perfectly familiar with the fact; and only that it would be invidious to do so, I could give the names of the parties who led the opposition against the Poor Law Commission, and ultimately profited by it. The result has been a very serious one to the citizens of London. A small tradesman coming into the City, and finding himself compelled to pay heavy poor's rates, is naturally perplexed to account for it when he hears how much property there is belonging to parishes and to different bodies, in the shape of charitable estates strictly available for the relief of the destitute, the care of the sick, and the education of poor and abandoned children. The reason the poor's rates are so heavy, the reason the inhabitants of the City are paying at the present time upwards of 25,000*l.* more than the citizens of Marylebone, and 20,000*l.* per annum more than any corresponding district in the United Kingdom, is principally this same defect of divided management which pervades the whole of our municipal institutions. I have calculated that this simple fact of our having three unions, when one union would suffice, or one board of guardians appointed by the corporation of London, has cost the citizens of London since the Poor Law Bill was introduced into the City, at least 300,000*l.*

2769. Do you believe, if the arrangement which you prefer had been made, the poor would have been as efficiently relieved, as they have been under the present system?—I think they would have been not only as efficiently relieved, but much more efficiently relieved.

2770. You consider that the whole of this extra expense has been a mere charge of establishment management, from which the poor have received no benefit whatever?—Quite so; on the contrary, the poor have greatly suffered by the existing system, to my knowledge. It operated in this way: the twenty-eight parishes united in the central union found themselves, by the new arrangement, left without any workhouse accommodation. All the existing workhouses of any magnitude were situated in the districts belonging to the two other unions; the consequence was that the City union, being disinclined to go to the expense of building a workhouse for the accommodation of their own paupers, adopted under the presidency of Mr. Alderman Gibbs what was called the "Shilling and loaf" system of relief, that is, the giving almost every applicant who applied for it, without any adequate test of his destitution, a shilling and a loaf to go about his business. This system naturally made the City a nursery of pauperism. Another consequence was, that adequate arrangements could not be made for the proper training and education of the children of destitute paupers, or children abandoned by their parents. It had been shown by educationists, that the proper course for training pauper children was to separate them altogether from workhouse contamination, and place them in district industrial schools; and if the three unions had consisted of but one, such a district school could have been at once formed for the children of City paupers; but the City being divided into three unions, the children had to be placed in three separate establishments, each unnecessarily costly, and comparatively inefficient. Ultimately, the difficulty has been got over, and the three unions have been consolidated into one, for this especial object. Poor children, therefore, belonging to the City of London generally, are now at the large industrial school at Norwood, under an arrangement by which the three unions unite, and contribute jointly to their support; but in other respects, the three unions still continue divided; subjecting the ratepayers to heavy establishment expenses, much larger than are to be found in any of the other unions throughout the United Kingdom, whose returns I have had an opportunity of comparing, and subjecting the ratepayers to very serious building expenses. I have calculated that the expense of providing adequate workhouse accommodation alone, under this divided arrangement of three unions, has been very nearly 100,000*l.* since the three unions were formed. And here is the account, which I believe is without parallel in the history of poor law administration, of the money which has been expended upon the City union workhouse, and the fittings up of that workhouse. This is a statement of the total cost of the union workhouse at Bow, belonging to the City union. I will not trouble the Commissioners with the whole of the items. The important result is, that 66,167*l.* has been spent in providing workhouse accommodation in that establishment. Another cause of our heavy burdens in the City is, the multitude of parishes into which the City is divided; we have 110 parishes, and in about 85 of them there is a separate staff of officers to be provided for, some portion of whose expenses is thrown upon the poor rate; so that these parochial infinitesimal divisions alone, subject the ratepayers of the City to between 7,000*l.* and 10,000*l.* of poor rate more than their fair share of this particular burden. This is an account of

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money expended in relief of the poor, for the years ending Lady-day 1848, and Lady-day 1852. Three City unions, exclusive of parochial expenditure, with a population of 129,000, expended in 1848, 93,781*l.*; in 1852, 78,739*l.* In St. Marylebone, with a population of 157,000, there was expended in relief of the poor in 1848, 53,524*l.*; in 1852, 47,731*l.* In the parish of Lambeth, with a population of 139,325, there was expended in 1848, 46,751*l.*, and in 1852, 33,923*l.*

2771. There are at present three unions in the City of London; the City of London Union, the West London Union, and the East London Union?—Yes.

2772. Do you believe, if there had been no corporation in existence when those unions were formed, there would have been a greater probability of those three unions being consolidated into one?—I am inclined to think there would, because the example of the corporation, and the effect generally of divided management in the City, has very seriously infected the whole district with the spirit of local jobbing. It affects also the question of expenditure in this way: the high salaries given to the Lord Mayor and the City officers generally, operate as a mischievous precedent. Every person in office, whether the duties he discharges relate to the poor or to any other municipal object, seeks to have his salary and emoluments fixed by the corporation standard. The extravagant expenditure to which I have alluded, upon the City of London workhouse, which is certainly without any parallel in the history of poor law administration, may perhaps be traced in part to a spirit of Mansion House emulation.

Adjourned to to-morrow, at 12 o'clock.

Wednesday, November 30th, 1853.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P., IN THE CHAIR.

W. Williams, Esq.
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WILLIAM WILLIAMS, Esq., M.P., having been sworn, was examined as follows.

2773. You are a member of Parliament for the borough of Lambeth?—I am.

2774. You were at one time connected with the corporation of the City of London, were you not?—I was for a short time, when I was engaged in commercial affairs in the City.

2775. Did you ever reside in the City?—I did partly reside there in the winter time. I used to occupy my business premises, and go out of town in the summer.

2776. You were at one time a member of the common council, were not you?—My first connexion with the corporation was in 1830. The custom was for the common council to fix upon gentlemen to audit the City accounts.

2777. Do you mean that they chose auditors unconnected with the corporation?—The common hall of the livery elected the auditors. Gentlemen were selected by the corporation to fill that office.

2778. Do you mean independent persons, not necessarily connected with the corporation?—Quite independent persons. It was supposed to be a friendly affair; but there was nothing improper. In 1829, the auditors complained of not having sufficient information with regard to documents connected with the City accounts. In 1830 auditors were proposed, and I and another gentleman were proposed in opposition, and were elected. It was an office I did not wish for; but having been elected, I undertook the duties. The year before, the common hall passed a resolution, requiring the chamberlain to furnish the auditors with bills of particulars of the different items of all accounts. The year following when I served the office, the chamberlain did furnish bills of particulars to the extent to which he possessed them; but there were items amounting to many thousands of pounds, for which there were no bills of particulars whatever, but mere orders given to pay the amounts to the persons to whom they were due. We made an "able and important report," as they called it, compared to any report which had been given for fifty years, and gave a tolerable insight into the state of the City accounts, as far as they were laid before us; for instance, the receipts from the estates were given in round numbers, and we had no means of ascertaining whether they were correct. We took that from the chamberlain's own statement, which was no doubt perfectly correct. They gave 50*l.* a year to the auditors to be spent in dinners; but my colleague and myself declined to receive anything.

2779. Do you mean that if you had accepted that 50*l.*, you would have been obliged to spend the money in dinners?—It was a matter of custom. I am not aware that any auditor puts the money into his pocket; but he gives entertainments to his friends. We were told that they were not very particular, provided the tavern bills were sent in, as to a larger amount being spent than the 50*l.*; but I presume within reason. We received a very gratifying vote of thanks for the manner we had performed our duties, and for "the able and important report," as they called it, which we made. I presume the corporation found it inconvenient to submit bills of particulars to the scrutiny of the auditors.

For instance, we stated numerous items which we thought were very extravagant, and very likely the succeeding auditors did the same; and in the year 1834, the chamberlain received orders not to produce bills of particulars to the auditors. The auditors thereupon refused to audit the accounts, and they reported it to the common hall.

2780. By whom were those orders given?—They were in operation in 1834. It was the auditors appointed in 1834 to audit the accounts of 1833, who were refused bills of particulars.

2781. From whom did the orders to refuse those bills emanate; did they come from the common council or from the Court of Aldermen?—I am not aware; but I will read a document which will enable you to form a pretty clear opinion upon the subject. Upon the auditors presenting their report to the common hall, in which they stated that they refused to examine the accounts because bills of particulars were not furnished, the common council appointed some of their own body to audit them. Then the common hall agreed to this resolution: "Resolved—That this common hall has heard with surprise and "indignation that the present chamberlain has, contrary to the custom and practice of "the former chamberlain, and in defiance of a resolution passed unanimously by the "citizens in common hall assembled on the 24th of June 1829, refused to furnish the "auditors with bills of particulars and other monies paid by him out of funds belonging "to the citizens at large. This common hall, therefore, instructs the chamberlain to pay "in future no sums of money whatsoever, without being furnished with bills of parti-"culars, which he is instructed to lay before the auditors for inspection and examination; "and the auditors are hereby requested to pass no accounts without such bills of parti-"culars." This resolution was referred to the committee of the City lands, which is a very important committee of the common council, to consider; and I have here their report upon it. It said: "Although it appears that the bills of artificers and others were "formerly produced to the auditors on the examination of the chamberlain's and bridge-"master's accounts, the practice arose from their having been attached to such orders or "warrants for general convenience, and not in any respect from their being necessary to "such examination, and from the fullest consideration of the subject, the select committee "were of opinion, as suggested in the said report, that the auditors have no power or "authority to require the production of any bills of particulars, or to reject or disallow "any payment made under such competent authority. Were it otherwise, the corpora-"tion would become subject to the views of the auditors or the body of the livery, who "form as liverymen no part of the corporation, nor possess any right to, or interest in, "the property of the corporation." That is the pith of the report. There are some other matters which are not at all material, as regards the audit, with which I need not trouble you.

2782. You do not know probably, whether, since that time, bills of particulars have been given to the auditors of the City accounts?—I do not. I should mention that I retired from business and left the City seventeen years ago, and have had very little knowledge of their proceedings since. The auditors are most ancient officers of the corporation; they were appointed at a very early period of its history. I say, without bills of particulars the audit of the City accounts must be a perfect farce.

2783. Do the auditors go into the merits of any of the payments, or do they merely see that the accounts are arithmetically correct?—The fact is, they have nothing to do unless they have bills of particulars before them, except to take the warrants or orders to pay money, tick them off, and cast them up, and sign their names at the bottom. It was customary with the chief clerk of the chamberlain to draw out a report for them in accordance with what he considered to be a complete proof of the correctness of the account.

2784. The orders to pay are taken as the vouchers for the items?—Vouchers are given which are mere orders; they are a direction to the chamberlain to pay so much money by the Court of Common Council or the Court of Aldermen, or whoever has incurred the expense.

2785. Do you consider it part of the duty of the auditors to judge of the propriety of the expenditure?—I conceive they are of no use unless they do so, and report their opinion upon it to the common hall.

2786. You think they ought to go beyond the mere attempt to guard against mis-appropriation?—The auditors are no check to misappropriation in point of fact. As I said before, the accounts of the receipts from the estates are given in gross; no particulars are furnished. The chamberlains are always men of high character and men of unquestionable integrity. I merely state the fact, without imputing in the remotest degree that anything could be wrong.

2787. Will you have the goodness to proceed with your statement?—When the corporation Commissioners came into the City about the year 1833, some of the leading reformers of the City, among whom I was one, formed themselves into a committee to give such information as they were able on the subject of the corporation affairs to the Commissioners, and also to afford them any assistance in their power. I gave evidence, and Mr. Dillon, and I think some others; but although I had some little insight into their accounts from having been auditor, the Commissioners made very light indeed of our evidence; they were entirely led away by the evidence of the City officers, who knew everything and could put the best face upon everything. I must do the corporation the

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justice to say that the principal officers are clever men, and they have maintained the present state of things in my opinion a good deal from that circumstance. Whenever any inquiry takes place, those officers show great ability and adroitness; and I could relate circumstances in proof of it in describing their affairs. A vacancy in the common council occurred in the ward in which I lived about the middle of the year. I was strongly urged, very much against my inclination, to go into the common council by the committee I have alluded to of the leading City reformers, and also some of the influential inhabitants of the ward, for the purpose of getting at the City accounts. I should state that they refused to us any access whatever to their accounts; they would give us no information about them. There was a standing order of the common council which forbade the officers giving any account to any person about the affairs of the corporation, except to its own members. The committee pressed me to go into the corporation, if it was only for the remaining six months of the year. I consented to do so, and was elected without opposition. When I went into the common council and got access to their accounts, I was furnished with the blue books, which I dare say have been furnished to the Commissioners. Those I saw gave no account of the real amount of money exacted by the corporation in various ways from the public. I must say that the common council themselves had no idea of the extent of the emoluments received by their officers under the name of fees and various other sources. Seeing this, I moved for a committee of inquiry, and this (*producing the same*) is the report of the committee: "It was "appointed on the 7th of October 1834, to inquire into the duties, salaries, fees, profits, "and emoluments of the several officers of the corporation, and also the City revenue, "the various sources from which it arises, and how and in what manner it is "expended, specifying each item in detail, both at the present time and in the year 1797, "with power to call for books, papers, &c."

2788. What was the number of the committee?—It was a ward committee, with a member for each ward, the number being twenty-five.

2789. How are the members of such a committee selected?—A person moving for a committee may put in a list of names; that, I believe, is the course which is generally pursued. My recollection is not very precise upon the point, but I have no doubt it was so. Any member of the court can move to exchange one name for another, and any member named has the power of declining to serve upon the committee.

2790. Do you remember whether upon this occasion the list adopted by the common council was pretty much the list which you yourself named?—Yes; there was no unfairness at all in the selection of the committee, and I must say that the majority of them, though not corporation reformers, acted most honourably, most uprightly and conscientiously in the discharge of the duty which had been imposed upon them. We found that there was such an immense number of officers, a number beyond what we had the most remote idea of, that to examine the whole of them would have occupied an enormous space of time. We therefore agreed to write a letter to each of the officers receiving money from the corporation in any way, in the terms of the motion for a committee which I have just read. The general committee appointed a sub-committee of seven, who co-operated with me in getting these accounts, and afterwards in arranging them. After getting them all in we presented a report to the common council, and asked leave to have the report referred back to the committee in order to enable us to give the information we had received in detail and in form, to which the court agreed. Then we had the assistance of the chamberlain's chief clerk, Mr. Scott, who, I must say, was a most able accountant and a very clever man. He was also assisted by the town clerk's chief clerk. With the assistance of those two gentlemen, under the direction of the committee, this report was formed. The whole of it was written by that able accountant, Mr. Scott,—of course the committee assisting him in suggesting the forms and a variety of matters which are contained in the account. After we had got all the materials together, some of the returns of the officers required explanation. We had them before us, and satisfied ourselves with respect to them. In this report there are schedules, which the Commissioners will see. One of them gives a list of all the City officers, by whom they were appointed, the amount received from the corporation in cash, and also from fees and other emoluments. Then follows an account of the corporation revenue, and in the next page is the corporation expenditure. The first thing we considered was the cost of the mayoralty, upon which we made a special report. That was a question of some difficulty; we took an immense deal of pains with regard to it. As I said before, some of those gentlemen were not by any means corporation reformers, but they acted the part of honourable men. The Commissioners will find every item accounted for in the return from the officers of the corporation, describing it most distinctly, and we arrived at a conclusion on the subject. The report is signed by fifteen members of the committee. I may say, that being a ward committee, there were twenty-five members, but some of the members did not attend at all regularly; they came occasionally; but those who signed the report were the working part of the committee. We reported the amount which the mayoralty cost, and, as I said before, here are the items stated and accounted for in the most distinct manner, under the handwriting of the City officers. We reported that the mayoralty cost in that year 25,034*l.* 7*s.* 1*d.*, and it was not at all an extraordinary year.

2791. Did Mr. Scott concur in that statement, with regard to the expenses of the mayoralty?—This is drawn out by him. We did not ask his concurrence to anything;

but we had the benefit of his opinion and advice, which were very valuable. This was considered by the common council. There are two things which the common council defend, as they would a citadel: they are, the 4*d.* duty upon coals, and the expenses of the mayoralty. The Mansion House is their great feasting place, and they stand by it. There was an increase in the salary of the Lord Mayor, in 1800, of 1,500*l.* a year; and, in 1811, another increase of 1,500*l.* a year, on the ground of the great depreciation of bank notes. There is an impression on my mind that a committee of the common council recommended a reduction of one of those amounts of 1,500*l.*, on the ground that the cause for giving it had ceased; but the common council did not adopt it. We sent a request to the aldermen who had passed the chair, for a return of the money they received; but not one of them answered our request, except Sir Peter Laurie: he gave us an account of his receipts to the amount of 7,900*l.* and odd. They have sometimes what are called God-sends in the mayoralty; for instance, the number of Jew brokers was limited, and if a Jew broker died or retired, there was a great contest among the Jews to get the office. I understood that the standing price was 1,500*l.*; the Lord Mayor having the appointment, of course that amount came to him in addition to his other allowances. The common council struck off some of the items of the mayoralty agreed to by the committee, and reduced the amount received by the Lord Mayor. It is not worth while to go into details; but if any one disputes the accuracy of the report, I request you will allow me to meet him. I will satisfy you that this report is true.

2792. When you say they struck off some items, do you mean that they reduced the items in the future expenditure, or disputed the accuracy of the items in your report?—They said that the committee had put down amounts which were not justifiable.

2793. In what way did the common council express that opinion?—By a regular motion in court to take into consideration the report of this committee.

2794. Can you point out any item which they disputed?—I will mention two or three, which are the only important ones. We asked for a return of the cost of building the Mansion House. There was a market, called Stocks Market, on the spot where the Mansion House is now situated. That market was abolished to make room for the Mansion House. In the first instance it was 70,000*l.*, and 6,000*l.* almost immediately afterwards. This return was furnished to us from the chamberlain's office. Then we had before us Mr. Montague, the City surveyor, who received a salary of about 2,000*l.* a year, nearly half of which went to his clerks; and we asked him to state to us in writing what he considered to be the value of the money laid out on the building, and also to estimate the value of the ground on which the Mansion House was erected, and at what rate of interest it ought to be considered. He gave us this statement, showing it in the report. The Court of Common Council resolved that they ought only to take the value of the Mansion House at that time. We discussed that question very much in committee, but we considered that, supposing the money laid out in building the Mansion House had been laid out at interest and compound interest, it would have amounted to many millions of money, and upon due consideration we thought we were only doing what was fair in taking the amount at the per centage which the City surveyor said the building ought to be taken at, which I think was seven per cent.; and the value of the ground, which was four per cent. We had no means of ascertaining how much was lost by Stocks Market. This came to rather more than 7,000*l.* a year. The common council said the Mansion House is only worth so much. As I said before, we argued that if that money had been laid out at interest, it would have amounted to many millions sterling. Then there were certain officers of the Lord Mayor's household whom they also struck out. Some of those places were purchased, and the common council were clever enough to make a calculation of this kind: they said, those men paid at certain periods so much money for those offices, which, with interest and compound interest to this time, would amount to so much, therefore they said they had a right to strike that off.

2795. Were the sums invested in the purchase of those offices put out to interest or spent as revenue?—No doubt spent as revenue. These, I think, are the principal items which they struck off. Several officers of the Lord Mayor's household had other duties to perform. We called upon them to state how much of their emoluments belonged to the time they bestowed upon their duties connected with the mayoralty, which they did, and that is stated in this report most distinctly. I will now proceed to the statement given in this book. As gentlemen of the corporation, at the time I was connected with them, were very adroit in throwing discredit upon any statements which might be made derogatory to the good management of the corporation affairs, I have, in all the figures which I am going to state, placed everything clearly on paper, which I will present to you, and if any gentleman connected with the corporation disputes any item of it, I only hope you will do me the favour of giving me an opportunity of meeting him. I shall deal with the year 1833, but I have here also the same items for last year, which I have taken from the City accounts; but I can only say, that as far as I understand the accounts (I am not sure that I understand them, but as far as I do so), I will state them separately from 1833. The rent of premises, markets, tolls, rates, duties, fines, &c., in the year 1833 amounted to 141,031*l.* Last year the same items amounted to 213,257*l.* The fees and other emoluments received by various officers of the corporation, which do not appear in the corporation accounts, amounted to 74,440*l.* In the report to which I have referred are the details of that sum. The Irish Society I consider to be an integral part of the

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corporation. The City wish to separate it from the corporation, but it is in fact a part and parcel of it, it being all administered by a committee of the Court of Common Council. The amount in that year was 7,654*l.* The amount received by the corporation from the various sources I have named is 223,125*l.* Of this sum 155,000*l.* was levied on the public by taxes on corn, coal, salt, potatoes, fruit, &c., and by tolls, dues, fines, &c. These items, taking the fees and emoluments of the officers, which do not appear in their accounts, the same last year as 1833, as well as the amount received by the Irish Society, they will amount for 1852 to 295,351*l.* In addition to which, the rate for paving, lighting, cleansing, &c., amounted in 1833 to 54,937*l.*; the sewers rate, 9,718*l.*; and the watch rate amounted to 33,681*l.*; making together 321,461*l.* I consider this to be the amount of the real estate, and of the taxes levied under various denominations by the corporation. They amounted last year to 406,885*l.*; but taking 321,461*l.*, the amount in 1833, it will give 2*l.* 12*s.* 6*d.* for each of the population of the City, which was 122,300, besides the enormous cost to the public by freemen only being allowed to be employed in various occupations, of which the fellowship porters is an example. A gentleman, who is in an extensive way of business in the City—the corporation do not exercise all the power they have in the protection of freemen, the whole system would have blown up long since if they had attempted it—this gentlemen told me, that in one department of his business, he was not allowed to employ anybody but freemen, and that they would not allow him to take any apprentices so as to supplant them in the course of time; that he paid those men 6*l.* and 7*l.* a week, because they were freemen, for doing work which, if he had gone half a mile from his place of business out of the City, he could have got done quite as well for 25*s.* or 26*s.* a week. He said he was so annoyed with them, that having another extensive business, he gave up this branch, which was a very large concern. In fact, if the corporation were to exercise the full power they claim, it would not be possible for any work or labour to be done in the City unless by freemen; but the corporation do not exercise that power in a great number of cases. As I said, taking the amount of their revenue in 1833, it is 2*l.* 12*s.* 6*d.* a head. The population of the City by the census of 1831 was 122,300, and upon that population this amount which I have named will be 2*l.* 12*s.* 6*d.* per head, independently of those other restrictions which I have alluded to. The Government expenditure in the year 1833 was 1*l.* 17*s.* 0*d.* per head for the population of the United Kingdom, including the vast debt, our great colonial empire, the army and navy, the great public offices, and, in point of fact, all the expenditure of the Government in the year 1833.

2796. Do you mean that that is the weight of taxation?—It is the proportion of expenditure to the population in that year. This shows nearly 50 per cent. more for the municipal government of this one-twentieth part of the metropolis, as compared with the general government of the United Kingdom. In addition to that, there is the duty of 1*d.* per ton on coals, for the abolition of the sale of coals by measure, 8,498*l.* This I could have added to the other amount, for it properly belonged to it in that year; but, subsequently, the application of it has been partly changed, and a part of the 1*d.* duty is paid to the Woods and Forests. The tolls payable on boats, barges, &c. on the river Thames westward of London Bridge, amounted to 15,813*l.* The tonnage duty on shipping coming to the port of London amounted to 7,000*l.*, and the fees received by the Court of Requests amounted to 1,657*l.*; that gives the amount of 354,429*l.*

2797. You mentioned the tonnage duty on vessels coming into the river; what duty is that?—That is for the regulation of the port of London. You have heard a great deal about the navigation committee. The navigation committee have the management of the port of London. The corporation claims jurisdiction over the Thames, from Staines to a place called Yantlet Creek. The first item is westward of London Bridge, and this is for the management of the Thames eastward of London Bridge.

2798. Is it the case that every vessel coming into the port of London pays a certain tonnage duty to the corporation?—No doubt it is so; it must be so, of necessity.

2799. Do you happen to know what the rate of tonnage duty is?—I do not. Then there are what are called trust and charitable funds, of which the corporation have the management; one of them is the Bridge House estate, which in that year was 29,581*l.*; and there are sixteen other trust and charitable funds, which amounted together to 14,196*l.*, the trust funds being altogether 43,777*l.* There is also another fund, of which they have the management: that is, the duty of 8*d.* per ton upon coals, which that year amounted to 69,010*l.*; which last year amounted to 117,606*l.* That duty is appropriated, with three other items which come out of the funds of the corporation, towards the making of the approaches to London Bridge; those three items are, the duty of 4*s.* 9½*d.* per tun upon wine, amounting to 3,584*l.*; the duty on freedoms and binding apprentices, 531*l.*; and out of the City revenue, 11,500*l.*: making together 15,615*l.* The four items amounted to 84,625*l.* in 1833, and it shows the astounding increase of those coal duties, when we find that those same items last year came to 136,237*l.* They are applied to pay the principal and interest of 1,000,000*l.* sterling, borrowed of the Bank of England at 4 per cent., for making the approaches to London Bridge, and 250,000*l.* for erecting Farringdon Market. I have heard a strange history connected with it. It is too much of a hearsay character to detail it before you, or it would cause some amusement. The first estimate was 150,000*l.*; they expended that in clearing the site; the Act for erecting the market and raising the money was passed three or four years previously to the Act

which they got passed to place the 250,000*l.* upon the 8*d.* coal duty, with the 1,000,000*l.* for making the approaches to London Bridge. That market, for which the people of this metropolis and many miles around have been taxed 8*d.* per ton upon coal, produced this result. I have not all the years, I happen only to have three corporation account books by me. In the year 1835 (the last time I had a book as a member of the common council), there was a loss upon this market, that is to say, the rates and the cost of maintaining it amounted to 334*l.* above the receipts. The loss in 1841 was 7*l.* 8*s.*, and the loss in the year 1851 was 79*l.* This was the result of an outlay of 250,000*l.* managed by the corporation, which is paid for, as I said, by the inhabitants of the whole of the metropolis, and a district many miles around.

2800. Was the market established as a matter of profit, or a matter of convenience?—It was no doubt a public advantage to have Farringdon Street clear, as it is now, by the removal of Fleet Market from it; but another market instead of it was not required. The reason I have heard assigned for the failure of Farringdon Market was, that the principal customers of Fleet Market were inhabitants of those very houses which were cleared away for the site of it. Fleet Market produced, the last year I saw the account, the amount of 1,300*l.*; but I cannot state whether that was the profit or the whole revenue of the year.

2801. What was sold at Fleet Market?—All sorts of things; butchers' meat, vegetables, fruit, and so on.

2802. You stated that there was an item of 77,440*l.* for fees, which did not appear in the annual finance accounts of the corporation?—They appear nowhere in their accounts, that I have been able to discover.

2803. It is quite certain, is it, that no part of that 74,000*l.* appears in what may be called the corporation blue book?—To the best of my knowledge and belief, and I have looked into it with some care, not one penny of that money appears there.

2804. How was that gross sum ascertained?—You will see in this report of the committee, in schedule A. of the account, that there are 246 officers and departments of offices, making altogether 485 officers for managing the affairs of this corporation; for instance, there are several serjeants at mace in only one item, but a great many names are included; and the sum received by each of them is put down. Then there are 152 corn meters in one line, and the amount they receive. Here is a schedule which gives an account of these 246 officers and departments of offices. In this account the cost of the mayoralty is not put down. They said the Lord Mayor is not an officer of the corporation, but a part of the corporation, which perhaps cannot be disputed. His name is on the top of the list, but the sum is not filled in. The city solicitor died a short time before, and there was no return made of the emoluments of his office. I have put the solicitor at 3,000*l.* a year, and that and the cost of the mayoralty must be added to the schedule, in order to arrive at the true figures, which I have described. The arrangement of the schedule is thus exemplified: take the recorder: the "Honourable Charles Ewan "Law, appointed by the Court of Aldermen," received from the City cash 2,500*l.*, and from other sources 661*l.* 10*s.*—making together 3,161*l.* 10*s.*

2805. Does that column, "Received from other sources," appear in the annual City account?—Not a shilling of it.

2806. How was that sum ascertained in the case of the recorder?—In the case of the recorder and all the other officers, we received a letter from them, stating in detail the amount of their emoluments, which letters are all appended to this report.

2807. In answer to a circular which you sent?—Yes.

2808. That column is filled up from statements made by the officers themselves?—Yes; by Mr. Scott, from their letters, which are all attached to this report.

2809. Then the gross sum of 74,000*l.* is made up from statements which rest upon the authority of the officers who themselves received the fees?—Precisely so. The next officer is the chamberlain. In the first column is his name, "Sir James Shaw, Bart.;" in the second, "Appointed by the livery;" in the third column, "Received 1,240*l.* 9*s.* 6*d.* from the City cash;" in the fourth column, "4,226*l.* 14*s.* 1*d.* from other sources;" (his great sources of income were the immense balances in his hands, which he let out upon interest;) in the fifth column, the "Aggregate amount, 5,457*l.* 3*s.* 5*d.*" Then in the furthest column there is "Subject to expense of office of 962*l.* 19*s.* 11*d.*" This is the form of the schedule in which the money and emoluments of all the officers is placed. The next is the town clerk, Henry Woodthorpe, Esq., appointed by the common council, received 2,216*l.* 1*s.* 4*d.* from the City, cash, and 1,376*l.* from other sources, making together 3,556*l.*; those items go on page after page with that description which I have given. [The witness then explained that Mr. Scott made a deduction from this schedule of the amount of the emoluments of officers which are included in various heads of departments, in order to give a distinct amount of the cost of each department in the schedule of expenditure; therefore the amount of the officers' emoluments is put down in that schedule after those deductions are made.]

2810. Do you mean expenses of establishments?—Yes; for instance, the magistracy of London and Southwark receive from the City cash 4,534*l.* 18*s.* 3*d.*; from other sources, 922*l.*; making together 5,456*l.*; then follows in the same form administration of justice, conservancy of the Thames, navigation expenses, markets, law expenses, metage of corn, coal market, charitable and other bequests, and so on. The officers in all those depart-

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ments are included in the amount of the cost of each; and they are also included in this schedule, in order to give in one view the emoluments of all the officers; therefore the amount of the emoluments of the officers in those several departments are deducted from the gross amount in this schedule, and the amount of the officers' emoluments is filled in in the schedule of expenditure after those deductions are made; you will, therefore, have to take this 93,000*l.* and add it to the schedule in the next page, which amounts to 8,311*l.*, adding also 3,000*l.* for the solicitor and 25,000*l.* for the mayoralty.

2811. Has any similar report to this ever been furnished?—Never before nor since.

2812. Did the last Commissioners ever call for any such account?—No; they were pretty well content with the ancient records. I come now to the cost of the management of the affairs of the corporation—salaries and other emoluments of 485 officers, including the Lord Mayor and the solicitor, whose amounts are not filled in in schedule A of the report; they amount together in 1833 to 123,814*l.* Every one is accounted for in the report before me. Then there are salaries of ward officers in 1851; the arrangement was different in 1833; therefore I take them for the last year. Those ward officers are engaged in attending upon the aldermen and common council in the wards. They amounted to 3,487*l.*; allowances to committees of common council, 6,584*l.*; city barge and shallop, and other expenses of the conservancy of the Thames and the navigation committee, 2,000*l.* This shallop is the boat used by the navigation committee, principally in making their excursions and feasting. The City barge is the one in which the corporation make their excursions up the Thames. Most of the committees of the common council had an allowance of 150*l.* a year for what are called summer excursions. Those summer excursions are made in this barge, which is sometimes called "Noah's Ark," and the entertainments are most magnificent and hospitable. The committee treat their friends with this 150*l.* Then pensions granted by the Court of Common Council and the Court of Aldermen amount to 2,793*l.* Those items, which amount to 138,678*l.*, I consider to be an enormous expenditure for the administration of the City affairs for a population of 122,300 persons. There is an addition; pensions to deputy coal meters, 18,063*l.*

2813. Are those offices which have been abolished?—Yes, they are abolished; therefore I put them in a different line.

2814. Are the payments in the nature of compensations?—Yes; they are dying off; and I put them down rather as a memorandum. There are ten City tradesmen, and I am informed that the corporation, or probably the Irish Society, have the patronage of eighteen Irish livings. I am not able to vouch for that, but I have heard it often stated. The bills of the three lawyers, the City solicitor, 73,120*l.*, the comptroller, 69,256*l.*, and the remembrancer, 20,244*l.*, amounted together in ten years, from 1826 to 1835 inclusive, to 162,620*l.*, averaging 16,262*l.* per annum. Mr. Scott, the chamberlain's chief clerk, pressed us to take an average of ten years, because there was a difference in some of the years, and we did so. There were twenty-eight other lawyers who in 1833 received among them 22,843*l.*

2815. Who are those lawyers?—I will read you the names, if you please: the recorder, the town clerk, the common serjeant, the judge of the Sheriffs' Court, and assistant judge of the Old Bailey, four common pleaders, two secondaries, one coroner, one clerk of the peace and arraigns, two under sheriffs, three attorneys for Southwark, one comptroller of the Bridge House, five attorneys of the Lord Mayor's Court, two clerks in the justice room in Guildhall, two at the Mansion House, and one in Southwark, making, with the other three together, 39,105*l.* I have another document. I have taken out the salaries, including the mayoralty, of twelve of the City officers, and I compare them with the salaries of the twelve Cabinet Ministers. Here is a list of them in detail. Those twelve officers, in that year, received 55,197*l.*, but they make official deductions to the amount of 6,762*l.*, leaving a balance of 48,435*l.* The twelve Cabinet Ministers received 45,480*l.*, which shows a receipt by the twelve officers of the corporation of 2,955*l.* more than was received by the twelve Cabinet Ministers. In that year, however, the Great Seal was placed in a commission, and there was no Lord Chancellor in the Cabinet. I will now compare the expenditure of the City of London with that of the most populous corporations in England. I have a return here which was presented to the House of Commons in the year 1845, giving an account of the expenditure of the different corporations of England and Wales. I have taken out all those corporations whose population exceeds that of the City of London, and two whose population is less, being the two largest, I believe, whose population is less than that of the City. I have taken those two which are less, because they had some notoriety for being corrupt before they were reformed by the Corporation Act; they are the corporations of Norwich and Hull. This return is a statement of their affairs presented to Parliament for the year 1844. In Birmingham, with a population of 232,841, the salaries, pensions, and allowances to municipal officers amounted to 1,134*l.* (you will find the figures at page 7 of the return, which I will hand to you); law expenses, 691*l.*

2816. I see, besides that, there are the coroner and other officers, who are not municipal officers at Birmingham, but who still hold situations analogous to the situations which are held under the City of London. The coroner has 1,400*l.* Again, the administration of justice is an item which in Birmingham appears to be separated from the municipal officers, but which in London is paid for by the corporation?—That is so.

2817. It is difficult, therefore, to institute a very accurate comparison between Birmingham and the City of London?—Yes, no doubt; but if these amounts are added,

they will not make an important difference in the comparison. The next case is Bristol, at page 9. Bristol was an old corporation; and I know in some of the old corporations a great many of the old officers were dismissed when the Municipal Corporation Act came into operation; but they were entitled to pensions, which were given to them very liberally. In Bristol the population is 137,328. The salaries in that year were 7,614*l.*, and the law expenses 313*l.* The next is Hull, at page 22. The population is 84,690. The salaries, &c. are 1,709*l.*, and the law expenses 106*l.* At Leeds, at page 24, the population is 172,270; the salaries, pensions, and so on, 1,079*l.*; law expenses, 148*l.* In Liverpool, page 26 of the return, the population is 375,935; salaries, pensions, &c., 11,864*l.*; law expenses, 13,138*l.*; and the disbursements of that year amounted to 395,779*l.* The next is Manchester, page 28. The population is 303,382; salaries, pensions, &c., 4,463*l.*; law expenses, 3,783*l.* The next is Norwich, page 32. The population is 68,195; salaries, pensions, &c., 3,429*l.*, law expenses, 1,043*l.* At Sheffield, page 38, the population is 135,310; salaries, pensions, &c., 225*l.* (this is one of the new corporations); law expenses, 723*l.* Those are all the corporate towns whose population is more than that of London, the aggregate of whose population is 1,509,908; of the salaries, pensions and allowances to their municipal officers, 31,517*l.*; and of their law expenses, 29,944*l.* I beg now to call the attention of the Commissioners to the duties on coals; they are astounding. The 8*d.* duty last year amounted to 117,606*l.*; the 1*d.* duty to 14,467*l.*; and the 4*d.* duty I have down at 60,000*l.*, but it is a trifle more than that; making altogether a tax of 192,000*l.* upon coals alone, levied upon the inhabitants of this metropolis and twenty miles round. Up to this time the 8*d.* duty has been expended for public improvements within the City, except the balance of the 8*d.* duty which I have alluded to, which has been turned over to the Woods and Forests, which I presume is to go in liquidation of the fund for making improvements out of the City.

2818. This 8*d.* duty will expire in 1862, will not it?—It will.

2819. Do you think it would be desirable to anticipate the period when that duty will expire, and substitute for it some general improvement rate for the metropolis?—With regard to the 8*d.* duty, of course it is pledged for those public works, and it must be continued to that time, or you must find some other means. It does appear to me to be a great hardship to tax the poorer classes of people upon coal, which is so indispensable a necessary of life, to such a large amount for improvements in the City; for up to this time the whole amount of the 8*d.* duty which has been expended, has been for improvements within the City. I have seen evidence given before you which would throw some doubt upon that statement,—that is to say, a direction is given to it which may lead to a contrary opinion; but if you refer to the Acts of 1829 and 1830, I think you will find the fact is distinctly as I state; the amounts for the other parts of the metropolis are regulated by distinct Acts of Parliament.

2820. Do you think the arrangement for the distribution of the proceeds of this tax, made under the last Act of Parliament, was on the whole, an inequitable one as relates to the different portions of the metropolis?—I think it is most unjust that this twentieth of the metropolis should have the power of taxing the whole of the metropolis, for the purpose of making improvements within the City to the amount of a million and a quarter.

2821. That observation rather relates to what has gone by than to the future, does it not?—It does.

2822. Do you think, starting from the present period, the arrangement made for the distribution of the proceeds of this tax of 8*d.* per ton upon coals, at the end of the year 1862, is upon the whole inequitable, supposing the tax to be continued at all?—It is inequitable in my view, on this ground, that the whole of the metropolis and twenty miles round, in a direct line from the Post Office, is to be taxed for the benefit of one small section of the population.

2823. Is the Commission to understand that in your opinion the arrangement for the distribution of the future proceeds of this tax among the different portions of the metropolis at large is inequitable?—Certainly not. For instance, here is a return presented to Parliament in the last session. Here is a sum of 200,000*l.* for improvements at Waterloo Bridge, Holborn, and so on; that is by an Act subsequently passed to those Acts, the 2d and 3d of Victoria, chapter 80. Then there is 100,000*l.* given, again, for improvements under the 3d and 4th of Victoria; 189,000*l.* for improvements in Southwark by the 4th and 5th of Victoria, and for the new street in Westminster. Then there is another grant by the 11th and 12th of Victoria. There is then, for continuing the new street from the City boundary up to Clerkenwell, 88,000*l.* The whole of the improvements out of the City under those Acts I have mentioned, amount to 753,000*l.* The 8*d.* coal duty has not yet paid off the whole of the 1,000,000*l.* for the approaches to London Bridge, and the 250,000*l.* for Farringdon Market, which is all laid out in the City I see there is an accumulation of interest upon those items for making improvements out of the City to the amount of 296,000*l.*, therefore the duty has not yet reached the amount necessary to pay off the 1,250,000*l.* In the case of the 4*d.* duty, it amounts to 60,000*l.* and upwards, and goes into the corporation funds, and is a part and parcel of the corporation revenues as much as the rental of their real estate. This 4*d.* duty is a very curious affair. In the reign of Charles II. the Court of Aldermen exercised a power, which is no doubt vested in them as much now as it was at that time, of being trustees to the property of the

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children of all citizens who died intestate. The City officers say that they were plundered of that, but I have always understood the fact to be this, that the Court of Aldermen lent the money, which amounted to 747,000*l.*, to Charles II. It certainly never was paid back. Then, in the reign of William and Mary they got power to raise money to pay those poor orphans the amount of which they had been plundered; and the Act of the 5th and 6th of William and Mary gave them 4*d.* per ton upon coals in perpetuity, and 6*d.* per ton for fifty years, for the purpose of paying off those claims. That 6*d.* per ton was extended for thirty-five years more by the 21st of George II. It was again extended by the 7th of George III. for forty-six years; but they found in the year 1766 that the produce of those duties was more than was required to discharge the debentures, or whatever they were called, of the money borrowed to pay off the 747,000*l.* They sought power to apply certain portions of the money in completing the building of Blackfriars Bridge, and in making the approaches to it on the City side, and also in purchasing the tolls on Blackfriars Bridge, which came to a very large amount, building the gaol of Newgate, repairing the Royal Exchange, and other purposes. However, the whole of it was wound up in 1834. In the case of the parish of Lambeth, which contains a population of 140,000, they are the largest consumers of coal of any portion of the metropolis, on account of the great number of factories in that parish consuming coal. They have no share whatever in those duties; other parts of the metropolis have had a share, but they have not had any. I do say that it is a cruel shame to impose 4*d.* duty upon them or any other portion of the metropolis, in order that it may go into the coffers of this corporation, whose funds amounted last year to 406,000*l.* in taxes and revenue.

2824. What would you propose to do, if the coal duty is to be modified or repealed, to provide for those expenses which are now charged upon the security of the coal duty?—I know the 8*d.* duty will be a difficult question to deal with, on account of the outlay already expended in anticipation of it. But the 4*d.* duty is applied as positively a part of the corporation funds. They have an officer, a very clever man, called the remembrancer, whose duty it is to get Acts of Parliament passed. They have frequently passed private Acts, and nobody but themselves has known anything about their provisions. They get inserted in those Acts such powers as will serve their own interests, and by those means they have laid hold of the public for their own benefit.

2825. Would it be worth while, in your opinion, to abolish the 4*d.* duty while the remaining 9*d.* was maintained?—The 4*d.* duty is quite distinct; it goes into the funds of the corporation as much as the rents of their estates. They may try to shuffle before you, as they have done before committees of the House of Commons, for the purpose of showing that this duty is laid out in improvements; if, however, you refer to their accounts, you will find it described as integrally a part of their revenue, and whatever is paid for public improvements is described to be out of the revenues of the City, and not out of this tax.

2826. If the coal duty is maintained to so large an extent as 9*d.*, would any effectual relief be given to the public by remitting the 4*d.*?—It amounts now to 60,000*l.*, and is increasing.

2827. The remission of the actual payment upon a ton of coal would be 4*d.* Do you think that would be a sensible relief to the consumer?—The inference is, that the price of coal would be reduced to that extent and even more; but, whether it be so or not, I say it is unjust to tax the whole of the metropolis for the benefit of the corporation of the City.

2828. Has the 4*d.* rate been specially mortgaged by the City for any purpose?—I have never heard that it is. There is 11,500*l.* mortgaged to make the approaches to London Bridge; they will very likely tell you that it is out of the coal duty, but it is from the revenues of the corporation as described in their own account.

2829. Do you know whether they have specially pledged the proceeds of the coal duty for that sum of money, or is the money raised upon the general security?—It is out of the City estates—it is described in all their accounts as a part of the City estate. Here is the description by Mr. Scott, the clerk of the chamberlain, who knew more about the corporation affairs than probably any other man. You will find this in schedule B. in "The statement of the revenue of the corporation for the year ending 31st December "1833, distinguishing such part as is derived from duties, tolls, and other charges of that "nature, and the expenditure of the same, exclusive of the expenses of the mayoralty, "arranged under several heads of establishments; and also distinguishing the sums which "are paid out of the cash of the corporation from those paid by the public or derived "from other sources." Among them is, rent of property situated in the "City of London, "Middlesex, and Surrey, 46,000*l.*; receipts in the several markets, 12,000*l.*; Billingsgate "Market, &c., 2,315*l.*; package and scavage dues, amounting altogether to about 10,000*l.*" Then 4*d.* per ton on coals brought into the port of London, pursuant to the Act of the 1st and 2d of William IV., in lieu of metage and other duties on coals formerly payable to the corporation, 33,900*l.* Then here is a note stating that the coal meters, who are now abolished, are chargeable upon this duty; but they are not more chargeable upon this than they are upon any other part of the corporation revenue. In reference to the package and scavage dues, those were abolished in consequence of the reciprocity treaties commenced by Mr. Huskisson. The corporation got the Government to give them 160,000*l.* out of the public money for surrendering those duties; and I am told by a very competent person that the right of levying them was very questionable. That gentleman told me that he

refused to pay them. They threatened him with legal proceedings; he set them at defiance; but they never instituted any against him. I do say that for this corporation to obtain for those dues (perhaps a very small amount originally, but now amounting to a great deal by the increase of trade,) 160,000*l.* of public money, on the ground of their claiming to possess them, was most unjust.

2830. Have you ever turned your attention to the question of the expediency of giving municipal privileges to any other parts of the metropolis?—Yes. I should first say that the common council have been great reformers when they have been threatened with any reform being effected from another quarter. In the year 1834, after the Commission came into the City, a committee was appointed, of which I was one, and we agreed to most extensive reforms, but the court would not entertain the subject. Then there was a committee of the whole court appointed in the year 1836, to effect a reform in the corporation, and to consult with the Government as to a bill which was promised to be brought in, as it was understood, by Lord John Russell. They had an interview with Lord John Russell for the purpose of considering what reforms should be effected. I think they had an intimation that Lord John Russell did not mean to bring in a bill, and nothing further was done towards reforming themselves till a short time ago. There has been great dissatisfaction in the City with the corporation. There have been reform associations and various movements in the City from that day to this, for the reform of the corporation and defending the citizens against its oppressive exactions. My opinion is, that provided it be desired by the metropolitan boroughs to have municipal institutions, and I think it would be desired by them, I would constitute the metropolitan boroughs into corporations; and I would form a central body, appointed out of those sections, for certain purposes, giving to them great powers. For instance, it should have the power of carrying out all works which are necessary for general purposes which could not be carried on in sections. The sewers, for example, require such a combination and arrangement for the whole metropolis; public improvements would require the same, and so would the police. I would make the Lord Mayor, if you continued such an officer under such a name, to which I see no objection, the head of this central body; and I should have no objection to give him a liberal allowance for maintaining hospitality, so that the present hospitality towards foreigners and ministers of state, and other distinguished persons, should not be done away with, though I think, under an altered state of things, you would find men who would do those things at their own expense. Sir John Potter, the mayor of Manchester last year, was as munificent in his hospitality as any Lord Mayor of London, but the expense was all out of his own pocket, as I believe he had no salary allowed.

2831. Do you think it would be right that a man holding the situation of Lord Mayor of London should be obliged, out of his own private income, to keep up the hospitality which attaches to the office?—If I were to be placed in that office, I would much rather keep up the hospitality of the City by spending 4,000*l.* or 5,000*l.* in the year, which would do it in a very magnificent way, out of my own pocket, than by levying duties upon coal and corn, potatoes, salt, and other necessaries consumed by the poor. The Lord Mayors of ancient times do not seem to have had anything like the present amount which is attached to the office to maintain their great state and hospitality, for, as I stated before, 1,500*l.* was added in 1800, and 1,500*l.* more in 1811, to the allowance to the Lord Mayor.

2832. Do not the City now assume to represent the whole metropolis for certain purposes?—For no purpose except the purpose of taxing them.

2833. They are the conservators of the Thames, and also many of the City markets are metropolitan markets, are not they?—Yes; but they charge tolls for all those things, and make a large profit out of them.

2834. Do you think, now, the City does represent virtually the general interest of the metropolis?—In no respect whatever, as it occurs to me.

2835. Do you think the feeling of the common council and of persons of authority in the City is ordinarily in accordance with the general interests of the metropolis or antagonistic to them?—As far as I can understand their feeling, it is to preserve things as they are, which are not in accordance with the general interests of the metropolis. There are some good reformers and some highly honourable men in the Court of Common Council; but I look upon it that a large majority of them are not reformers, or they would have reformed themselves before now.

2836. Is it the general wish of the governing body in the City to maintain privileges which are disadvantageous to the metropolis at large?—I consider that pretty nearly the whole extent of their privileges are disadvantageous to the metropolis at large, especially those duties which they levy upon the most necessary articles of life.

2837. Have you turned your attention at all to the measures which you think it would be desirable to take, in reference to the municipal government of London proper, under the existing circumstances?—In my opinion, you cannot reform the present corporation of the City of London by any extension of the franchise to all the householders of the City, or by shortening the duration of the period for which the aldermen are elected. They have so much power, under their charters and customs, that it would be impossible, in my opinion, under the present system, even though greatly modified, to have a corporation which would give to the City a good, economical, municipal government. You have, however, a remedy ready made to your hand in the Municipal Corporation Act.

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There is no reason why London should not come under that Act more than any other place in the kingdom.

2838. Do you think, if that Act were applied to the corporation of London, the government of the City would be satisfactory?—I have no doubt it would be as good a municipal government as that of any town in England.

2839. Do you think some special provisions might not be necessary in reference to the great amount of trust property vested in the corporation?—There is a large amount of trust property in many of the old corporate towns. Take the town of Bristol. The charters of Bristol were perhaps not so important as those of London, but they had charters granted to them from early times, which gave important privileges. It was considered to be a corporation conducted under the old system, most objectionably; but under the new system you see what the cost is; and a great deal of the cost which I have named arises from the payment, I have no doubt, of officers employed under the old corporation. I had the honour to represent the city of Coventry for many years; they have in that city a great many charities; I believe more in number than now belong to the City of London, though not so large in amount. The old corporation used to have the management of them. Under the Municipal Corporation Act, the Lord Chancellor is empowered to appoint trustees of those charities; dividing the trustees into classes. There was a universal complaint of the administration of those charities by the old corporation. They were said to be applied to political purposes and others, which were condemned. But since the trustees have been appointed by the Lord Chancellor, I have heard no complaint from any quarter. I have heard no complaint that the trustees administer the charitable funds improperly, or in any way to be found fault with; and so I believe it would be with the City of London, if trustees appointed by the Lord Chancellor were to manage its charity funds. As to the conservancy of the Thames, I would take it from the corporation, and place it in the hands of the Government; who ought to undertake the conservancy of such an important river, which supplies east and west a population of two millions and a quarter.

Mr. G. Edwards.

Mr. GEORGE EDWARDS (a Partner in the house of Messrs. RICHARDS and Co., No. 45, Bread Street,) having been sworn, was examined as follows.

2840. In what way are you connected with the City of London?—The house in which I am a partner is engaged in the manufacture of linens in Scotland, and we sell our goods in London on the premises which we occupy in the City.

2841. Are you the resident partner in London?—I am one of them.

2842. Will you have the goodness to state to this Commission any points which occur to you in reference to your particular trade?—We have never had any difficulty in carrying it on, except that on one occasion it was required that the persons we employed should be freemen instead of our own servants.

2843. In what capacity are the persons to whom you allude engaged?—We receive goods made up in a certain state from Scotland; we require to transpose them, and put them in a new shape occasionally.

2844. Will you have the goodness to state in what way your being required to employ a certain class of persons affects that branch of your employment?—We do not know in what shape foreign merchants may wish their goods to be put up, therefore we bring them up to London in a particular shape, and we have to put a part of them into another shape; that we do by our own people; we used to send them out, but we find it more convenient to do it at home. Some of the freemen of London thought they had a monopoly of the right to do this work because it was a calenderer's business. One of our partners was summoned to appear before the aldermen; the matter was gone into, but they declined to interfere with respect to it, so that we remain as we were.

2845. Then in point of fact you are not interfered with?—We are not interfered with.

2846. You were brought before the aldermen, but the aldermen decided in your favour?—Yes. All we do is this: we receive a quantity of goods in a certain shape, and it is convenient in selling them to put them into another, and instead of sending them to calenderers out of doors, we find it more convenient to do the work at home.

2847. Then in point of fact, the officers of the corporation have not interfered with your trade in that particular?—They have not.

2848. Have you any complaint to make on any other point in reference to your trade?—No, not at all.

W. D. Cooper, Esq.

WILLIAM DURRANT COOPER, Esq., having been sworn, was examined as follows.

2849. In what capacity do you appear before this Commission?—At the request of the vestry of St. Pancras, from a committee appointed by them for thep urpose of waiting upon the Commissioners and giving evidence generally as to their connexion, or rather want of proper connexion, with the City of London, and also the evils which they think they have to complain of in reference to the corporation as it now exists.

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2850. Will you have the goodness to state the points which occur to you upon those subjects?—The first point which we complain of is, that they are taxed considerably for the improvement of the City proper, by the tax upon coals; no portion of that being expended within our parish at all, and we are grievous sufferers by it, inasmuch as in consequence of the improvements which have taken place in St. Giles's and elsewhere, the poor people have been driven out of the small tenements they held in those parishes into St. Pancras. The number of removals from St. Giles's during the last seven years into our parish, of persons who have since become chargeable as paupers to us, has been on the average between five and six hundred every year.

2851. You mean voluntary removals?—Yes. In consequence of the changes in the position of property, and the poor having their houses taken away from them for the purpose of making the new streets, they have been obliged to remove and have become chargeable upon us to the number of between five and six hundred every year during the last seven years; they thus amount to one-sixth of our out-door poor. 6,027 is the number of our out-door poor, and the relieving officer informs us that nearly 600 of them are chargeable in consequence of removals from St. Giles's and other improved parts. We also complain in reference to this matter, that the duties chargeable upon the coals are larger in proportion to the improvements effected than would be the case if we had an improvement rate. The burden falls upon those who have their coals in small quantities to a considerable extent, and also helps to increase pauperism in that way, whereas an improvement rate would fall upon property, and the same amount might be raised in a less objectionable mode to the parish. We have also to complain of the cartage dues, which you are aware of; and also they have to complain of a point which I will mention afterwards in reference to the City courts. The parochial authorities of St. Pancras suggest, and I am requested to state to you that they conceive they are a body who ought themselves to have a share in the representation of the entire metropolis, and that the parish is large enough for that purpose, whether jointly with Marylebone or separately from that parish. You will have a resolution on that subject presently from the vestry. If it is more convenient to you I will state how we are peculiarly situated, and why it is absolutely necessary that some measure of corporation reform extended to the whole of the metropolis should reach us. We have a population of 167,198 according to the last census within the parish of St. Pancras; increased now by the number of births alone over deaths as much as 3,200 a year; we have, therefore, a population of above 170,000 now,—the acreage in the parish is 2,500 acres, of which 1,728 are now built on. The rateable value of the whole of the parish as rated to the poor rate is 707,857*l.* The rateable value is larger I believe than that of the City of London, and the area is very much larger. The number of houses rated is 19,909, which is the largest number of any metropolitan parish except Lambeth. Having said so much as to the size of the parish, I will now state the difficulties under which we labour. It is not without some trouble that we have endeavoured to extricate ourselves from the difficulty in which we are placed. A portion only of the parish is provided for as regards paving and lighting, leaving one-fifth of the parish, as you will see by the map before you, wholly unprovided for. The parts which are provided for have seventeen paving boards under thirty different local Acts, varying in size from the smallest quantity to a very large space, as in Kentish Town. Out of those seventeen bodies, nine, namely,—Battle Bridge, Brewers, Calthorpe and Swinton, Doughty, Harrison, Holmes, Pancras Union, Somers Town, and the south-western districts; these are self-elected bodies, there being no control by the ratepayers over them in any way. The other eight are representative bodies, elected in some form or other by the householders generally down to a portion of the householders according to qualification. This is best shown by the abstract of a parliamentary return moved for by Lord Dudley Stuart, and produced in 1850,—it is No. 585 of 1850. The return, which I will leave with the Commissioners, will show that there are 46¼ miles of street paved by sixteen paving boards, and the whole expenses of the seventeen in 1849 was 37,288*l.* raised in the year for paving and lighting, still leaving, as I stated, one-fifth of the parish unprovided for, except as I will mention.

2852. The general law makes no provision for the lighting or paving of the parish?—None at all.

2853. There is no Act of Parliament applicable to the whole of the parish of St. Pancras with respect to lighting and paving, and there is no municipal corporation in the parish which has powers applicable to those objects?—None for the parish, in its entirety. We applied to Parliament for the purpose, at an expense of 3,800*l.*, in 1851. The Bill passed the House of Commons, and was rejected in the committee of the House of Lords. Notwithstanding this rejection by the House of Lords, and notwithstanding the case which was made by us, the Board of Health, well knowing the facts, through their representative, Dr. Milroy, now charges in one of their reports upon the vestry of St. Pancras, the neglect of the whole of the district (which is the celebrated Agar Town district, where cholera and other diseases are breaking out) upon the elected body of the vestry, who have no control over it whatever. In respect to the money spent by the vestry in endeavouring to get such a control, the North Western Railway Company filed a Bill against Mr. Churchwarden Billett, myself, and twelve other vestrymen, praying for an injunction to restrain the vestry from applying their funds to any purpose of that kind, or applying to Parliament again upon the subject. Although they objected to our using our funds for that purpose, they could use theirs for the purpose of preventing us. That

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railway company are large ratepayers in the parish, and they have recently avowed that they were the authors of the scheme for filing the Bill in Chancery against us. We, therefore, suppose that the only remedy for all these defects is, that we should have a municipal corporation. Out of 19,000 ratepayers it would be impossible to obtain the necessary majority in order to apply to the Government for a charter of incorporation under the present law, besides which, the expense and trouble of doing so would be very great, and even then the existing boards would not be compelled under the General Act to transfer their powers to the general municipal body.

2854. Is it your belief that the existing power under the Municipal Corporation Act given to the great London boroughs of applying for a charter of incorporation is practically inoperative?—We fully considered that point when we applied for the local Act. It was absolutely necessary for us to have a separate Act in order to do anything effectual. But in order to make the matter still worse, under the Metropolitan Roads Act, under which the New Road was formed, the turnpikes were taken off, and the maintenance of 4,439 yards of road and public highway is now flung upon the vestry, to be provided for out of the poor's rate, though the houses on each side of the road are rated to the respective trusts, who do not spend sixpence upon the main road. The New Road is rated as regards the greater part of it to the Southampton trust, but still it is maintained out of the general rates of the parish. There are 7,000 or 8,000 yards of road not included in any paving trust whatever. I speak of roads actually made, which we have no power at present to pave.

2855. Does not the state of things you describe very much discourage the erection of a good class of buildings in your parish?—We have not had any good buildings erected in our parish, except on the large estates, till recently, in consequence of the state in which we are. Agar Town, which is unprovided for, is a miserable lot of hovels, I suppose some of the lowest in London; but on the Marquis of Camden's estate and the estate of the Duke of Bedford and others, where their own local Acts give them control, they have a good class of houses.

2856. In consequence either of the want of municipal institutions or a good parochial Act, do not you believe that the value of building land is depreciated?—Certainly, where there is no good local Act it is so. In many cases districts under estate Acts are as bad as others. It is only on the large estates that any good is done under them. The returns in other instances show that much too large an amount of money is spent without efficient control; in one the rate amounts only to 9*d.* in the pound, whilst in another it amounts to 2*s.* 6*d.* We have, as the Commissioners are aware, in consequence of having the New Road and the public thoroughfares thrown upon us, the entire weight of the whole of the coals brought by the Great Northern and the North Western Railway Companies, carried over our roads, causing us great additional expense. While the City is taking the toll, we get nothing for it, though we have to incur all the expenses of the increased traffic, and the traffic has so much increased that we have been obliged to pave the New Road at an expense of 9,000*l.*, that sum applying, however, only to a portion of it. We have spent 9,000*l.* already, and we shall probably have 9,000*l.* more to pay to complete the paving of the roads. We therefore think that we are unjustly used by the corporation of the City of London in levying upon us what does amount to a very heavy tax in the course of a year, and which would be far better levied in another way—I refer to the coal tax. The amount spent, as near as I can state, in the parish in one year, is about 110,000*l.*, including the cost of paving and lighting; of this only 71,797*l.* is the amount levied in the shape of rates in the year, and spent by the vestry, and included the police and the county rate. The whole rates levied by the vestry are 2*s.* in the pound on the rental. The improvement rates all added together would come on the average to about 1*s.* a pound additional. Therefore there is expended in the parish about 3*s.* in the pound only on every account, notwithstanding the defects which I have mentioned. Out of this we have to pay, which we should not have to pay without control if we were a corporation, no less than 8,287*l.* for the county rate, an immense proportion, a sum which would be fully equivalent to meet the expense of any corporate body. We also have to pay 16,390*l.* for the police rate, these two items taken together making 24,677*l.*, or a little more than one-third of the whole, which the vestry has to spend; and this third is without their control, and without their having any means of checking the expenditure or thoroughly knowing how it is spent. For that police rate of 16,390*l.* we have only four police stations, and from the returns we can obtain, we have under 300 policemen employed in the parish. The return to us is under 200, but I do not wish to speak to the particular detail of that. Certainly it is under 300.

2857. Do you object to the system by which the metropolitan police is under one general management?—No; but we object to the system under which it is paid for at present. We have been to Lord Palmerston upon this subject. His Lordship went into some detail with us, and told us that he would assist us if he could by a remedy; but what we should prefer would be, that the whole of the metropolitan boroughs should be formed into different municipal bodies, and then one general body should be elected out of them to control the main features of expenditure, dividing the amount rateably between the whole of the boroughs. The police rate is levied not exceeding 6*d.* in the pound on the assessment of the entire of the parishes within a certain distance. We have to pay 6*d.* in the pound on our full rental; Marylebone does the same; but when you

come to a rural parish or others not rated up to the full value, a large discount in the rating is of course taken off. The 6*d.* in the pound is fully levied upon us, and only a portion, amounting perhaps to two-thirds, upon them.

2858. That is owing to the defect of the present law of assessment, is not it?—Yes. We say, if there was a general municipal body, the whole amount required might be certified to that body, and might be rateably distributed throughout the whole of the metropolitan boroughs. We have also, which we need not have if there were a municipal corporation, to pay to parties not appointed by us, 4,359*l.* for lunatics, that amount being increased in consequence of the deficiency of the accommodation afforded by the county lunatic asylums. They have not accommodation for our lunatics; we are paying 8*s.* 2*d.* per head for the county lunatic asylums, while to the private ones we have to pay 11*s.* 9*d.* a head, largely increasing what we think is an extravagant charge in itself. If we had a corporation of our own, we think a large portion of that would be saved.

2859. From what body does your deputation emanate?—From the vestry.

2860. Were the vestry unanimous in preferring municipal institutions to the present parochial government?—They were. They are to-day discussing whether or not they think the parish sufficiently large to form a separate municipality, or whether they would be willing to join with Marylebone and Paddington for the whole borough. The committee have made a report to the vestry; the committee are unanimous upon the point of wishing for municipal institutions; but the question of detail we leave for the vestry to decide. I should give as another reason why we think we ought to have a corporation, or at least some amendment of the present state of things, and why we should have some special provisions to meet our own particular case, that we are very largely increasing every year, and that the proportion of 10*l.* householders in St. Pancras bears a very large proportion to the whole electoral body in the borough. Out of 19,665 registered electors for the whole borough, which is far too large a number for any practical purpose, we have 9,980 10*l.* shareholders in our own parish, a larger number than there was in the entire borough of Marylebone when the borough was incorporated in 1832; there were then only 8,901 electors for all three parishes. The relative proportions now are, 6,409 for Marylebone, and 3,196 for Paddington. We are, therefore, in St. Pancras, equal in the number of 10*l.* houses to Marylebone and Paddington together. There is also another point which we wish to impress upon the Commissioners: that whereas they have a sewers commission in the City, responsible to themselves and appointed by themselves, the sewers commission for the rest of the metropolis, not appointed by or responsible to the ratepayers, which can, and in this year does intend to raise a rate of sixpence in the pound, which will produce a very large sum in our parish, a halfpenny rate producing no less than 1,500*l.* a year. I may say, that on the new parts of Lord Camden's estate and others, the sewerage is provided for by the people who take the land before they can erect any buildings whatever upon it, and the expense is charged to the men who build the houses. Those houses will therefore have to pay twice over, and in respect to the rest of the parish, the sewers commission have not spent anything like the 3,000*l.* a year in the parish since the commission has been appointed; that is, I believe, an exaggerated estimate of their expenditure with us, so that there is an injustice done to the best houses, which are taxed to a certain extent twice over; and we think, if we had a deputation from the minor metropolitan bodies to one general municipal body, for the regulation of those matters which affect the whole metropolis, it would be an improvement upon the present state of things. The other point to which I wish to refer is, the supply of water, which in many towns is under the corporate body. We have three water companies supplying our parish. The New River Company supplies the largest portion. The Kentish Town and Camden Town districts are supplied by the Hampstead Company; and a portion of the Regent's Park by the West Middlesex Company. In the Hampstead, the water is very bad, and is stated to be unfit for private use, and the West Middlesex rates are very high. The details of our expenditure for the last year, showing that we spend a very small amount indeed in salaries, and that the chief part is expended for the benefit of the parish, with little or no unnecessary outlay, I have with me.

2861. How are your accounts audited?—By five auditors, annually elected by the ratepayers themselves.

2862. Have those auditors ample powers of going into the accounts?—They have; they can reject any items. They have not I see in this account objected to anything; but their practice is to make a note of anything objectionable at the end, even supposing they pass it.

2863. Are they generally professional accountants?—They are usually men well conversant with accounts, in a large way of business; not so much professional accountants as men who are well conversant with accounts, and who keep large accounts of their own in the parish; they are not paid, and therefore a professional accountant could not be obtained.

2864. Are they persons in an independent position, who might venture to object to what they think is objectionable?—They not only may venture to object, but they do object; and we had great difficulty in getting the sum for the proposed Act of Parliament allowed in the account even by the auditors, and they appended to it a note that they would not allow any similar account in future. They not only audit the whole details,

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and audit the whole of the receipts in detail, but they also require us to state and to state to the public our assets and liabilities at the end of every half year.

2865. Looking at the state of the law, and the facts which you have described, as to paving and lighting, and other points in the parish of St. Pancras, do the vestry feel that they are at present possessed of sufficient powers for the proper management of the affairs of the parish?—Decidedly not; otherwise they would not have tried at such an expense as they have incurred to get additional powers.

2866. Do they also feel there is very considerable difficulty in obtaining proper local legislation by their own unassisted efforts?—We say we are prevented doing so. The House of Lords having thrown out our Bill, and being advised by counsel that if we did proceed to expend any sum of money, we should be liable to an injunction, and should be liable to pay the costs ourselves; and the North Western Company having mooted the question, we have been obliged to pass a resolution that we will not proceed ourselves; negativing altogether the intention to proceed, though we all wished to do so.

2867. At present your parochial affairs may be said to have been brought to a complete stand-still?—As far as paving and lighting are concerned, and also on the other points which I have mentioned, which we have no control over, amounting to so large a proportion as one-third of the entire of our expenditure. Before I close this part of my examination, I wish to state that some observations may be made upon the small number of persons who actually vote out of 19,000 who have the power of voting at a contested election for vestrymen. 4,200 is the number who actually voted this year. The proportion voting for vestrymen, however, is larger than the proportion voting for a representative on a contested election for members of Parliament for our borough. I state this to correct an error in the return moved for by Sir Benjamin Hall, printed in 1849, No. 16. The actual number of voters at the election in 1847, which was the closest contest we have had between Lord Teignmouth and Sir Benjamin Hall, was 6,300 for the entire borough of Marylebone, including our parish, and not 15,050 voters out of 16,812 registered electors, as in the parliamentary return is stated; the person who made up that return having added the votes polled for the five candidates together, and given that as the number of persons who actually polled. We poll 4,200 for our division alone, at a local election in St. Pancras; while 6,300 only polled for the entire borough, at a general election. One point upon which I am requested to speak to the Commissioners, refers to a part of the practice of the Mayor's Court in the City of London, by which foreign attachments may issue upon the monies or goods of traders in the City of London. Great inconvenience has been experienced in St. Pancras, from the state of the law, as it affects that part of the City's jurisdiction. Whether it is right to continue it or not, speaking now as a representative of the vestry, I do not say. As the law stands, or is presumed to stand, if a man keeps an account at a banker's within the City of London, the monies are liable to be attached. If he keeps money at a joint stock bank, which has a branch in Marylebone, or any of the other parts of the metropolis, the City may attach the money still at the City house; and therefore they distribute over the entire district a power of attachment, which was originally confined to the City of London only. I am aware that one of the joint stock companies is about to dispute that point with them; but the law, as laid down in Mr. Locke's book, which is the best authority by far, on the City courts, is, that they have the power which is claimed, and they have hitherto exercised it undisputed. Therefore, while those who keep an account at a joint stock bank are liable to attachment if the bank has any branch within the City; those who bank with a west-end banker are apparently safe; but safe only till a partner of the bank is caught going inside the walls of the City. If such a partner walks to the other side of Temple Bar, and you have your attachment there, you may at once put that attachment upon the money lodged in his bank out of the City; it only wants the personal presence within the City of London of one of the partners of the bank. That is so flagrant an absurdity that it requires a remedy. The City of London, when this power of attachment first existed, at least when it was most used, had only bankers resident in the City. It is comparatively a modern practice for any bankers to carry on business out of the City of London. There was no practical difficulty, therefore, in days gone by, but now there is. Having mentioned the difficulty experienced by traders in St. Pancras, from the state of the law in that respect, I may mention, that as a solicitor I have myself had to use that power of the court for foreign attachment; and most recently in the memorable case in the attachment of monies belonging to the Queen of Spain. If the power is to be extended over the whole metropolis, as it ought to be, if it is to continue, some amendment of that part of the law which throws a difficulty in the way of bankers, and also in the way of persons keeping an account at a bank, should be remedied.

Mr. S. Stockton

Mr. SAMUEL STOCKTON, having been sworn, was examined as follows:—

2868. Is there anything which you wish to add to the statement which has already been made as to the coal duties and the cartage?—Yes; Mr. Cooper has not gone into the principle of the coal tax so much as I am desirous of doing. I appear before you at the request of the vestry of St. Pancras, to which body I have the honour to belong. The rate-payers generally feel this tax to be very oppressive. I have endeavoured to ascertain

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how far the poorer ratepayers pay in proportion to their richer neighbours, and I find that the poorer persons pay more in proportion than those in affluent circumstances. The Commissioners have heard that the exact number of houses rated in the parish is 1,909. I will call it in round numbers 20,000. I find by inquiry, taking my own house for instance, where we have two fires, the kitchen, the parlour fire, and occasionally one in the bed-rooms. In the same street in which I live I made some inquiry, and found that the average consumption of coal by the middle class of society is about seven tons per annum per house. Looking over my own bills I found this, and then went to some of my neighbours and found mine about the average. I go to another part within 200 yards in another street, where the assessment is about 30*l.* a year, and I find that from apartments being let out, the average is five fires instead of two; consequently, the ratepayer whose assessment is lower, and who, according to my calculation, consumes ten tons of coal, actually pays 1*l.* to this tax, while the house which is assessed at a higher rate, pays 14*s.* per annum, showing clearly that this tax is most oppressive in its operation and most unjust in principle. I now am desirous of directing your attention to the fact that we have two large railway termini—the Great Northern and the North Western—in our parish; the consequence is, that the traffic, which is very heavy over our roads into the City, applies more to our parish than to any other in the metropolis; in addition to which we have the traffic into the City from the Great Western Railway. A great portion of the traffic, even of that line, comes over our roads, entailing, as must be evident, a very heavy expenditure upon the ratepayers in keeping those roads in efficient repair. We complain of the injustice of the corporation of the City of London having the power to tax us in the shape of a duty on coals, whereas we, the ratepayers of St. Pancras, are obliged to allow all this immense traffic to come over our roads without calling upon them to pay towards the expense of keeping up the roads a single shilling beyond their ordinary rates. The Commission is perfectly aware that we have no voice in the appropriation of this fund. I believe it is called an improvement fund. I have resided for thirty-three years in the parish of St. Pancras, and I never heard of one single penny being expended on purposes either ornamental or useful to that parish. I think, therefore, the case of the parish of St. Pancras must meet with the attention of this honourable Commission, and we trust that it will lead to some alteration of the present system.

G. Offor, jun., Esq.

GEORGE OFFOR, Jun., Esq., having been sworn, was examined as follows:—

2869. You are a broker, are you not?—I am.

2870. Are you in the habit of transacting business in the City of London?—I am, as partner in the firm of Offor and Gamman.

2871. Are there any points connected with the system of brokerage in the City of London to which you are desirous of calling the attention of the Commissioners?—There is one point only. I wish to call the attention of the Commission to this fact, that the body to which I belong, the ship and insurance brokers of London, are taxed by the City to the extent of 5*l.* individually each member of a firm for the privilege, as they term it, of carrying on our business of ship and insurance brokers. This tax, which is better known by the name of brokers' rents, is claimed by the City by virtue of certain Acts of Parliament passed in the reign of William III., Anne, and George III. Those Acts empower the corporation to make certain regulations as to the admission of brokers. I wish to point out to the Commission, in the first place, that the Corporation do require ship and insurance brokers to pay this tax of 5*l.* a year, and in the next place, that it is not only a very unjust and anomalous tax in its working, but, is also an actually illegal tax, the question having already been decided in a court of law, that the Corporation of the City have no claim upon the ship and insurance brokers. I have heard it stated, that we voluntarily apply to the corporation to be admitted as sworn brokers, and that they do not come to us and require us to be such. To speak from my own experience, when I succeeded to an old established business, where the principal had been in the habit for a long series of years of paying this brokers' rent, I applied at the town clerk's office to get his name struck off the list of sworn brokers, and I then stated that I was about to succeed him in his business. They said then, before you can commence your business it is necessary for you to take up your freedom, and to apply to the Court of Aldermen to be admitted as a sworn broker.

2872–3. When did this take place?—In December, 1849, I accordingly applied; I was admitted; I executed a bond or copy of which I have before me; I received a silver medal and paid some 6*l.* or 7*l.* in the shape of fees, and since that time I have paid my 5*l.* a year rent. Soon afterwards I received a copy of a little work published by the corporation, containing a list of all the sworn brokers, and I was surprised to find that in this list but a small proportion of the ship and insuance brokers in the City are included. Those which I have underlined are the only ship and insurance brokers admitted and sworn. I made inquiry among those who were not sworn, and I found from them that it was absolutely unnecessary, and the corporation have never attempted to enforce any payment. I find by the Post Office Directory there are about 200 ship and insurance brokers, who call themselves brokers, and out of that number only fifty-three are sworn brokers. In

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another list, which will be found in the Weekly Shipping List, which I have myself prepared as editor of that publication, it appears that there are 156 brokers who are now carrying on business, of whom only thirty-five are sworn. I consider, therefore, than it is extremely unjust that I and others should be called on to pay that 5*l.* tax, when the great majority of brokers are to be let off altogether, or equally unjust if the City have no power to enforce it. As to the legal decision, I find, on reference to M'Culloch's Commercial Dictionary, which is a great authority on commercial matters, it is distinctly stated under the title "Brokers," that a ship broker is not within the various Acts for the regulation of brokers in the City of London. He quotes a case in which the question was decided, which you will find in 4th Bingham, the case of Gibbons versus Rule, tried in the Common Pleas in June 1827. In that case, which the Commissioners may have heard of, a broker sued a shipowner for his brokerage. The shipowner pleaded that the broker was not admitted and sworn by the City,—that plea was at first held by the judge to be fatal to the action, but the matter was further looked into, and the rule was made absolute, which reversed the decision of the judge,—it being pointed out in that case, that the ship and insurance brokers do not come within the meaning of those Acts either in spirit or in letter. This is as far back as the year 1827. The City, therefore, have no legal claim, and they never attempt to enforce it upon those who do not willingly pay.

2874. If you believe the City to have no legal claim, and they never attempt to enforce it, why have not you redressed the grievance by simply refusing to pay it?—Simply for this reason, I have given two securities to the City for the due payment of the 5*l.* a year.

2875. It is too late, therefore, for you to demur to the payment?—It is.

2876. Do you know whether the corporation have taken measures in any case to compel the payment from other persons, or to compel other persons to become sworn brokers?—I believe they have never done so in the case of ship and insurance brokers. If you apply to the town clerk's office (as I did yesterday, in order to test the matter still further), and ask the question, am I, as a ship and insurance broker carrying on no other business whatever, liable to the 5*l.* tax, the answer is distinctly yes, and you can not carry on your business without it; and if you will lodge an information against any person who is carrying on business, not admitted and sworn, we will commence proceedings. I immediately lodged an information that my partner had been carrying on business with me for the last two years, and that he did not pay and never intended to pay it.

2877. You will have an opportunity now of seeing what course the corporation will take?—We shall. I find that several old brokers who were admitted many years ago have ceased to be sworn brokers; they carry on the same business, but no longer pay the brokers' tax.

2878. Does the City subject the person who is sworn as a broker to any examination, or take any steps to ascertain whether he is a fit person to exercise the calling of a broker?—They only require you to give them some certificate signed by six or seven householders of the City, that you are a fit and proper person.

2879. Does that certificate afford any security for the fitness and respectability of the person sworn?—I should think not.

2880. Do the public give any preference to sworn brokers over those who are not sworn?—Not the slightest. I have not derived the least benefit from it.

2881. The authentication of your admission by the City does not operate in the nature of a diploma in any way?—Not in the slightest degree. There is another anomaly which I ascertained yesterday at the town clerk's office. They stated to me: Though you are admitted as a ship and insurance broker, and are so described on our records, you have full power to act as a stock and share broker. But in reply, I say, the bond which a stock and share broker gives differs from mine. Yes, they say, and if you had been admitted as a stock and share broker, you could have acted as a ship broker, but, having been admitted as a ship broker, you can act as a stock and share broker.

Mr. A. Macnamara.

Mr. ARTHUR MACNAMARA, having been sworn, was examined as follows:—

2882. Have you ever been employed as an agent in any elections connected with the City of London?—I have sometimes assisted in elections for the City of London.

2883. Can you mention any particular elections in which you have been engaged?—Principally parliamentary. I assisted in the late election for chamberlain.

2884. In any other City election?—I do not recollect that I ever took an active part. I have occasionally voted.

2885. Were you an agent in the last election for chamberlain?—Yes.

2886. On which side?—Sir John Key's side.

2887. It has been stated to us that considerable expenditure was incurred in carrying on that election; are you, as an agent, able to state whether you believe that to have been the case?—There was some money expended decidedly.

2888. Was any money expended in that election in paying voters?—In the usual way in the City of London; by paying men as canvassers, and flag-bearers, and constables, and the different avocations usually pursued by men at election times.

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2889. Were they voters who were so paid?—There were many voters who were so paid, and many persons who were not voters.

2890. In point of fact, was it the case at that election, that payments of that description were made to voters higher in amount than would have been made for the mere services for which the men were nominally employed, with a view to induce them to give their votes?—I never paid any myself.

2891. Have you reason to believe that such payments were made?—I have heard that there were payments made to the amount of 10*s.* or 15*s.* to a man for his day's work.

2892. Was any treating carried on at the election?—I think there were seven or eight days' election, and I paid expenses upon that occasion to the amount of 20*l.*; that was for the expense of the committee.

2893. Do you believe that the treating went beyond that amount?—I do not think there was any treating.

2894. Have you any means of knowing what was the total cost of that election on the side on which you were employed?—I have no idea at all.

2895. Is there any other City election in which you have been personally engaged?—Principally parliamentary elections. I think some years ago I was employed in one or two municipal elections.

2896. Do you believe that the practice with regard to elections for City officers has materially varied in regard to the purity of those elections of recent years?—I think there is much less money expended in the City of London at municipal elections than there is at parliamentary elections. The livery of London generally are a very respectable body of men. There are 10,000 or 12,000 liverymen, and I do not think it is possible to find above 200 or 300 men who would take anything for their vote, or even a glass of wine for refreshment.

2897. Had you anything to do with the bringing up of non-resident voters?—No.

2898. Do you know whether their expenses were paid?—I think they were. I paid in several instances from 15*s.* to 20*s.* to persons coming from a distance. I recollect two or three voters came from Gravesend and one from Brighton. In those cases I paid their expenses.

2899. Do you think the necessity of bringing up distant voters adds materially to the expense of a City election?—No doubt of it.

2900. Have you ever had anything to do with contested elections for the office of alderman?—In several instances I have.

2901. Do you believe that it sometimes happens that elections for aldermen are accompanied with considerable expense?—I was born in the ward of Portsoken, and we had some very severe contests in that ward. A person of the name of Scales, some years ago, was brought forward, and his election was carried on two or three occasions. After Mr. Johnson, who succeeded Mr. Scales, Mr. Moon came forward; he was opposed by Mr. Salomons, and there were law proceedings which protracted the contest to a period of seven or eight months. I had the management of that election the principal part of the time.

2902. Was there considerable expenditure in that election?—I should think the whole of the contest did not cost Mr. Moon more than 500*l.* or 600*l.*, and I do not believe in that election, though in a very poor ward, there was any one man received a shilling for his vote.

2903. How was that money spent?—It was spent in canvassing and evening parties. There was some money spent in refreshments; perhaps a dinner or two was given.

Mr. T. P. Rose.

Mr. Thomas Plant Rose, having been sworn, was examined as follows:—

2904. Have you been engaged in conducting any contested elections for the City of London?—Very few.

2905. Were you engaged in the conduct of the late election for the office of chamberlain?—I was.

2906. In what capacity?—As a confidential agent for Mr. Scott.

2907. You mean in the contest between him and Sir John Key?—Yes.

2908. Are you able to state to the commissioners, from what you observed of that election, whether you believe there was considerable expenditure on both sides?—There was, but not more than usual upon those occasions.

2909. Do you mean that at the election to the office of chamberlain there generally is considerable expense incurred?—Yes.

2910. What is the nature of that expenditure?—Bringing voters from a distance to record their votes.

2911. Is there no expenditure besides that?—Sometimes they are paid for their votes, or, when they come a great distance, for loss of time: at times they are paid for refreshments.

2912. What do you mean by being paid for their votes?—F going down a considerable distance, and bringing them away from their work.

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[2913]. Is not it the case that, indirectly, payments are made to voters who are not brought from a distance, to induce them to vote for particular candidates?—I have no knowledge of any such practice.

[2914]. Are there not a great many persons employed as messengers, colourmen, and so on, at elections of this kind?—There are.

[2915]. Are the payments made to the persons so employed merely the payments that would be necessary to obtain the service which is exacted from them, or are they larger than that, and in reality an inducement to voters to support certain candidates?—Not at all. The payment is so much for the colourman, or whatever the office may be, and the average amount of pay is about 7*s.* 6*d.* or 10*s.* a day.

[2916.] Do you mean that, at the election you speak of, no payments were made to persons employed in that capacity who were also voters higher than the rate of 7*s.* or 10*s.* a day?—Yes; there were some paid 20*s.*,—ten, or fifteen, or twenty of them.

[2917.] What were they paid 20*s.* for?—The same thing, only they went about and collected the voters from different parts. They knew where the liverymen resided, and they were in full employment.

[2918.] Do you know what was the total amount expended by Mr. Scott in that contest?—I think about 3,500*l.*

[2919.] Was the whole of that money spent in paying the expenses of travelling and the mere cost of agency in canvassing?—Entirely so.

[2920.] You state that no payment was made directly to any person to induce him to vote?—I never saw anything of the kind.

[2921.] Do you believe any payment of that sort was made?—I heard of payments of that kind, but I never saw any myself.

[2922.] Was there any treating going on?—Very little.

[2923.] Do you happen to know how much money was spent on the other side?—1,900*l.*

[2924.] Then Mr. Scott's expenses were greater than Sir John Key's?—That was only in one particular department. I think Sir John Key told me his election cost him upwards of 7,000*l.*

[2925.] You mean that the total cost of his election for the same objects as those for which Mr. Scott paid 3,500*l.* was more than 7,000*l.*?—Yes.

[2926.] Were there more out-voters brought up for Sir John Key than for Mr. Scott?—I believe I have as great an influence over the out-voters as any one, and I do not think there were any more than I brought up myself.

[2927.] To what is to be attributed the far greater sum which Sir John Key spent than that which Mr. Scott spent?—I think the greater part of it was spent in employing men to go and get votes from every part of the country.

[2928.] Do you think it is possible that such a sum could have been spent bonâ fide for agency merely?—It could not.

[2929.] Did you take an active part in the proceedings of the election throughout the whole course of it?—I did.

[2930.] You were probably to a certain extent conversant with the proceedings on the opposite side as well as on your own side?—I was.

[2931.] Do you believe that any portion of the sum of 7,000*l.* expended by Sir John Key in that election was spent in directly corrupting voters?—I think it was.

[2932.] Do you think any considerable part of that sum was so spent?—I should think so.

[2933.] Do you believe that Mr. Scott's election was lost, and Sir John Key's election gained by the money so expended?—I do.

[2934.] Was treating carried on to a considerable extent on Sir John Key's side?—I did not see any myself.

[2935.] Have you been conversant with any other City elections?—With all the municipal elections for some years.

[2936.] Was there anything particular in the character of that election of which you have spoken for the office of chamberlain, or is the description you have given more or less the general character of the elections for important offices in the City?—It is very different. In the case of the sheriffs' elections, in which I mostly interfere, they are very different.

[2937.] The sheriff's office instead of being an office which is coveted, is rather an office which is avoided, is not it?—It is sometimes coveted. Sometimes there are four or five in the field for it.

[2938.] Is corruption ever resorted to in the elections for the office of sheriff?—Never,

[2939.] Is money ever expended on the other hand, to induce voters to negative a person nominated as sheriff?—I never heard of such a thing.

[2940.] Have you ever taken part in any other elections besides those of the chamberlain and the sheriffs?—No.

[2941.] Have you had anything to do with the election of an alderman?—Never.

Mr. Henry Trimbey Gray, having been sworn, was examined as follows :— *Mr. H. T. Gray.*

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2913. You are connected with the City of London ?—I am a citizen and freeman of the Drapers' Company.

2914. Were you once engaged in a prosecution in which the City of London bore some part ?—I was.

2915. Can you state to the Commissioners the principal facts respecting that prosecution ?—The facts were, that I prosecuted myself a gang of swindlers in 1847, their names being Gardner, Holliday, Seager, and Loup, residing in Pancras Lane, in the City, and carrying on business to a very great extent in a fraudulent manner, having various counting-houses in different parts of the City of London. Among others, I was robbed of a portion of property, cordage for shipment to the Cape of Good Hope, as was represented, to the amount of 297*l.* After finding out that they were a gang of swindlers, I commenced a prosecution. At the commencement of that prosecution I was given to understand that the cost of it would be merely nominal; that it would be under 25*l.* From misfortune, and the loss of my premises by fire, I could not undertake the whole very well. A friend of mine said he would pay 15*l.*, and I paid 10*l.* towards the attorneys' bill. It was to have been done for the sum of about 25*l.* As I proceeded with the case, I found that it involved many other cases; and among others, that there were forty-nine witnesses whom I had to send for, on behalf of the prosecution, to ensure a conviction. I obtained those witnesses. The prosecution involved the loss of my trade to a great extent, besides occupying my time, having two policemen mostly with me when I went to take down the depositions, and ultimately attending them at the attorneys' office to enable the case to be brought to a proper result. After having done so much as that, it was found necessary, as the expenses were much larger than was anticipated, to open a public subscription. That public subscription was opened. Many influential houses, Messrs. Travers, Baron Rothschild, and many others, gave donations in aid of that public subscription, and ultimately the corporation of the City of London, by a vote of the common council, gave 50*l.* in aid of the funds. After the affair had proceeded so far, the case was brought on for trial in December, 1847, at the old Bailey. A lengthened trial took place, and ultimately we succeeded in convicting three of them : Gardner, Seager, and Holliday, the other two escaped. One of the name of Loup was not convicted, and a man of the name of Herman Casel escaped, whose sureties were forfeited. When the case had gone on as far as that, and the trial was over, it was considered necessary to get my attorneys' bill. Mr. Barber had introduced me to my attorneys, Messrs. Hillary. I had their bill given to me to pay, and to my great astonishment the attorneys' bill which came in amounted to 352*l.* The total amount of the subscription that was raised by the public, including the 50*l.* from the corporation of the City of London, amounted to 304*l.* There was a deficiency in means, therefore, to pay the solicitors, independently of my losing my goods, and also my time, and the private expenses which I had incurred. I was advised that the better plan was to pay the solicitor 250*l.* on account of his bill, out of the proceeds which I had received from the public subscription, leaving a balance then of 102*l.* After that, to assist in the payment of the solicitor's bill, I was induced to petition the Lords of Her Majesty's Treasury, on behalf of the estreats, which had been forfeited from this Herman Casel's sureties. I did so, and the Lords of the Treasury thought favourably of my petition ; and I received a communication from Mr. Reynolds, of Gwydyr House, the purport of which was, that I was to bring a copy of my brief, and a copy of my indictment from the solicitor, who carried on the prosecution, to convince Mr. Reynolds that I was the prosecutor. Mr. Reynolds was kind enough to say that the Lords of the Treasury had favourably entertained the petition, and that when the money was paid over, there would be an order given in the Exchequer for me to receive the estreats of Herman Casel's sureties, which had been forfeited, by his not coming forward to take his trial. I made several applications, and finding the estreats were not paid into Her Majesty's Exchequer, I inquired the addresses of those two sureties, and found that they were persons residing in Little Britain and Aldersgate Street, in the jurisdiction of the City of London. I then wished to apply to the corporation of the City of London. On applying to them, I went with Mr. Barber to the office of the under sheriff, Mr. Wire, to get his able support in recovering the estreats, and also to assist me in recovering the amount by a petition to the corporation. The corporation having lent themselves in a measure by a vote of 50*l.* to the prosecution, I thought I could take no better course. Mr. Wire at the outset promised me his able assistance, In the course of the twelve months which elapsed, I had several times been to the secretary's office, and I then received a letter from Mr. Potter, saying that he had received the fines from Herman Casel's sureties, 100*l.* each; advising me to petition through the City solicitor. I first saw Mr. Wire with my friend, and he told me in the presence of my friend, who knew quite to the contrary, that the fines were not received, nor were they paid into the secretary's office, and what is more, that they never would be paid. I was always given to understand that Mr. Wire must have known that the fines had been received; at all events, Mr. Wire then said I had made a very fine thing of the public subscription. I told him it was quite the reverse. He then said to my friend, "If you had a pocketful of money, would you like anybody to "come and put their hands in, and take it out?" There ended my correspondence with Mr. Wire. After that, I petitioned the City solicitor, by the wish of Mr. Potter, his request

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being contained in a letter to me. I received no answer from the City solicitor, and I was then advised to make a public appeal to the Court of Common Council, by a general petition; which I did, and that petition was presented by Mr. Norris, of Aldersgate Street. Prior to its being presented, I had seen Mr. Lawrance at his residence. I wished Mr. Lawrance to take charge of that petition, but he said, having become an alderman, it would not be in character for him to present the petition, and I had better get a member of the common council to do so. I did succeed in getting Mr. Norris to present it. When the petitioner came forward, Mr. Lawrance was sheriff elect. He immediately rose and opposed the petition, on the ground that the money belonged to the sheriffs, and not to the corporation. The petition I presented (of which I have a copy here) to the corporation, was brought on on Monday, when many friends who had promised me their support, were on the corn market and coal market, and could not attend till three o'clock. Consequently, the prayer of the petition was lost, and Mr. Lawrance's motion was carried that the money belonged to the sheriffs. Afterwards, the petition was presented again in another form, giving them credit for the 50*l.* which they had voted to me, and asking for 150*l.*, the balance of the amount which they had received. The court generally terminates soon after four o'clock, and this was brought forward just about that time, by Mr. Taylor, and was overruled by the majority; there being only twenty present instead of forty. Alderman Wilson, who had promised me his support, held up his hand in favour of the petition being referred to a committee to know what sum of money should be granted in aid of the expenses incurred. However, it was all lost, and there the affair terminated entirely. Mr. Hilleary waited no longer for his bill; he put it into another attorney's hands to get taxed, and on taxing it, the balance of 102*l.* was brought down to 63*l.* I received a communication from him to attend the taxation of the bill. I did not attend. I offered no obstacle, nor did I seek to resist the payment. This happened on Wednesday; and when I went home on the Friday evening, I found an execution in my house from Mr. Hilleary's solicitor, who was Mr. Carroll.

2916. There could not have been an execution in the house without many previous steps having been taken?—There was no further notice given to me than to attend the taxing master.

2917. There must have been judgment against you to warrant an execution?—It was all unknown to me. We had arranged to settle it with Mr. Hilleary by my paying 20*l.* on Monday and 10*l.* a month afterwards, but on Friday morning there was this execution put into my house. I managed to get the money together, and paid it with 9*l.* 16*s.* costs. That completed the expense of the prosecution. I have seen many members belonging to the Court of Common Council, but I have always been given to understand that the last was the final appeal I could make to the court under any circumstances whatever. The 200*l.* has been received, and has been paid into the secondary's office and transferred to the corporation, and the corporation have entirely closed the doors against me and against any application of mine for the purpose of recovering the money.

2918. You say that the money has been paid by those sureties into the secondary's office?—It has.

2919. What means have you of knowing whether this money was ever paid over to the corporation?—It was paid to Mr. Potter, who received it from the under sheriff on behalf of the corporation.

2920. The corporation could have no right to it if it belongs to the sheriff?—That is a disputed point. I understand that estreats have been actually given to the sheriffs, and Alderman Lawrance said they should have to pay certain expenses at the Old Bailey if the sheriffs were deprived of their right to the fines and estreats.

2921. If the money went to the sheriffs, it could not get into the funds of the corporation at all?—It was never disputed by the corporation that they had received it.

2922. Either the estreats in London belong to the sheriff as sheriff, or they belong to the corporation. If they belong to the sheriff as sheriff, they would never get into the funds of the corporation at all, because the sheriff would put them into his own pocket?—I am not clear upon the point.

2923. Did you ever make any application to the sheriff of the day?—Mr. Wire was the under sheriff at the time.

2924. The person to whom Mr. Wire was under sheriff would probably be the person, if the sheriff was entitled to it, who would have this money. Have you ever made any application to him?—None; always understanding that the money belonged to the corporation of the City of London. During the time the prosecution was going on, I was offered the sum of 500*l.* to make a flaw in the indictment, so that the whole of the prisoners might be acquitted, especially Herman Casel, who was the leader. That offer I rejected, and would not accede to any proposals on behalf of the parties. After the trial was over I wrote to the City solicitor, asking the aid of the corporation to assist in prosecuting Herman Casel, should he be apprehended, hearing from parties that he was likely to be apprehended; but I received no answer whatever to that letter. After the trial, finding that I had been reduced in circumstances, I had an offer of 250 sovereigns to give up the judge's warrant, to allow Herman Casel to come to England. That offer was made to me by agents of theirs in the presence of a respectable gentleman, a Mr. Dearsley, of Billingsgate, a fish salesman. I rejected the offer as I have rejected every bribe and temptation which has been offered. I have had 500 copies of my petition

printed, and have circulated them among the members of the common council, but I have received no remuneration nor any redress from the corporation except the first 50*l.* *Mr. H. T. Gray.* 30th Nov. 1853.

2925. There does not appear to have been any refusal on the part of the corporation of what could be claimed by you as a right?—I do not claim it as a right. I claim it on the ground that it was a very hard case that I should have been put to this great expense, and have been almost ruined, and they should refuse me all assistance in the matter. It has appeared in all the petitions which I presented that there is a certain party connected with the corporation of London who invariably carry the day. Mr. Sheriff Wire, and Mr. Taylor, and Mr. Deputy Harrison, and Mr. Hall—all influential men—invariably side together, and they are the stronger party, and had I succeeded in getting their able assistance, I was told I should obtain my object. I paid them all personal visits, but I could not obtain sufficient influence with any one of them to take cognizance of the case at all. I believe if any member of the Court of Common Council were to ask for an account of the estreats and amerciaments which are levied within the jurisdiction of the City of London for a period of five years or any definite period, and the way in which they are disposed of, it would throw great light upon this case of mine and upon where the 200*l.* was paid to. I have never heard of those estreats being accounted for by any inquiry.

Adjourned to Friday next, at 12 o'clock.

Friday, December 2d, 1853.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P., IN THE CHAIR.

EDWARD LEIGH PEMBERTON, Esq., having been sworn, was examined as follows. *E. L. Pemberton, Esq.* 2d December 1853.

2926. You are solicitor to the Board of Land Revenue?—I am.

2927. How long have you held that office?—I think it was in the year 1830 I was first appointed. At that time it was the united Board of Woods, Forests, Land Revenue, Works, and Buildings.

2928. In the course of that time have you become acquainted with any disputes which have taken place between the corporation of the City of London and your office, with regard to the soil or the conservancy of the river Thames?—Yes, I have.

2929. Will you have the goodness to state to the Commission what you know on that subject?—First of all, perhaps the Commissioners will allow me to state that I attend here by their desire to give such information as they call for. It is now upwards of sixteen years since my attention was first directed to the question of the title to the bed and shores of the river Thames. The circumstances which led to it were these: the corporation of London have for a very long time, I believe immemorially, held the office of bailiff and conservator of the river. In the year 1837 the solicitor to the Admiralty called upon me, and he drew my attention to an Act of Parliament which had been passed in the previous session, the session of 1836, for constructing a pier and other works at Greenwich, which Act of Parliament contained a clause directing the payment of a fine and an annual rent to the corporation of London for the liberty of digging the foundations for that pier upon the shores of the Thames. At that time there was a Bill in progress through Parliament to amend and extend the Greenwich Pier Act, and it appeared to me that the corporation of London, in the exercise of their office of conservators, were usurping rights which could belong only to the owners of the soil. It also appeared to me that the clause which directed payment to be made to the City of a fine and rent, was an encroachment upon the property, and upon the rights of the Crown, in whom the shores of all navigable rivers within the flow of the tide are primâ facia vested. I thereupon communicated with the Board of Woods, and I was instructed to prepare clauses to repeal the clause contained in the former Act. A correspondence and interviews took place between myself and the City solicitor or City remembrancer, and the Commissioners of Woods and a deputation from the corporation of London; and eventually clauses were settled by the Attorney-General of that day, the present Lord Chief Justice of England, and the counsel of the corporation, by which so much of the former Act as directed the payment of rent to the City was repealed, and clauses were inserted saving the rights of the Crown in respect of its property in the soil, and the rights of the City in respect of the conservancy. At the same time an embankment of the river was required for the new Houses of Parliament. That happened to be about the same time, and those two circumstances together led me to enter upon an inquiry into the nature of the title to the soil and shores of the river. I then collected all the materials I could, including Luffman's printed edition of the charters of the corporation. I also collected what evidence I could as to the exercise of acts of ownership on both sides, and I embodied it in a case which I submitted to the Attorney and Solicitor Generals, the present Chief Justice of England and the present Lord Chancellor. They gave their opinion that the evidence in support of the Crown greatly preponderated

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—that none of the charters contained apt words for passing the soil; but they advised that the Crown should not voluntarily enter into litigation, but should act as if its title was undoubted. No proceedings therefore were at that time instituted; but the Commissioners of Woods proceeded to act according to the advice of the law officers. That was in 1837. In the beginning of 1843 reports were published in the newspapers of proceedings in the Court of Common Council, by which it appeared that the corporation had granted, or were about to grant, licences to embank portions of the river, and that they were granting such licences not only in the character of conservators, but in the assumed character of owners of the soil of the river. I then wrote to the City solicitor for copies or particulars of the licences which had been granted, or were about to be granted, and I received from him a copy of one licence, which had been granted to Mr. Cubitt, for an embankment in the Isle of Dogs. The licence appeared to me to be rather artfully framed; it did not contain any actual grant of the strand or soil of the river, but it professed to give full permission and authority to Mr. Cubitt to embank it, with a covenant that he should quietly hold the embankment without interruption by the corporation of London, or any person claiming under the corporation. The corporation were not described in this instrument as conservators of the river, and there was nothing on the face of the instrument to imply that they granted the licence merely as conservators; on the contrary, it was so framed as to imply that they granted as owners of the soil, and it appeared that they took a pecuniary consideration for making the grant. Upon that, by order of the Board of Woods, I consulted the Attorney and Solicitor Generals of that day, the present Lord Chief Baron and the late Sir William Follett, and they were of opinion that the claim of the ownership of the soil of the river being now openly made on the part of the corporation, and acts having been done by them in assertion of the right claimed, it was desirable that the question between the Crown and the corporation should be set at rest, and that an information should be filed in the Court of Chancery against the corporation and the grantees of the licences to embank, praying that the rights of the Crown and the corporation respectively might be ascertained and declared, and that if it were necessary to determine such rights by issues at law, such issues might be tried under the direction of the court. That opinion led to the information, which is still pending, being filed. That opinion was given in January 1844, and on the 15th of February 1844, an information was filed by the Attorney General in the Court of Chancery against the corporation of London and their town clerk, and against Mr. Cubitt and several other persons to whom the corporation had granted licences to make embankments, some of those embankments being complained of as nuisances and obstructions to the navigation. I will state the nature of the information, if the Commissioners desire. The information stated that the Crown, by virtue of its prerogative, was seised of the ground and soil of the coasts and shores of the sea and of navigable rivers within the flux and reflux of the tide throughout the kingdom, and among others of the river Thames, and had the right of empire and government over them. That the corporation of London had for a very long period, by prescription, and grant from the Crown, held the office of bailiff or conservator of the river Thames from Staines to Yantlett, and that the duty of the bailiff or conservator was to see to the navigation of the river and to prevent nuisances and obstructions therein, and to regulate the fishing thereof; but that he did not by virtue of his office acquire any estate or interest in the ground and soil of the bed or shores of the river. That the corporation had lately assumed to exercise acts of ownership over the soil and shores of the river beyond the powers of bailiff or conservator, and such as to imply that they claimed to be seised of the freehold of the ground or soil of the river, and in particular had taken upon themselves to make grants to parties possessed of wharves or land on the banks of the river, and other persons whom they thought fit, giving them licence to embank the strand of the river between high and low water mark. It then stated the grant made to Mr. Cubitt in May 1843, which I have already mentioned; another made to the Atlas Insurance Company for an embankment at Rotherhithe in April 1843, for which the corporation received 200*l.*; and a third grant made to Cornelius Park, in May 1843, for an embankment at Battersea, for which the corporation received 10*l.*; and it charged that the two last-mentioned embankments would be nuisances and obstructions to the navigation. It also alleged that the corporation had made a great many similar grants to other persons, and had received large sums of money for them, and it required a discovery and account of the same. The information required the corporation also to set forth under what charter, letters patent, or other grant they claimed to be entitled to the soil, or to have had their title recognised or confirmed; and it concluded with praying that the rights of the Crown and of the corporation respectively might be ascertained and declared by the decree of the court; and that if it were necessary that issues at law should be tried, the same might be tried under the direction of the court; and if it should appear that the corporation had no title to the soil, that the grants to the other defendants might be declared null and void. The information also prayed an account of the fines, rents, and profits received by the corporation for licences to embank, and that they might be decreed to pay the same to the Crown, and that the title of the Crown might be decreed and established to the avoiding multiplicity of suits. The corporation have complained a good deal that an oppressive mode of proceeding has been adopted in suing them in the Court of Chancery rather than in a court of law. The Crown has a right to sue in whatever court it pleases. In the present case a subject as well as the Crown would have

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been entitled to a discovery; and even if we had waived the right to a discovery, which we could only get in a court of equity, the question of title between the Crown and the corporation could not have been effectually tried in any other court than the Court of Chancery, to which the equity of the jurisdiction of the Court of Exchequer had been transferred. An information for intrusion against the corporation of London, grounded upon their licences to embank, could not have been sustained at law, for the licences contained no grant of the soil; and if such information had been filed against the grantees acting under them, although the grantees might have been evicted, the corporation, being no party to the suits, would not have been bound to the results of them, and endless actions might have been tried without ever settling the question between the Crown and the corporation. Moreover, cases in which breaches of trust are charged (they are charged in this case) properly appertain to the Court of Chancery. That information was filed on the 15th of February. On the 14th of March 1844 the corporation and the town clerk entered their appearance to the information as the first step to their defence. A very unusual length of time was allowed them to put in their answer, the City solicitor giving me to understand that they intended to put in a very full and complete answer, and required time for that purpose. On the 5th of July the corporation and the town clerk put in an answer and a demurrer, answering only so much of the information as charged that the embankments which they had licensed were nuisances, and demurring to all the rest of it, alleging that the Crown was not entitled to any relief in a court of equity, or to any discovery from the defendants concerning the other matters in the information mentioned. The demurrer was set down to be argued before the Master of the Rolls, and it came on for argument in January 1845, the demurrer being filed in July 1844. On the 17th of April the Master of the Rolls gave judgment overruling the demurrer. The corporation were not satisfied with the decision of the Master of the Rolls, and they appealed to the House of Lords; and on the 27th of March 1848, three years after the judgment of the Master of the Rolls, the case came on to be heard, and the House of Lords affirmed the judgment of the Master of the Rolls.

2930. That decision disposed of the demurer?—It disposed of the demurrer, deciding that the corporation were bound to put in a full answer and give the discovery that was prayed for. In the month of July, after the judgment of affirmance by the House of Lords, the corporation put in a further anwer. I should state, that the judgment of the Master of the Rolls is reported in 8th Bevan, 270, and in the Law Journal, vol. xiv., page 305. That is the first judgment upon the demurrer. The judgment of the House of Lords is reported in Clarke and Finnelly, House of Lords Cases, vol. i., page 440. In the month of July 1848, the corporation, as I have said, put in a further answer. The answer, in the opinion of the Crown counsel, was insufficient; and the Attorney-General applied to the Court for leave to file exceptions to it. That motion was opposed by the corporation of London,—that was in July, and by arrangement it was ordered to stand over till Michaelmas Term. On the 16th of November 1848, the motion was heard, and the court gave leave to file exceptions. On the 24th of November, the exceptions were filed, and in the usual course of practice, referred to the Master. The exceptions were argued before the Master in December, and on the 22d of December the Master allowed the exceptions. The corporation were not satisfied with the judgment of the Master, and in January 1849, they appealed to the Master of the Rolls, taking exceptions to the Master's report. The case was argued for three days in the month of February, and on the 4th of April 1849, the Master of the Rolls gave judgment over-ruling the defendants' exceptions and confirming the Master's report with costs,—that is, allowing that our exceptions were well-founded, and that the answer was insufficient. That judgment is reported in the Law Journal Reports, vol. xvii., page 314. Still the corporation were not satisfied, and they appealed to the Lord Chancellor. The appeal was heard during four days before the Lord Chancellor in the month of December 1849; and on the 14th of January 1850, the Lord Chancellor finally dismissed the appeal with costs. That judgment is reported in the Law Journal Reports, vol. xix., page 314. On the 16th of February the corporation put in a third answer, which, like the others, was still considered to be insufficient; and on the 26th of February the Attorney-General obtained an order referring all the answers back to the Master upon the old exceptions. On the 6th of March the Master made his report, finding the answers still insufficient.

2931. What was the ground upon which the several answers were held to be insufficient?—It was, that the information contained in them was not sufficiently full; that they did not fully answer the information, nor the interrogations which were put to the defendants as to the nature of their title,—whether they claimed under charter, or whether they claimed by long enjoyment,—in short, under what title they claimed.

2932. Did they distinctly claim property in the soil?—They denied the title of the Crown, and they distinctly claimed the property, but they did not say under what title they claimed,—we could not get them to say under what title they claimed.

2933. But they did claim the property?—They did claim the property. After the third answer had been reported insufficient, the course of practice was to move for a sequestration against the property of the defendants. On the 11th of March notice was given to the City solicitor of a motion for sequestration; and therefore, at length, on the 19th of April 1850, the corporation put in their fourth answer, setting forth in the first schedule a list of charters and documents which they claimed to be exempt from producing, on the

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ground that they were evidences of their own title to the soil, and did not tend to prove the title of the Crown; and in a second schedule, setting forth minute-books and presentments relating exclusively to the conservancy of the river. We had a right to know what the nature of the title of the City was, but we had no right to inspect the evidences of their title. We had a right to know whether they claimed by charter or under Act of Parliament, or by prescription or long enjoyment, but we had no right to see the evidences of their title.

2934. On what ground was that?—That is a principle of equity, that a defendant is not bound to produce the evidences of his title for the inspection of his adversary, that his adversary may pick holes in them.

2935. Is there no distinction made between the title of a corporation, such as the City of London, and a title to a private estate?—I am not aware of any. On the 2d of May 1850, we obtained an order for the production of the documents contained in the second schedule, those which were not protected by their being evidences of their title. We entered upon the examination, of those documents, which occupied I think more than a fortnight, and the result of the examination made it expedient to amend the information; but I was advised first to prosecute for the searches for ancient and other documentary evidence bearing upon the points in controversy. In June 1850, instructions were given to two gentlemen who were versed in ancient records, Mr. Fearnside, the keeper of Land Revenue Records and Enrolments, and Mr. Hewlett, to make the further searches which counsel had recommended. In November 1850, and January 1851, reports having been made by those two gentlemen,—which, though incomplete, were sufficient for the purpose,—I instructed counsel to prepare the amendments, the purport of the amendments being to place upon the record charges, negativing the statements in the answers that the corporation had been immemorially seized of the bed and soil of the river, and that their title had been recognized or confirmed by Royal charters, and to show that any acts of ownership on which they might rely, were attributable to their office of bailiff or conservator; that their application for and acceptance of charters was inconsistent with their alleged right by immemorial possession; that other grants had been made and acts of ownership exercised by various Sovereigns; Acts of Parliament passed and decrees made in courts of law or equity, also inconsistent with such alleged right; and that the title of the Crown had been declared in various courts of law or equity, and evidenced by the returns to various inquisitions in several reigns. The proposed amendments likewise alleged that the court of conservancy was a court held under and for the Sovereign, and showed that the matters in which the defendants had for some time past assumed to act as owners of the soil, were matters which formerly they would have taken and ought to take cognizance of as conservators of the river, and that the licences in the information mentioned were granted by the corporation in violation of the duties of their office. In February 1851, I applied to the Master, according to the practice of the court, for leave to amend the information. The corporation opposed the application, but the Master made the order. On the 5th of March, the information was amended and filed. On the 24th of March, the corporation applied by motion to the Master of the Rolls to discharge the order giving leave to amend the information, but the motion was refused. The Solicitor General did not press for costs, the defendants engaging not to present any further appeal. The defendants were not required to answer the amended information, but they were at liberty to answer it if they pleased, and they were to have a month for that purpose. On the 30th of April 1851, they put in a further answer, not making any new case, but still resting their title on immemorial possession, and claiming a right to apply the proceeds of the shores and embankments to their own use. On the 3d of May 1851, replication was filed, and the cause was at length brought to issue and ripe for the examination of witnesses. Since then, about 200 ancient records have been proved in evidence on behalf of the Crown, and from 50 to 100 still remain to be procured from the various record offices. No evidence has yet been given on the part of the defendants. The extent of the evidence may be judged of, perhaps, by the fact, that Mr. Fearnside's and Mr. Hewlett's reports, which contain only an analysis of the documents in support of the title of the Crown, extend altogether to 420 brief sheets.

2936. When do you think it is likely that that cause will be decided?—I think it would be utterly impossible for any human being to calculate. The corporation of London have not yet gone into any evidence at all. I take for granted they will,—and it is likely they will apply for time to do so. Publication will pass in the next term if it is not enlarged.

2937. The decision will be made by the Court of Chancery, will it not?—Yes. I expect a decree will at once be made establishing the title of the Crown; but it may be that the court will direct an issue to be tried at law.

2938. Is it not probable that there will be an appeal to the House of Lords whichever way the decision may be?—I have no reason to anticipate an appeal to the House of Lords.

2939. How does the exercise of the right stand now; does the City continue to exercise the same rights over the soil and bed of the Thames as it exercised before the filing of the information, or is the right considered as being in abeyance between the two parties?—The right, in fact, is in abeyance; but the corporation of London go on granting those licences, being directed by the Master of the Rolls to give the Commissioners

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of Woods fourteen days' notice. An appeal to the House of Lords does not stay proceedings in the court below, and we either did apply, or were about to apply to the court to suspend the exercise of all acts of ownership till they had put in their answer. It would have been inconvenient to have had a total stop put to all works upon the river, whether useful or otherwise, and it was arranged that the corporation should undertake to keep an account of all fines and rents which they received for embankments, and give the Commissioners of Woods notice of any embankments which they intended to licence, that the Commissioners might, if they thought them objectionable, apply to the court to stop them. In that way it has gone on from that time to this. They have gone on granting various licences in the same form, I believe, as those which are stated in the information, giving us fourteen days' notice before they grant the licences. The Crown is no party to the grants, and they confer no right of soil, and will not entitle the grantees to hold their embankments adversely to the Crown if the title of the Crown be eventually established.

2940. Does the Crown exercise any rights of ownership over the bed of the river?—The Crown has exercised them. I do not immediately recollect an instance of recent exercise, except in the case of the Houses of Parliament; in that case notice was given to the City that the Crown intended to embank, and the embankment was made without any licence from the corporation. We admit, that as conservators, they have the right to have an opportunity of judging whether any embankment proposed to be made will be injurious to the navigation. If they can show that it is injurious to the navigation, they have the right to stop it.

2941. You did not ask their permission on the part of the Crown, when the embankment was made for the Houses of Parliament, in a manner which implied that they had any right to the soil of the river?—No.

2942. With regard to the conservancy of the river, has the Crown ever been in conflict with the City?—I do not know that we have been in conflict with the City regarding the conservancy, excepting that at times I think there have been various schemes for the improvement of the river and for the alteration of the conservancy. I am sorry to say that I have not had time, since I was told that my evidence would be required, to make myself master of all the proceedings which have taken place, but that I shall be prepared to do on a future occasion if the Commissioners desire it.

2943. Is the right of conservancy claimed by the City disputed by the Crown?—No. Perhaps I ought to qualify my answer to that question. If it were disputed at all, I imagine it would be by the Admiralty. I do not represent the Admiralty. The claim of my office is merely in respect to the soil. The conservancy jurisdiction is a matter which rests with the Admiralty. In regard to the office of conservators, the Commissioners will find information in Lord Hale's Treatise de jure maris, part the 1st, chapter 5, which speaks of the commissions which have been granted in common rivers, "Commonly called "commissions of conservancy or water bailiffs, which commissions have of late time "especially been granted in all the great rivers in England, and under which the patentees "have exercised a jurisdiction irregularly enough, and to the damage of the people. There-"fore, touching their office, the office of the water baillie or scrutator is a bare ministerial "officer, which the King doth or may appoint in those rivers or places that are his in "franchise or interest. And his business was to look to the King's rights, as his wrecks, "his floatsam, jetsan, water strays, royal fishes; and he had no jurisdiction at all quâ "talis, but his office was only ministerial, to receive an account for the casualties belonging "to the King upon public or great rivers, which did or in common presumption might "belong to the Crown. Such was that office of searcher, scrutator, or baillie of the river "Severn, usque ad pontem Wigorniæ. The office of conservator of rivers and fish in rivers, "and of these patents of conservancy, we find mentioned in the statute 1 Elizabeth, "chapter 17. And by a grant made to the City of London and confirmed by the Parlia-"ment of 17 Richard II., chapter 9, the conservancy of the river Thames from Stains Bridge "down to the Medway, is granted to the Mayor of London. This office of conservancy is of "two kinds, or rather there are or may be two branches thereof. First, the conservancy "in order to nuisances in rivers. This is grounded upon the statute of 1 Henry IV., "chapter 12, whereby it is enacted that there shall be commissions granted to survey and "keep the waters and great rivers, and to correct and amend the defaults. And this "for Thames is annexed to the Mayor of London. By the statute of 17 Richard II., "chapter 9, the justices of the peace are appointed conservators of these statutes, except "only as to the conservancy of the river Thames, and Medway annexed, to the Mayor "of London."

2944. In any part of the litigation which has taken place under the direction of the Office of Woods with the City upon the subject of the right to the bed of the river, has the right of the City to the conservancy of the river been in any way disputed?—As it has not been disputed, we account for many acts which they have done upon which they will rely as an exercise of the ownership of the soil, by attributing them to their office of conservators.

2945. Your case is, that the City are and have been from time immemorial conservators of the river, and that all the acts of jurisdiction or power which they have exercised with respect to the river are to be accounted for by their functions of conservators?—We say

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that they have exceeded their duties; but many acts which they rely on as evidence of ownership of the soil are attributable, and were exercised in the performance of their duties of conservancy.

Mr. Edward Beck.

Mr. EDWARD BECK, having been sworn, was examined as follows.

(*Vide Minutes of Evidence of the 9th December.*)

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WILLIAM EDWARD HICKSON, Esq., was further examined as follows.

2946. When your examination closed the last time you were here, you were about to state to the Commission your general views as to the remedial measures which you thought it would be desirable to apply to the municipal government of London?—In reply to that observation, let me state that I wish not to occupy the time of the Commissioners with any theoretical view of what might possibly be applicable to an entirely new state of society, but rather to consider the practical problem, which I have no doubt anxiously engages the attention of this Commission: how existing evils are to be overcome; how a transition can be most easily effected from the present state of things to something better; how that change can be rendered progressive, and such as to secure ultimately as much perfection in our municipal institutions, as we can hope to realize by human legislation. I wish also to bear in mind what I understand to be the limited scope of the present inquiry, and therefore chiefly to confine myself to the reforms required in the City of London as a separate municipal district; but at the same time keeping in view, that the local interests of the City should always be considered in relation to those of the other metropolitan districts by which it is surrounded.

I will refer first to measures which I think should be adopted in the way of abolition of existing abuses, and then turn to the re-construction of our present municipal organization; a question involving of course that of the functions to be given to any new municipality to be created.

The first practical measure which I would take the liberty to suggest is, simply the introduction of the principle of Free Trade into the City; a principle which has now been long successfully introduced into all other cities and boroughs in the United Kingdom. I would propose the application to the City of London of the 14th clause of the Municipal Reform Act, passed on the 9th of September 1835, which was as follows: "And whereas in divers cities, towns, and boroughs a certain custom hath prevailed, and "certain byelaws have been made, that no person not being free of a city, town, or "borough, or of certain guilds, mysteries, or trading companies within the same, or some "or one of them, shall keep any shop or place for putting to show or sale any or certain "wares or merchandize, by way of retail or otherwise, or use any or certain trades, occupa-"tions, mysteries, or handicrafts for hire, gain, or sale within the same: be it enacted, "That notwithstanding any such custom or byelaws, every person in any borough may "keep any shop for the sale of all lawful wares and merchandize by wholesale or retail, "and use every lawful trade, occupation, mystery and handicraft, for hire, gain, sale, or "otherwise, within any borough." This clause seems to me one of easy application, and at the same time one of comprehensive utility. It would meet the case of all exactions levied by such bodies as the fellowship porters, the Thames watermen, the town carmen, and generally the metage officers of the corporation. In fact it would relieve the metropolis from all tolls and dues not levied by the authority of Acts of Parliament, and would be attended with very extensive benefit. The case of the fellowship porters, fruit and oyster meters, &c. is exactly the same as that of the numerous guilds which were everywhere found before this Municipal Reform Bill was passed; and this clause affected similar vested interests, as they were called, in as many, I think, as 187 corporations. The whole of them were at once swept away, and an end put to that class of petty annoyances. If the Commissioners should not be prepared to go any further this next session, but would merely introduce a short Bill, embodying this one clause, they would confer a great boon, and the thanks of the public would be greatly due to them.

I would propose next (but this involves larger questions) the application also to the City of London of the first clause of the Municipal Reform Act, which abolished all charters and prescriptive rights then held or claimed to be held by the provincial corporations: "Whereas divers bodies corporate at sundry times have been constituted within "the cities, towns, and boroughs of England and Wales, to the intent that the same might "for ever be and remain well and quietly governed, and it is expedient that the charters by "which the said bodies corporate are constituted should be altered in the manner herein-"after mentioned: be it therefore enacted, That so much of all laws, statutes, and usages, "and so much of all royal and other charters, grants, and letters patent now in force, "relating to the several boroughs named in the schedule (A) and (B) to this Act "annexed, or to the inhabitants thereof, or to the several bodies or reputed bodies corpo-"rate named in the said schedule, or any of them, as are inconsistent with or contrary "to the provisions of this Act, shall be and the same are hereby repealed and annulled."

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The important object to be effected by the application of this clause to the City, is not the abolition of ancient privileges where they can be shown to be useful, which may be conferred by an Act, but the simplification of the law, so that there may be an end to the business now carried on in the name of different committees of the corporation, usually to the extent of from thirty to forty in different courts, founded on questionable pretensions. By this clause we should get rid of the most fruitful source of corporate litigation, close proceedings otherwise interminable, and at the same time obtain a clear stage for the construction of a better system. Without making a clear stage in this manner,—without in fact legislating, as in 1835, for the extinction of all claims founded upon charters and prescriptions, and de facto putting an end to the existing corporation, that its place may be taken by a new one—all the efforts we are now making for municipal reform would end in failure. Some would be content with an equalization of the wards and an extension of the suffrage, thinking that if we improved in that manner the local representation, the new blood introduced into the Court of Common Council would soon purify the whole system. I am quite certain this would prove a mistake. The consolidation, for example, of useless offices, is quite impracticable by any graduated process. Unless we begin by saying that on a certain day, after the passing of the new Act, all offices, without exception (so as to make no invidious distinction), should cease and determine, they would be continued indefinitely. When lucrative offices fall in, one this year and another next, the time for making a change never arrives. The local pressure brought to bear upon those who enjoy the patronage cannot be resisted. Suppose the office of chamberlain were next year to become vacant: although there might be many persons in the common council as convinced as I am that the Bank of England, or some one of the private or joint stock banks, might manage the funds of the corporation not only without expense to the body but to a considerable profit, yet those very persons, finding among the candidates some one of their own friends or relatives, would be induced to agree to an adjournment of the question, in order that the interest of their friend or relative might be served. So we should go on with the new representative body, no matter how elected—first, as we have been doing for the last twenty years, talking about various reforms, making a little progress now, and soon retrograding quite as fast,—unless the invidious task of disappointing the hopes of place expectants be, in regard to all useless offices, taken out of our hands.

The abolition of charters and prescriptive rights would affect another question: that alluded to this morning by the preceding witness. The conservancy of the river is claimed by the corporation, not under any Act of Parliament, but ancient charters. There has been a Chancery suit on this subject between the corporation and the Woods and Forests of many years' standing; and no one knows when it will terminate.

2947. Do you know whether the conservancy of any river was vested in any other corporation before the Municipal Reform Act?—I believe it was so in some cases.

2948. Do you know in those cases whether the conservancy has been preserved to those corporations, or whether it was taken away from them by the Municipal Corporations Act?—I believe that it exists in the case of Liverpool, or that the right has been claimed because there have been disputes between the people of Liverpool and the Crown about the embankments at Birkenhead; but I cannot speak with precision on this subject.

Among the functions which I would not restore to the corporation of London, nor give to any strictly municipal body, is this of river conservancy. It appears to me a question totally distinct from that of local administration. Municipal government relates, of course, to matters exclusively belonging to a municipality; rivers do not belong to them. The river Thames is not a mere local concern—it is the national highway; and with reference to all matters in which the nation at large is interested, the nation itself, by the national representatives or some department of Government acting for them, is the party that should govern. I think, therefore, the conservancy of the river should be provisionally handed over to the Woods and Forests, until among the reforms sometimes talked of in the Admiralty, which may perhaps lead to a special department for rivers and water courses, some better organization is provided.

I mentioned before, but I may here state again, that in proposing so sweeping a change as is involved in this repeal of existing corporate offices, subject, of course, to the re-appointment of officers really found indispensable, the question of compensation requires to be considered. I would repeat my conviction that compensation should be given, and on a liberal scale, as the soundest policy for the public.

Among the other functions which I would not restore to a City corporation is that of excluding the City from the jurisdiction of the metropolitan police. The present corporation claims the right of closing the gate of Temple Bar against the metropolitan police, and even of keeping the Sovereign herself waiting till the Lord Mayor has been consulted on the propriety of her Majesty's admission. I think this privilege has been found to work extremely injuriously both for the interests of the City and those of the metropolis at large. It involves the City, by its independent police force, in a very heavy expense, an expense quite disproportionate to its need; and it impairs the efficiency of that protection which ought to be given to persons and property both in the City and out of it. The practical result of the present system is, that criminals take up their residence in the City, and rob there, till their faces become inconveniently familiar to the City policemen, and then leave the City to pursue their depredations in the surrounding metropolitan

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districts. By the time they become known to the metropolitan police, they are perhaps forgotten in the City, and then they return. This, of course, is a system of watching more effectual for the protection of thieves than honest men, and I cannot imagine how it can be for a moment defended,—excepting on this principle, that every municipal body entrusted with the power of passing byelaws, ought to have the power of making those byelaws respected by an executive force of its own. This principle I respect. I do not think it at all necessary or desirable to deprive the City of the power of appointing an auxiliary police force in addition to that of the metropolitan police; I would deprive it only of the power of defeating precautions necessary to the common safety. The larger municipality should in all cases have power to overrule the byelaws of a district board; but if, after admitting the metropolitan police into the City, the City ratepayers should be of opinion that that force was not sufficient for their protection, they should be at full liberty to rate themselves for additional watchmen. To this there appears to me not only no objection in point of principle, but I believe it is one of those prerogatives which ought, as a constitutional question, to be secured to them. It is a principle recognised by the Municipal Reform Act in the case of all provincial boroughs, and I would certainly not make the City an exception. In my own case, as a private individual, if I wish at my own expense to place a watchman at my own door, as an additional protection to that of the police, no one would hinder me; and I can conceive no good reason why every municipal board should not be left at liberty to act in the same manner. The check upon the appointment of too many police would be the heavy burden it would throw upon the rates. This would prevent any disposition to carry the privilege to a preposterous extent.

2949. Do you consider it objectionable that the metropolitan police should be in the hands of the Government in so large a population as that of the metropolis, while it is left in the hands of the municipal authorities in towns of small extent?—If we were now prepared to legislate for the whole of the metropolis and to constitute at once a metropolitan municipality, I should propose to introduce the popular element more or less in the appointment of the metropolitan police. As advocates of public liberty, which all Englishmen are presumed to be, I think we should keep before us what has recently passed on the continent, where we have seen policemen in the dead of the night arresting the first generals of France and the first statesman of the age, and carrying them off into exile. Such an abuse of the executive should teach, with other facts of history, the propriety of not placing it too exclusively in the hands of one individual, nor of one body of individuals.

2950. In performing those operations, the police of Paris were backed by a large military force?—It was so, but the military only took part in the conflicts in the streets. The coup d'état was really struck and rendered effective by the Paris police. All who could have headed the subsequent movement were arrested, and the people were left powerless because without leaders.

A slight misapprehension might arise from the answer which I gave to a question put to me on my last examination, in reference to the area of the metropolis. I was asked what was the proportion of the area of the metropolis to the area of the City? I replied that the City area was about one-twenty-fourth part of the uncovered portion of the whole. But there is a great deal of confusion about the meaning of the word "metropolis," from its being employed by different boards in different senses. I was referring to "the metropolis" of the Commissioners of Sewers, but "the metropolis" of the Registrar General is a different metropolis to that of the Commissioners of Sewers; and I am not certain whether "the metropolis" of the Census Commissioners is quite the same as that of the Registrar General. "The metropolis" of the police commission is different from them all; is much more considerable than would be inferred from the proportions I named. I have taken the trouble to ascertain the exact fact, and I find that the area watched over by the metropolitan police at the present moment, which embraces a circle having a radius of seventy-five miles round St. Paul's, is as much as 700½ square miles in extent; while the City of London only occupies an area of one and a half square miles. The whole of this area of 700½ square miles is watched over by a body of but 5,600. The corporation employ 500 policemen for watching over their area of one and a half miles, exclusive of City marshalmen, ward constables, and the private watchmen of the Temple and of the large banks and warehouses.

Connected with this subject of administrative functions, is that of the propriety of abolishing the right of general taxation, even in those cases where it has been conferred, not only by charter but by specific Acts of Parliament: as the coal duty, the wine duty of 4*s.* a tun, the profits on apprentice fees, and some other imposts of which I have not the particulars. I think, if we propose to abolish indirect taxation in the shape of exclusive privileges affecting the fellowship porters, town carmen, and others, it would be well to consider, while we are about it, whether, instead of making a new corporation collectors of coal duties for the benefit either of the City or the metropolis, we should not at once make an end of all imposts of that description.

2951. Do you mean the 4*d.* duty?—The 4*d.*, the 8*d.*, and the 1*d.* duties. I think there are several reasons why we should abolish the whole. I may mention, that when I had the honour of sitting, as you gentlemen are now doing, as a member of a Royal Commission some time ago, the Hand-loom Inquiry Commission, we had a good deal of evidence

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brought before us relative to the southern districts of England, showing that the pauperism and general destitution which prevailed in places where the trade of woollen and silk weaving had formerly flourished was mainly to be attributed to the high price of fuel; through which those branches of industry had changed their seat; now in the north, where fuel is cheap. Since that time I have been impressed with the conviction that in taxing coals in the port of London we are legislating on a false principle; or if a coal duty should be levied at all the place to levy it is at the pit's mouth, where the price is so low that the addition of 1*s.* 1*d.* would not be sensibly felt. Here, in the south, we levy a duty where the price has been already greatly enhanced by the cost of carriage, and to keep up that price allow a drawback on its exportation. I think if we are to retain the duty at all, we should at least change its locale; levy the duty at the pit's mouth, and allow the drawback upon coal carried to those parts of Great Britain where there are no coal fields.

2952. Would not that observation apply more strictly if we were dealing with the coal duty as a general tax, rather than a tax for local purposes?—Perhaps it would; but it is still a question which comes immediately before us, as we are considering whether the power of levying coal duties is to be given to a new corporation; and it comes somewhat pressingly before us at the present moment, from the extreme dearness in London both of fuel and food.

2953. How would it be possible to raise a tax for the benefit of the City of London at the mouth of the coal pits in Northumberland, giving a drawback for that portion of the coal not exported to London?—I am not proposing that the whole proceeds of such a tax should be applied to the City of London, nor endeavouring to show the facility of its collection in that form. I am merely stating the principle upon which we should proceed if we are to have a coal tax at all; but it appears to me one of those taxes which a free-trade government should exert itself to get rid of, as next in objectionable importance to a duty on food. While I was a member of the commission to which I have alluded, I was on this subject impressed with another fact; that we ourselves, who have always a chaldron or two of coals in our cellars, are scarcely the persons fairly to discuss this question. We are apt to think very lightly of a duty of 1*s.* 1*d.* upon a ton of coals; but it is because we know not what it is to buy them by the bushel. I remember one occasion, when I went round with one of our assistant commissioners among the weavers of Whitechapel and Spitalfields. It was a bitter cold day in the midst of winter, and the number of families we saw shivering round an empty grate made a very painful impression upon my mind which I have never been able to efface. At that time I was in communication with Sir Frederick Trench, Mr. Martin, and others, about an embankment of the Thames, and we were considering whether, for such a great metropolitan improvement, the money might not be raised by a slight increase of the coal duties; but I made up my mind from that moment, and have retained the same opinion ever since, that the coal duties were as indefensible as the corn laws. Having now got rid of taxes on food, taxes on fuel, the next great necessary of life, should follow. These duties are said to amount only to 1*s.* 1*d.*; but I am inclined to think that evidence could be adduced to show that the 1*s.* 1*d.* is practically 1*s.* 6*d.* All indirect taxes increase the cost of production, by interfering with the freedom of commercial transactions; and these must seriously do so in many ways. The present system upon which they are collected is open also to other objections. I have somewhat pertinaciously, as it may appear to the Commissioners, insisted upon the propriety of these coal duties appearing in the annual accounts of the corporation of London, not only because the corporation ought to be held responsible for whatever has to pass through its hands, but because the responsibility in this case ought to be increased by great vigilance on the part of the public. Very little is known of the gross proceeds of the coal duties, and of the deductions for collection, &c., to which those proceeds are subject. The machinery required for their collection is every day becoming more and more cumbersome, and I think more and more inefficient; tending to the same class of abuses which are everywhere found on the continent in connexion with inland custom-houses. In the collection of the duties upon the coals which come by railway the corporation is obliged to associate itself with the railway companies as a sort of copartners. The rule is, for the railway companies to send in an account of the number of tons of coal they have carried, certified by one of their officers as a true account, and for the corporation to take for granted that so many tons, and no more, have been imported by railway into the City of London. But knowing, as we do, what has passed in some railway companies,—knowing, as we do, how much disposition there has been to prepare accounts for shareholders, so as "to make things pleasant,"—knowing, as we do, that the duty upon 100,000 tons of coal carried by a railway (no uncommon occurrence) amounts to a sum of money at 1*s.* 1*d.* a ton which would greatly assist a dividend,—I think, if the duties are to continue, there is ground for a much more searching inquiry into the whole question than has yet been attempted. We want at least to know how much ought to be received, what is received, how much sticks by the way on its passage into the public coffers, and what precautions are taken to prevent coals being smuggled into London; for instance, coals deposited twenty-five miles from St. Paul's might very easily be brought by waggon within the prescribed boundary along the ordinary turnpike roads.

2954. Do you think it would be worth while to do that to any appreciable extent?—Not for the whole distance; but I think it would be, and is, for distances within a journey

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of five or ten miles. I should be inclined to assume that a great deal of coal finds its way within the prescribed boundary without paying duty. I have endeavoured to ascertain what kind of check the corporation put upon such proceedings, and it is understood that they employ on the high roads a great many scouts occasionally for the purpose of keeping a good look-out. If they do so, that is another objectionable part of the system. Inland dues necessitating such an agency are quite incompatible with the policy of free trade.

Then with regard to the mode of getting rid of them; it does appear to me that there really ought not to be felt in such a metropolis as this the slightest difficulty about the means. I do not know exactly how much of the loans raised upon the coal duties remains still unredeemed; but I think if the 8*d.* fund, which has produced 2,000,000*l.* since 1831 has been fairly managed, the amount now to be paid off ought not to exceed 750,000*l.* Supposing it to amount to 1,000,000*l.*, which must be the outside, that is but a consideration of 48,000*l.* or 50,000*l.* a year. A single penny rate, which might be called a coal-duty compensation rate, on the rental of the whole metropolis, would produce that amount; and every householder in the metropolis would cheerfully pay it. The rental of the metropolis is, as assessed to the police rate, somewhere about 12,000,000*l.* sterling; that is, 10,600,000*l.* as assessed to the metropolitan police rate, and the City rental making up the difference.

2955. Would not that be substituting a rate which would last for ever for a tax which will expire in the year 1862?—I should propose that the Chancellor of the Exchequer, in order to pay off the existing loans, should borrow the money upon a new stock of terminable annuities. I think, among other constitutional principles which we may hope one day to see adopted, is that of never mortgaging the interests of posterity. There is no necessity that national loans should ever be raised by such means; for by giving a very slight difference, depending of course upon the state of the money market, but often not exceeding a half per cent., the same amount may be as easily borrowed upon terminable annuities as upon annuities made perpetual. I think, in addition to raising 48,000*l.* by a penny rate, a fund sufficient for the ultimate redemption of the rate might be raised by a separate assessment on the owners of furnace chimneys, the largest consumers of coal. It would be easy to ascertain what had been the average consumption of the gas companies, breweries, &c., and to rate them separately with a view to this great object.

2956. What is your opinion with respect to maintaining a separate system of sewerage for the City?—That question reminds me of one which has been often asked since the commencement of this inquiry: What would you give a new corporation to do? Some witnesses having proposed to transfer to a metropolitan municipality most of the present duties of the corporation:—My view of municipal government is, that as far as it relates to business exclusively local it is injudicious to assign any limits to the powers of a local administration, whether in regard to sewers or other matters. The great defect of the Municipal Reform Act was that it simply reconstructed the old corporations, without giving them powers for any useful object, the appointment of a police excepted; so that the new corporations, after they had appointed their police, found it a very doubtful question whether they had liberty even to erect a pump in a market place for the benefit of their fellow citizens without a special Act of Parliament for it. If the difficulty was met by going to the House of Commons, and getting permission to erect their pump, it it would frequently be discovered that a further extension of their powers would be required, as the liberty to erect a pump would be useless without permission to sink a well; and so another Act would be applied for, giving powers for well-sinking. This characterises (of course a little extravagantly) what has really been the general course of our legislation on questions of local administration, from the time of the Municipal Reform Act down to the last discussion on the question of education in the House of Commons. It is a reproach to the age that we should not have yet made up our minds whether or not a local municipality should have power to apply a portion of its own funds to purposes of popular instruction. Neither upon education nor any other subject would I limit the power of a municipal board, properly constituted, by any other rule than that of a general subordination of all local interests to public interests. I would say, "Do what you please with your own money; the money which you raise from your own rates; but leave alone the money of other people, and do everything in accordance with the common laws of the land. The legislature should of course retain power to overrule all byelaws passed by local corporations, when those byelaws interfered with the public welfare; and a metropolitan municipality, if we should ever live to see one, should overrule, when necessary, in a similar manner, the byelaws of all local district boards at variance with the metropolitan interest. It is in this way I would meet the question of the sewers, and generally that of all matters of local administration. I do not see why, in regard to drainage, for permission to make a drain from a private house into a sewer running through the street it should always be necessary to apply to a metropolitan court of sewers. Clearly it would be more convenient to apply to a district board for such a purpose. For objects, therefore, of this class, I think a committee of a new corporation might act as it does now as a district court of sewers; but such a board would be quite incompetent to deal with the question of arterial sewerage. The direction of the main sewers and outfalls required for the metropolis should obviously be intrusted to a board representing, not a section, but the whole. It is now referred to a metropolitan com-

mission. Ultimately I should hope to see that commission superseded by a board composed of men of special qualifications for the task, appointed by a metropolitan municipal council.

2957. You would make the presumption always in favour of the local body, and every power which it seemed possible they could exercise in a proper manner you would give to them, only withdrawing from them those powers which they were manifestly unfit to exercise?—Yes; so arranging that the greater interest should always be enabled to overrule the less.

The paving of the City of London, as far as the side streets are concerned, might be left to the paving board appointed by the municipal council of the City; but here again, the same distinction applies. A metropolitan supervision requires to be exercised over the paving of our great arterial communications; because it is of great importance, when any of those arterial communications are repaired, that the repairs should be executed throughout the whole of a given line at one and the same time, under the best possible arrangements for promptitude and despatch, and so as to interrupt the traffic as little as possible. Upon the system of divided and conflicting jurisdiction, which has hitherto governed, nothing is done with any unity of purpose. The pavement of a street is disturbed to-day by one parish, and it is disturbed to-morrow, a little lower down the same line, by another parish. Paviours are employed to reconstruct a roadway, and as soon as it is finished the Gas Companies take it up again; then the Water Companies or the Sewerage Board interfere with it, destroying all that has been done before; so that even with such thoroughfares as Fleet Street, the Strand, and Oxford Street, we have seen them under repair from one cause or another all the year round.

2958. With regard to those great measures of improvement which affect more or less the whole metropolis, how would you provide for them?—By a metropolitan board. I have said that a district municipality, such as the City, should have full power to effect district improvements; but I think the course should be, to have all local plans submitted to a metropolitan board in the first instance, so that they might be made to accord. If the proposed improvement was such as would interfere with some general scheme, such, for example, as the direction of a new main thoroughfare to run through the heart of London, it should be overruled; if not, I would leave the district municipality at liberty to carry it out.

2959. What would you say in respect to lighting; do you think that need in any case be taken away from the local municipality?—I do not know that it need; yet I can conceive that cases might arise in which it would be desirable to overrule the byelaws of a local district, even in reference to lighting. I would therefore make no exception to the general rule of rendering the sectional interest subordinate to that of the aggregate. This is the general principle I would lay down. I would not pass an Act forbidding a new corporation to do this or that or the other. I would, on the contrary, give it full power to act as it thought best for the common interest, but with this general understanding, that its byelaws might be overruled, either by the Legislature, or by a municipal council formed for the whole metropolis, whenever those byelaws were found to interfere with metropolitan interests.

But there are some powers which I would specifically intrust to a new City municipality which the present corporation does not possess; and I am now confining myself chiefly to the City of London proper, because our endeavour should be, first, to render the City of London proper, as far as possible, a model district, before we proceed to organize other municipal districts for the metropolis, and to federalize them under one head. Among the new functions which I would give to the municipal council of the City of London would be, the power to elect a board of guardians to carry out for the City the provisions of the Poor Law Amendment Act. I alluded to this subject before, and in bringing it again forward it is very satisfactory to me to know that I speak in the presence of one gentleman who has had great experience in poor law administration, and is therefore fully able, both to correct any inaccuracy of statement into which I may fall, and to appreciate the importance of the facts to which I would draw his attention; facts of which the public are generally ignorant. The Poor Law Amendment Act has failed altogether in its application to the City of London. The burden of the poor rates is now considerably greater than it was before the City was formed into three unions. I have a statement of the comparative expenditure of the City Central Union for the relief of the poor in different years; namely, for the three years, 1834, 1835, and 1836, and the three years, 1850, 1851, and 1852. The population of this union, which contains ninety-eight parishes, has decreased within the last three years referred to from 57,100 to 55,168, and yet there is this difference in the expenditure. Before the Poor Law Amendment Act was introduced into the City, the sum expended in poor law relief in those ninety-eight parishes was 59,110*l.*; and for the last three years the average has been 88,449*l.*, showing an increase of 29,000*l.* per annum; and yet the last three years have been years of unusual prosperity. This arises in part out of our present complicated municipal organization. The number of parishes in the City being very great, and the principle of the Poor Law Amendment Act being, that every parish shall be represented by one or two guardians, we have in the Central City Union an unwieldy board of no less than 101 guardians, exclusive of guardians *ex officio*. The two other City unions have about 25 guardians each; so that altogether we have about 160 guardians to elect every year in

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the City. Now where are we to find 160 men of the right class, in such a busy place as the City, to attend to matters of poor law administration, and at the same time to find 100 men of intelligence and probity, or upwards of 200, as at present, to discharge the ordinary duties of town councillors? One consequence of this separation of municipal functions, and of preserving a distinct machinery for the administration of the poor rate, has been, not only in the City but throughout the whole country, a general deterioration, since the time when the Poor Law Amendment Act was introduced, in the character of these local administrations. I acted myself for three years as a member of a board of guardians, and was then deeply convinced of the necessity of either throwing the unions upon the municipalities, or throwing the municipalities upon the unions. It is an important principle of local administration, that the sphere of local usefulness should never be so confined as to interest only men of confined views. Our object should always be to get first-class men,—I speak not of the richest men to be found in a community, but men of the largest grasp of mind, and of the highest character,—to take part in matters of municipal administration. The original idea of the framers of the Poor Law Amendment Act was, that the poor law unions should have thrown upon them as much as possible of the ordinary municipal business of the district in which they were situated, with a view to this object. That idea has not been carried out. The duties of guardians have been limited to the care of paupers; and I speak from experience when I say that to have constantly before one the various varieties of human suffering, all shades of demoralization, ignorance, coarseness, and brutality,—cases of scrofula, cases of delirium tremens, as well as those of undeserved misfortune,—human nature under its saddest aspect,—is enough to overturn the balance of any mind endowed with strong sympathies. This has been often felt, and the result has been, that men of superior education and position, who became guardians of poor law unions in the first instance, have gradually left them; and I am quite satisfied, from the general tendency now manifested towards a revival of old abuses, that the whole of this question of poor law administration will have to be reconsidered. The proper machinery for the administration of relief is that of a municipal council, as in the neighbouring district of Marylebone, where the guardians are elected every year, and the same members of a common vestry alternately take upon themselves the onerous duties of guardians.

There is another function which I would propose to throw upon a new municipal corporation; and that is the consolidation of the numerous parishes to which I have alluded. I mentioned on my last examination, that the burden of the church rates and other charges connected with our ecclesiastical establishments are very serious, and amounting to as much as 70,000*l.* per annum; and I may now add, that so long as the existing system is maintained there can be no material reduction; because, however small a parish may be, it must have its separate staff of officers, forming a little nucleus of expense, the tendency of which is constantly towards augmentation. Among these functionaries there is generally an esprit de corps in favour of building new churches, or repairing and beautifying the old.

2960. Surely no one proposes to build new churches in the City of London, the number of churches there being already excessive?—So you would suppose, à priori; but the fact is, there is always some one connected with the parochial administration who has a particular reason for proposing the building of a new church, or the repair of an old church, and very large sums are continually being expended upon such objects. In the parish of St. Sepulchre, some years back, it was proposed to repair the church, which of course no one could object to; but those who directed the repairs contrived to make the cost amount to 10,000*l.*, a sum which would have built a new one. In the parish of St. Dunstan, Fleet Street, a new church was built not very long ago, at an expense of 16,000*l.*; but that sum included the purchase of a burying ground in Fetter Lane, the last place in the world where a site should have been so appropriated, and which has very properly been shut up under the new Interments Act. In one of the parishes in Cornhill there is a fund accumulating for building a new church; and I know sufficient of the enterprise and perseverance of some of our City architects to be morally certain that 10,000*l.* will one of these days be applied to the erection of a new church in that neighbourhood; yet we have as many as eighty churches in the City, or nearly that number, exclusive of St. Paul's, and the greater part of them every Sunday comparatively empty. The consolidation of parishes is, however, not a measure to be considered as at all antagonistic to the Church, because I have reason to believe that the attention of the Bishop of London has been drawn to this subject, and that he is favourable to the proposition. I do not wish now to discuss the mode in which it should be effected. I would not insist that the whole of our 110 ecclesiastical jurisdictions should be consolidated into one. I propose only that among the functions to be given to a new municipality should be that of conferring with the ecclesiastical authorities, and preparing with their concurrence, for the approbation of Parliament, a Bill for the consolidation of our City parishes into fewer districts.

2961. For ecclesiastical purposes, you mean?—It is a matter for deliberation, what functions should be intrusted to a new parochial organization, both for ecclesiastical and secular objects. A measure of consolidation would affect funds relating to both. In my statement of City revenues I introduced the word "tithes," and I did so because many of the parishes in the City of London are at this moment lay impropriators of tithes.

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Various questions might arise out of their application. I would also give to the municipal council of the City power to assist by a committee the new Charity Commissioners in their investigations, and to prosecute, in all cases requiring prosecution, parties committing a breach of trust. I mention this, because without some enlargement of the machinery created by the Charity Bill passed this last session it is very certain that no reasonable progress will be made in our lifetime in the general reform of charity abuses. Too much is expected of the public; and no private individual can have a sufficiently stirring motive to occupy himself constantly with matters of this kind. Every now and then, it is true, we see a person appear as a relator in the Court of Chancery, to take up the case of some charity abuse for the benefit of the parties concerned; but there is not one man in 10,000 who will sacrifice his time for such an object. It should, however, be somebody's business, and the machinery of the Charity Commissioners being quite inadequate for more than preliminary investigation, the municipal council of the City should, I think, have power to assist the Charity Commissioners with reports on the subject, and to employ a legal officer as a public prosecutor where necessary. We have long enough seen a City solicitor employed to enforce petty exactions, under the name of corporate privileges. Let us now employ one for the more legitimate object of restoring public money to its proper use, and for the protection of the rights, in a bonâ fide sense, of the poorer classes of citizens.

The next point upon which I would ask the attention of the Commissioners is the subject of a municipal elective qualification. There are now different kinds of constituencies for the various local boards that exist throughout the country; and we have to consider whether we should adopt the franchise of the Municipal Reform Bill, that of the parliamentary qualification, or that of some one of our almost innumerable local acts, such, for example, as the Vestry Act of Sir John Cam Hobhouse. I am inclined, upon the whole, to think that the best qualification to be adopted in the present case is that of the Poor Law Amendment Act,—the qualification of electors voting for a board of guardians, the important feature of which is, that it gives a vote, not only to all ratepayers, but also to the owners of property.

2692. That involves also a system of plural voting, as determined by the amount of property, does it not?—It does so; which I am not urging as its chief recommendation. I wish principally to show, that household suffrage, as far as it is understood to mean resident household suffrage, would not meet the case of the City, which in some respects is a peculiar one. The most influential men in the City—the class of men to whom the citizens of London originally looked, and would still look, as the best protectors of their rights and privileges,—are scarcely resident, in the ordinary sense of the word, in the City at all. Even in the Court of Aldermen, as now constituted, although, as its members are elected for life, they are indifferent about their qualification, there are many who are now not resident householders, although resident when first elected. Our first merchants, most of whom may be found in their counting-houses every day at eleven o'clock, often reside at great distances from the City. Many City men have their families all the year round at Brighton, and come up and go down every day with season tickets. One of the witnesses who first came before you, Mr. Dillon, is at this moment living at Croydon. Mr. Mechi is a well-known man in the City of London, but he is not always to be found in his shop in Leadenhall Street. He resides on his farm in Essex. I have myself, though not by any means a large owner of property in the City, a greater interest in the improvement of City local administration than most of my fellow-parishioners in the parish of St. Dunstan's, and yet I habitually reside twenty-four miles from London; yet I can be in the City whenever required, as I was this morning, by ten o'clock. Railway communication giving us rapid means of transit, and the penny postage having cheapened correspondence, the habits of town populations are fast changing. There is now no difficulty whatever in persons interested in a particular locality transacting daily all their business connected with it, and yet living with their families, for the benefit of a purer air, twenty or thirty miles away.

2963. You would not be afraid of the evil which generally is found to attend out-voters being brought up for those municipal elections at which the constituent body have to exercise their votes?—No; because in this case the out-voters would not be pauper freemen, but the class of men least likely to be influenced by local jobbing. The great danger to be guarded against is that active canvassing of personal friends which goes on whenever patronage has to be exercised, or when there is a competition for some profitable contract. In boards of guardians I have often been struck with the effect of such canvassing. The duty of relief is of such an onerous character that few persons can be got to attend to it systematically. Any guardian who pleases may look after the school children or the infirm poor himself. A quorum of guardians sufficient for a board is often made with difficulty; but when new appointments are to be made, or contracts for clothing or provisions given out, then invariably there is a full attendance. The meaning of that is, that some of the parties interested in those appointments or contracts have been going about from guardian to guardian soliciting their attendance and votes.

2964. Still the system of out-voters has a tendency to increase the expense of elections, has not it?—It has undoubtedly such a tendency; but not as carried out under the Poor Law Amendment Act, to any serious extent.

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2965. Under the Poor Law Act are not owners of property allowed to vote by voting papers?—Yes.

2966. Does not that prevent expense?—It very materially limits expense, and in some cases reduces it to a lower minimum than is practicable upon any system where personal attendance is required at the poll. I think the principle of distributing voting papers, and having them collected by a proper officer, is a very important improvement in our modes of election. It is one of the provisions, not only of the Poor Law Amendment Act, but also of the Health of Towns Act. We have now two important branches of local administration in which this mode of voting has been found to work successfully; and I should much like to see it extended to our parliamentary franchise, with permission, in county elections, to send the voting papers through the post.

2967. You believe that that has worked satisfactorily as far as it has been tried?—I do. In many cases it has been the means of overruling public-house influence, and rescuing a parish from jobbers. Respectable men, who could seldom be induced to attend parochial meetings,—because disinclined to listen to noisy oratory, or to come in contact with persons interested in local abuses,—have been found perfectly willing to make use of their franchise in this form, and by doing so have often upset that public-house influence which was at one time everywhere omnipotent.

This question of qualification involves another of serious moment, and that is, the constitution of the London chartered companies. I understand that the powers of this Commission do not extend to an inquiry into the state of those companies; but you will perceive in a moment that any alteration of our municipal qualification in the City necessarily brings this subject before you. Hitherto no person has been allowed to vote at common-hall elections without having taken up his livery in one or other of those corporations. The chartered companies, therefore, form a part of our existing municipal constitution; and in modifying that constitution we ought now to consider what is to be the constituency these companies should represent for the future, and what is to be done with the funds which they administer, and which they claim as their private property. The funds held by the London companies, not included in the account which I gave before of the City revenues, are supposed, upon the lowest estimate, to amount to 250,000*l.* per annum. To whom is this money to belong? We take away from them the power of compelling the citizens of London to enrol themselves as freemen and liverymen of these companies, and of course the tendency is for the whole of those funds ultimately to assume the form of family estates belonging to the master and wardens, or two or three members of the court of assistants. I do not envy any man his private property; I do not deprive the companies of any property to which they are legitimately entitled; but I should like to see the question settled. I should like to see the parties clearly defined by some Act of Parliament who are to hold this property, and of the uses to which it is to be applied. This is not a question of trust estates left specifically for charitable objects, but that of funds which have arisen out of the produce of what was formerly heavy municipal fines; fines at one time severely enforced, although this is no longer the case, the richer companies having their own reasons for not caring to increase their number.

2968. Are their funds chiefly derived from estates or fines?—Their revenues are now principally derived from estates, but those estates were to a great extent purchased with the produce of municipal fines. Within the last forty years, no person, under any circumstances, could take up his livery in the City of London, and become entitled to the ordinary municipal privileges, at a less expense than 50*l.*

2969. If the connexion between those companies and the City was severed, the fines would altogether cease, would not they?—The fines would cease, but the property they have produced would continue to exist.

2970. The companies would be left owning these estates, in trust for certain public purposes, would not they?—Those purposes have to be defined; and on the part of the ratepayers of the City of London, or on the part of any constituency now to be newly created in the City, I claim a portion of this property, as the produce of municipal fines, which ought to be made more heavily chargeable with local burdens than the property of private individuals not belonging to such incorporations. The last Commission sought to obtain a little explanation from the chartered companies of the nature of their property, and of what they did with it; but the richer companies declined to give any information, and they can only be compelled to give it by an Act of Parliament. I think, therefore, this Commission should either have its powers extended, with a view to this object, or that a new Commission of Inquiry should be appointed, assisted by the first law officers of the Crown, or men of high legal standing, able to form a sound opinion upon all the points at issue. Apart from the question, as I put it, as between the municipality of London and those chartered companies, the relations at present subsisting between the master and wardens or the court of assistants and the livery generally of these bodies require adjustment. Many of these companies are composed of very discordant materials: the livery thinking their surplus revenues not equitably distributed; and where there is no murmuring the mode of distribution is one of waste. The rich companies get rid of some of their wealth by giving the most expensive dinners; and it is still customary to place a five or ten pound note under the plate of a liveryman invited, if a member of the court of assistants. Two guineas is a common fee for attendance at a dinner, even in some of the poorer companies. I would much rather appoint a com-

mission fairly to divide the whole of this wealth between the masters and wardens of these companies, when, perhaps, it would be made a better use of, than that the existing system of eating and drinking, and corruption of manners, under the form of hospitality and good fellowship, should be continued indefinitely.

Another point which occurs to me has reference to the principles of representation. When we are considering how a new municipal franchise is to be carried out, we have to determine what share in the representation should be given to each elector. It now greatly varies. In some wards of the City an elector votes for four, six, or eight members of the Court of Common Council; in other wards, for fourteen and sixteen; and it is one of the curious anomalies of our representative system, that in the neighbouring district of St. Marylebone every elector has the power of voting for 116 members of the governing body. Now, if the principle be right, that an elector should have a voice in the election of 116 representatives, a system which limits him in Farringdon Without to the choice of sixteen cannot be equally right, nor that which limits him in other wards to the choice of four or six. It is time we thought of laying down some consistent rule on the subject.

2971. Is not the rule a very simple one, namely, that each elector has as many votes as there are persons to be elected?—That applies only to the question of equality in the representation, not of fitness.

2972. In a district where the number of persons to be elected is smallest, the number of electors is smallest, is not it?—It is so; but something more is required. I think that all elections should be so conducted that every voter should be put in a position to exercise an intelligent choice. In the case of election by large batches it is impossible for an intelligent choice to be exercised. The list system followed in Marylebone and in the ward of Farringdon Without I regard as essentially bad; and as applied in France it was the means of destroying the fruits of the revolution of 1848. It threw the elections of that country into the hands of different factions, the public at large voting completely in the dark. In Paris every elector was required to vote for thirty-four candidates, none of whom perhaps he knew personally. Marylebone is practically governed by a self-appointed body, for no one person knows the whole of the 116 vestrymen for whom he is requested to vote.

2973. What you object to is the system of voting for candidates by lists?—Yes. I would recommend, in place of that, that every elector should have but one representative.

2974. Would you give him one representative, by subdividing the City into wards or districts?—I would divide the City into wards; but I do not think a subdivision of the wards would be necessary. I should suggest ten wards as sufficient; and there might be ten candidates elected in every ward, but every elector in each ward should vote for only one of them. I would draw your attention to the importance of providing for a representation of the minority in a municipal assembly as well as the majority. That is a principle as yet but little understood, but which will one day be seen to be indispensable to any system of real representation. I have always passed for a radical reformer, and have no objection to be called one at the present moment; but I do not at all regret the delay which has taken place in reference to the improvements required in our Parliamentary representation, on this account. The public mind is scarcely yet sufficiently awakened to a number of important questions connected with the subject; among others, this of the minority having a place in every deliberative assembly appointed for either local or national objects. We have talked a long while about the extension of the suffrage, and vote by ballot, which I would not undervalue; but the only effectual way by which corruption at elections, and all that party strife and bitterness which now disgraces them, can be made to cease, is by allowing the minority their fair share in the representation. In a national assembly the representation should be a reflex, as much as it can be rendered, of the nation itself. The nation itself consists of majority and minority, and in the minority the most intelligent part of the nation is often found. In drawing attention to the subject, not as an abstruse one, but really as a practical one, which fairly comes before the board, I would beg to put in this paper, containing the sketch of a scheme of municipal representation which has been carried out, and which I understand works very satisfactorily. It appears to me to be an important document, both as an official one, and as the first instance on record of this principle, that the minority should be represented, having been fairly recognized by a Government department, and acted upon. It is from a report of the Commission for South Australia, which sat in 1838. This part of their recommendations was drawn up by Mr. Hill, the father of Mr. Rowland Hill of the Post Office; was embodied in the local act, and is now in operation in South Australia.

The witness read the same as follows:—

Extract from the Third Annual Report of the Colonization Commissioners for South Australia, for 1838.

"We would recommend that the towns in South Australia respectively, as they acquire a population of 2,000, may, upon application to the Governor and Council of the province, obtain a municipal constitution, consisting of a common council of at least fifteen members, a body of aldermen of at least three members, and a mayor; the common council to be elected by the ratepayers, the aldermen by the council, and the mayor by the aldermen. And in order to counteract the tendency to exasperated party feeling which is sometimes found to exist in small communities, as well as to make timely provision against the arbitrary power which, under popular governments, the

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majority exercise over the minority, we would further venture to recommend that the municipal elections may be so conducted that a majority of the ratepayers may not have the power to exclude the minority from returning their due proportion of members to the common council. In order to accomplish this desirable object, it is proposed that the municipal elections shall be conducted in the following manner :—When the number of which the common council may consist is determined, and the number of electors ascertained, then the electors shall, by voluntary classification, form themselves into as many equal electoral sections or quorums as there are members to be elected, and each of the equal quorums shall, provided they can agree upon a unanimous vote, return one member to the common council. By this mode of election parties will bear the same proportion to each other in the council which they may bear in the elective body, and the minority will be secure of being fairly and fully represented. In whatever might be the numbers of common councilmen to be chosen, fifteen, or twenty, or thirty, a minority consisting of a fifteenth, or a twentieth, or a thirtieth of the whole electoral body, might form themselves into an electoral quorum, and return a member of their own party. A minority sufficient to form two of the equal quorums at which the electors might be dividable would be able to return two members to advocate their principles, and so on. And we would further recommend, that the aldermen be elected by the council in the same manner that the council is elected by the ratepayers ; that the election of councillors, aldermen, and mayor shall take place once in three years, and that the mayor and aldermen shall be ex officio magistrates within the municipality."

With respect to the last part of the recommendation, I do not fully coincide in it. I think, for several reasons, and especially as aldermen are often named in local acts, that it may be necessary to have a body of municipal councillors so called ; but I would not make them magistrates ; and I would propose that the aldermen should be elected by the common council ; not by the popular vote of the constituency generally. Supposing the municipal council of the City to consist of 100 members (a number not too great for division into committees), to that body I would give the power to elect from their own number a mayor and ten aldermen.

2975. Would you render it obligatory upon them to choose a mayor from their own body ?—I would.

2976. Why do you think it would be right to confine the choice of the mayor to their body, and not to permit them to select any other individual in the City of London ?—It is the rule of the Municipal Reform Act, which has generally worked well ; and I think the best means of securing the fittest choice. A town council choosing a mayor from among themselves is in a much better position for making a suitable selection than the members of a common hall.

2977. The question rather refers to the propriety of rendering it obligatory that the mayor should be chosen from among the members of the common council. Do not you think, if any citizens of London might, without having been common councilmen, be chosen to fill the office of lord mayor, there are many merchants who might object to mix with the common council, who might not object to be chief magistrate for a single year ?—I have not very recently considered the whole bearings of that question, but I have done so in former times, and the result is an impression, that upon the whole it is desirable the selection should be from their own body, though all the reasons by which I could support it may not occur to me at the moment. One reason does occur to me, which is, that it is in all cases important that every individual elected to an office of importance should have had some previous training for it in the exercise of subordinate duties. It is generally best for the public that a candidate should have passed through inferior offices before he arrives at the higher. I know there is a disposition on the part of many persons to look about for the greatest magnate in their neighbourhood, whenever any high office is to be filled ; but the man who occupies the most prominent position in a locality from his wealth may not by any means be the most efficient person to select for the duties of local administration. As Mr. Baring's name has been mentioned, and, I think, Baron Rothschild's, I might refer to both those gentlemen as City magnates; but I should not say that they were necessarily, because of their superior wealth, best fitted to act as a mayor of the City of London. The kind of training which consists in negotiating large loans with foreign powers is not the best municipal training. A person may be very competent to give an opinion upon the present relations of Austria and Russia, and the problem of the Eastern question as affecting the finances of those countries, without being at all fitted, or so fitted as even small shopkeepers might be, for promoting, by a careful discharge of the duties of administration, the welfare of their fellow citizens.

2978. It might by no means be desirable that the office of chief magistrate of the City of London should be given to the first-class merchants who transact business there ; but does it not seem an anomaly that there should be any system by which, almost necessarily, the greatest merchants of the City of London should be debarred from the probable acceptance of the office of chief magistrate ?—I think so, undoubtedly ; but the reason why they are now practically excluded, or practically exclude themselves, is, that the sphere of usefulness hitherto open to them in the corporation is of too circumscribed a character to be worthy their ambition ; and this is one of the reasons why I have insisted before upon the importance of a system of consolidated management. Give our first merchants something effectual to do for the benefit of their fellow citizens, and you would at once find, I do not say Baron Rothschild, but such men as Mr. John Dillon or Mr. Travers, allowing themselves to be put in nomination at a municipal election.

2979. The time of a first-class merchant in London is very much occupied in his business; it is necessarily a very active kind of life ?—It is in the early part of his career. After-

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wards the general rule is to take in a junior partner, and for the senior partner to become sleeping member of the firm. We find that Mr. Mechi has time to enlighten the whole agricultural world on various matters connected with agriculture. I myself, though originally a city man, occupy myself partly with farming, and I can always find time to assist, as I am now endeavouring to do, in the removal or reduction of our public burdens.

With regard to the aldermen, I was going to say, that in some respects it would be desirable to get rid of the term, as one which has sunk rather into disrepute; but the word, on the whole, is a good one; it is a Saxon term; the aldermen of London were simply the elders of the commonalty of London. The word is derived from the Saxon *aeld*. The elders of the commonalty of London were the persons principally looked up to to conduct the business, and were often left to conduct the business, as a matter of course, without going through any form of election. In that way came about the system of election for life. The Municipal Reform Act does not explain very clearly what the aldermen have to do. They are not magistrates under the Municipal Reform Act, and I think they should not be magistrates under our new constitution for the City. Under the Municipal Reform Act, they assist the mayor of the municipality, and take his place as president, when he is not himself present. They act as trustees of the corporate estates.

2980. Would you continue the aldermen of the City of London as a separate court?—For some purposes they might be continued. If we had 100 members of the court of common council, I would give them power to elect ten from their own body, who might be called aldermen; who might be a sort of senior council to assist the mayor in his duties, act as trustees of the corporate estates, take the place of the existing aldermen in those cases in which Acts of Parliament refer to aldermen, and represent municipal interests of the City in any central metropolitan municipality to be hereafter created. So that if we had ten municipal districts in the metropolis similarly constituted, we should have a body of 100 aldermen or senior councillors sitting as a central metropolitan board, or upper chamber. In some such way, I think a metropolitan municipality might ultimately be organized. But I have not prepared myself to go largely into a scheme for one, because it is very clear to me, from the magnitude of the subject, that we are not in a a position fairly to legislate upon it without further inquiry. Among the recommendations of your report, perhaps there should be one for extending the powers of this Commission so as to enable it to embrace the whole question of a metropolitan municipality. You will, I doubt not, point out in your report the necessity of the corporation being brought into harmony with metropolitan institutions generally, and of some kind of representative body being provided to act for the whole of the inhabitants of the metropolis. It has been suggested that each of the parliamentary boroughs should form a separate municipal district. That was originally my own impression; but on looking to the population returns of the metropolitan boroughs it appears to me that the parliamentary borough boundaries should be set aside as altogether irrelevant. That subject will have to be considered, perhaps, during the next session of parliament, as part of the question of the improvements required in our parliamentary representation. Our boroughs are now somewhat anomalously constituted. The City of London has a population of only 129,000 persons, and yet returns four members; and the borough of Marylebone (which is distinct from the parish of Marylebone) has a population of 370,000, and yet only return two members. So again, the Tower Hamlets, which is the largest of the parliamentary boroughs of the metropolis, has a population of 539,000, and yet only returns two members.

Mr. T. Woodley.

Mr. Thomas Woodley, having been sworn, was examined as follows:—

2981. You exercise the trade of a butcher, do you not?—I do.

2982. In what part of the City?—Aldgate High Street.

2983. How long have you been established there?—Myself and my father previously for a long time.

2984. Are there any points connected with your trade to which you are desirous of calling the attention of this Commission?—I have been annoyed very much by a class of journeymen freemen. Ours is a district in which there is a great deal of slaughtering carried on; I think there are between thirty and forty slaughter-houses; and there is a class of men who attempt to monopolise the whole of the work; they make their own claim for price, and do not allow us a free choice of servants. The plan they pursue is this: they demand 2*s*. 6*d*. a bullock for slaughtering, which is a great deal more than there is any occasion to pay; but they will work on no other terms. I have always kept my servants in the house, and paid them according to their respective value. About two years ago I was applied to by one of those men for work. I refused him. He then threatened me with an action. They first apply for work as freemen; they then change their ground, and say that they will punish me for employing non-freemen. The mode is to proceed at the Lord Mayor's Court, serve me with notice to discharge the man, and if I refuse, an action is brought against me, suing for a penalty of 5*l*. for employing a non-freeman.

2985. What class of freemen are they who thus claim the right to be employed in your

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trade?—I believe there is a byelaw of the Court of Common Council, passed as long ago as the year 1712, which ordains that no freeman shall employ a non-freeman in the City of London, under a penalty of 5*l.*

2986. Is there any particular fellowship of labourers who are employed in the butchers' trade?—No; I believe every journeyman and every shopman in the City of London employed by a freeman (the action will not lie against a non-freeman) is liable to the same thing, if it were enforced.

2987. It is not as members of any particular fellowship, but as freemen of London, that they claim to be exclusiuely employed?—Yes.

2988. What has been the course of those actions which have been brought against you for not employing freemen?—I compromised the first, and took up freedom for the man. Very shortly afterwards I was served with another notice, and I took up freedom for a second, and I did so with a third. Immediately that freedom was taken up for those men they become my masters. They considered it a matter of obligation if they stayed and served me, and they either required a great advance in their wages, or they left me. It is a very obnoxious system, because nearly 7*l.* is an important amount with a journeyman butcher. If he is induced to part with that amount for his freedom, he has very extravagant notions as to the rights he obtains by it.

2989. You mean that it costs him 6*l.* or 7*l.* to take up his freedom?—Yes.

2990. How many journeymen are you in the habit of employing in your trade?—I employ three in the slaughter-house, and a man in the shop. This is a system which is unknown anywhere, except just in our neighbourhood; but several persons, years back, have resisted those actions, and I believe always unsuccessfully; therefore they are afraid to resist the claims of those men now when they make them.

2991. You were brought into the Lord Mayor's Court, were you not?—Yes; I had an action commenced against me, I suppose, about three months ago, and was served with a declaration as lately as the 28th of October; but I believe decidedly it is quite against the will of the present officers of the corporation that such things should be carried on; and when I obtained an interview with Sir John Key on the subject, he appointed a day, and had the whole of the parties brought before him, and strictly prohibited any further proceedings in the matter.

2992. When was that?—It was about a month since.

2993. On what ground did he give that direction?—The action is brought in his name.

2994. What were the circumstances in the case which induced him to stop what appears to be the usual course of proceedings?—The man who brought the action was ordered to appear before him to confront me; the whole of the circumstances were inquired into, and Sir John Key considered it was merely a question of malice. This man had left my employ in an improper manner, and he thought it was one of his rights that he could sue me for this penalty, and he did so.

2995. In the butchers' trade generally in the City of London, do you know whether this claim, that journeymen should be exclusively freemen of the City of London, is enforced?—It is not enforced anywhere but in our market.

2996. It is not enforced generally in the City, you believe?—It is not.

2997. Which is your market?—Aldgate High Street. Whitechapel Market it is called.

2998. Is it generally enforced in that market?—Yes.

2999. Why is a distinction made between your market and others?—Several masters have been punished years ago, and they submit to it.

3000. Is not it enforced in Newgate Market?—No. A large portion of the meat which is supplied to Newgate Market is killed in our market; but at Smithfield, where there are several large slaughtering establishments, no such law is recognised.

3001. Is there any distinction made between carcase butchers and other butchers?—Those men only apply in the case of slaughtering; they charge 2*s.* 6*d.* a bullock, and by the system they can easily earn 10*s.* or 12*s.* a day.

3002. There is no difference, is there, between employment in slaughtering and employment in other branches of the butchers' trade?—None whatever; the law would equally apply to any journeyman.

3003. According to your statement, the City regulation in respect to the employment of freemen is capriciously applied in regard to your trade?—It is not applied in any other case than ours. Those men have exercised the right. They know they can enforce it, and they get a large increase of wages by paying 6*l.* or 7*l.* to take up their freedom.

3004. You say that you consider 2*s.* 6*d.* an unreasonable charge for the service in question. What do you think would be the natural payment for the same thing?—I think it is quite thirty per cent. too much. I can get my business done without any difficulty at thirty per cent. less, without the interference of those freemen.

3005. Is there any other point which you wish to mention?—There is nothing else. I think the whole system of freemen journeymen should be abolished.

3006. Are you aware of any advantages which it produces?—No advantage, except to the man himself; all the advantage to the man is a disadvantage to the employer.

Mr. THOMAS PILLOW, having been sworn, was examined as follows. *Mr. T. Pillow.*

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3007. You are a lighterman, are you not?—I am.

3008. Your premises are No. 73, Lower Thames Street?—I have an office in Thames Stree. My chief place of business is Symon's Wharf, Tooley Street.

3009. Will you have the goodness to state to us any points relating to your trade to which you wish to call our attention?—It is at your request I am here. I wish that to be understood, though I am not an unwilling witness by any means. A gentleman from Isleworth has appeared before you this morning. I perceive he is labouring under a wrong impression, as to the bearings of the Act of Parliament for regulating watermen and lightermen. He says, we have jurisdiction over the Medway as well as the Thames.

3010. You mean the corporation of the City of London?—The corporation of the City of London and our company are distinct.

3011. You are a member of the watermen's company?—I am.

3012. Are you a member of the governing body of the company?—I am one of the court of assistants.

3013. You are aware of the manner in which the concerns of the company are managed, are you?—To a considerable extent. I am but a young member of that court. I should prefer not giving evidence as to that, with which I am imperfectly acquainted; but I think it desirable that you should not remain in error respecting the statement which the gentleman who was examined from Isleworth made. He thought he could not carry goods to the Medway. He was complaining that he could have a collier up from the north, and discharge her at his wharf at Isleworth, but could not bring goods from the Medway to his wharf. That is a mistake; he has as much the privilege of carrying goods from the Medway as he has from the north; that is to say, the vessel could be manned by others besides freemen of our company.

3014. What are the restrictions which would be put upon the vessel under those circumstances?—There would be no restriction whatever; he is quite in a mistake.

3015. Can you explain what the extent of the restrictions is?—The extent of the restrictions in our business is this:—Our Act of Parliament confines the navigating of barges and craft of that description to our freemen. Our freemen enjoy an exclusive right; not from any charter, but from Acts of Parliament. Their Acts of Parliament give them the exclusive right to navigate and manage all craft upon the River Thames, extending from Yantlet Creek, Kent, to Windsor, Berks. Within that distance they have the exclusive right and privilege of managing those barges. There are certainly practices which are, I think, injurious to the community at large, which arise out of that exclusive right. I am persuaded, that for want of power under our Act of Parliament in our present management we have great reason to be complained of by the public in general; but some of the witnesses who have appeared before the Commissioners have not been fully acquainted with the nature of our privilege, and have not stated it quite clearly. In respect to the secretary of the General Steam Navigation Company, I read that he complained that their servants could not load their barges. We have no privilege in that respect; our only privilege is confined to navigating craft, &c.

3016. The gentleman who gave evidence in the earlier part of the day stated that your privileges would prevent him from navigating with his own servants a barge from the mouth of the Medway to his own wharf at Isleworth. Would not the privileges of your company, as you have stated, prevent him from doing so?—No; because he comes out of the Medway,—out of our district; he commences his voyage beyond our district.

3017. The mistake he made was, as to the limits of your jurisdiction, but not as to the nature of the privilege itself?—Quite so. He took the jurisdiction as relating to the City of London.

3018. Could that gentleman have sent his own barge with his own servants from Isleworth to the mouth of the Medway?—Yes; any distance beyond Yantlet Creek.

3019. Both the point of departure and the point of arrival must be situated within the limits of the City?—Within the jurisdiction of the watermen's company.

3020. He could not unload any part of the cargo within the limits to which your limit extends?—Our privilege does not embrace loading or unloading.

3021. Supposing his barge had set off from his place at Isleworth, and had touched at some point of the river within your jurisdiation, and landed some part of its cargo, and had then gone on lower down the river out of your jurisdiction, would that have been a legal operation, or would it have been an infringement of your privileges?—If the goods had been his own it would have been legal; but he could not have legally carried for hire or gain other person's goods.

3022. Is that privilege enforced by the watermen's company?—It is. Our Act of Parliament so provides for it.

3023. Is the Act of Parliament carried into effect? Do you practically exclude any person within those extreme limits from navigating any barge for hire, unless he employs your freemen?—Yes. The nature of our occupation involves the necessity of that exclusive right, as no man can thoroughly understand our business unless he is early initiated into it by apprenticeship, for which we provide.

3024. Were you yourself ever fined by the company of watermen for infringing their privileges?—Yes.

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3025. Under what circumstances did that take place?—The last case was, when a strike took place with about sixty or seventy men. We had about fourteen of them in our employ. There are three prominent branches in our business; namely, corn lightermen, coal lightermen, and legal quay lightermen. I belong to the legal quay lightermen; and this strike was confined principally to the legal quay lightermen, which affected wharfingers and merchants connected with the shipping of foreign produce on board steamers and other vessels going foreign. I believe this strike principally originated from the fact of what Mr. Pratt complained of. He complained that the company could not get their steamers discharged in the time they required, on account of the want of men and barges to perform that operation. Their work is often confined to about twenty-four hours; they unload from 300 to 500 tons of goods, and take in the same amount, within that space of time. The men, therefore, are obliged to be in attendance both night and day. I believe that the origin of that strike arose from their arduous duties in attending to those ships and others of that class, which they complained they were not properly paid for. We, ourselves, as employing those men, felt that we had cause to complain of their conduct towards us. On account of their having the exclusive right to navigate our craft, led us to feel that we were oppressed.

3026. You thought they made unreasonable demands, presuming upon the exclusive privileges which they possessed?—Yes; and in consequence of that we resisted the claim which they made upon us. I gave my foreman instructions that in this case the business must not stand still; that he must employ anybody that he could get, whom he thought capable of navigating the craft under the circumstances. We could muster, with our foremen and apprentices, and one or two freemen who did not strike, something like twelve persons, besides our watchmen, and we were enabled by that means to carry on our business during this strike of the men. We felt, as masters, that we had not that authority which we ought to have over them; and at that time, I thought that the best thing that could be done for us would be to throw the privilege open.

3027. Were you fined for doing so?—In the instance before referred to I had a nominal fine imposed upon me. One of these men who were on strike saw one of my watchmen assisting the apprentice to bring up a barge to a certain place,—that is contrary to our existing Act of Parliament,—and on that ground summoned me before a magistrate at Stone's End in the Borough. I complained to the magistrate of the state in which we were, on account of our men having struck, and that we were hardly able to help ourselves, and that I had given instructions to my foreman to employ any one whom he could trust, in order that the business might not be neglected. The magistrate, I believe, was not aware that I was one of the Court, as I had been but recently elected. I did not inform him of that; but the result was, that he said that that state of things must not be permitted to continue, and if the men persevered in that conduct they would certainly have their privilege taken from them; and he recommended me to apply to the Court of Aldermen, and if I stated my grievance truly he was persuaded that they would be empowered to give us relief.

3028. Had you to pay a fine?—I had to pay 1*s.* fine, because he could not set aside the Act of Parliament altogether; he was obliged to fine me.

3029. What would be the effect if the privilege were taken away, according to the advice of the magistrate?—I fear the remedy would be worse than the disease. I am quite an advocate for free-trade principles. I believe they will always operate best with the community at large; but in that case it would operate injuriously to all persons engaged in business on the river, and to the community, if it were thrown open. I think, on account of low wages, the temptation to employ incompetent men would be great; and there is no question that many men would be put into barges to navigate them who would occasion collisions and loss of property, and in some instances lives of persons too.

3030. Supposing the trade were thrown open, should not you think it your duty and interest to take care that proper men were employed in navigating your barges?—I should.

3031. Do not you think other persons engaged in the same line of trade would do the same?—There would not be enough men found to do the work, I fear.

3032. Why do you imagine there would not be enough persons engaged in the occupation, so long as it was remunerative?—There would not be enough persons competent to be trusted to navigate our craft.

3033. The object of the present system is to restrict the number of competent persons, is not it?—It is.

3034. Therefore, if you took away the restriction, the probability is that the number would increase?—It would not increase so as to meet our wants. I would beg to suggest a plan, which I think would be far preferable to breaking down the barrier which now exists. I should, however, prefer its being thrown open entirely, than for it to be perpetuated in its present state without amendment. The framers of our Act of Parliament evidently showed a disposition to restrict as much as possible the supply. That is seen by the way in which apprentices are taken.

3035. You said there was a course which you thought it was advisable to follow; what is that course?—At present, our law restricts us from having more than one apprentice. A freeman must not have more than one apprentice till that apprentice has served four years, and then he may have a second. If he has twelve craft, he may then have two

apprentices at one time; if he has twenty barges he can have three apprentices, but no more, although the number of barges he may have may amount to 100. What I would suggest would be, that any freeman might have as many apprentices as he liked. We find there is not one person in forty who will take apprentices at all, but there are many who could employ two or three apprentices, and would bring them up to be good lightermen, if they were allowed to do so. I would remove the present restriction with respect to apprentices.

3036. There are some persons who have no apprentices, are there not?—Yes.

3037. What do they do now?—They employ freemen but the influx of business since the free trade principle has been fairly brought into action has certainly made the number insufficient. The number of competent persons who may be employed has not increased in proportion to the demand.

3038. Do you think, as a kind of police regulation, it is desirable that there should be some means taken to ascertain the competence of the persons employed as watermen on the River Thames?—Yes. There is a great deal we could correct if it were left in the hands of practical men. I have been on the water for forty-four years, and have worked at it twenty-eight or twenty-nine years (occasionally), night and day, so that I fully understand the nature of the work, and I can see the injurious effects which now prevail, which might be remedied by introducing what I should propose in regard to apprentices. We find that unless the lads are brought up to it from an early age they do not acquire that competence or skill which it is very necessary they should possess.

3039. Is the business of a waterman on the River Thames one which cannot be learnt in a short space of time?—It may be learnt by lads who have been previously connected with the water in three years; by others in four or five years at the farthest.

3040. To an active intelligent man, would not two or three months be enough to make him a good lighterman?—No. The traffic on the river is very great, and the navigation difficult, and we are constantly exposed to collisions. We are intrusted with a large amount of property, and much depends upon the skill of the men employed.

3041. If the trade were thrown open, would the present freemen be losers to any considerable amount?—I think the generality of the present freemen would not be losers.

3042. Would the rate of payment fall in consequence of the privilege being abolished?—I think it would, but not much. We should not find a sufficient supply to meet the demand. There are several matters which might be very much improved if they were referred to persons who were empowered to bring about a reformation. I may state that our company is not a constituent part of the corporation of the City of London. The City of London Companies, I believe, almost all of them hold their privileges by charter, but we have no charter; we are simply incorporated by Acts of Parliament.

3043. Is it necessary to be a member of the watermen's company that a man should be a freeman of the City of London?—No; to be a member of our company does not give the freedom of the City of London.

3044. Are not they entitled to take out their freedom?—No; they are not entitled by that means to exercise any franchise in the City of London at all. We have no political standing in the City of London.

3045. What is the number of the members of the watermen's company?—The number of freemen on our books is 7,786.

3046. Has the number been gradually increasing?—Lately it has.

3047. Not in proportion to the increase of the trade of the port?—No; the restriction on the number of apprentices should be removed. The Government, I think, should sanction that, because the transition is so easy from our service to the navy and to the mercantile shipping.

3048. Is there any rule or law by which the watermen's company is bound to furnish men to the royal navy?—Yes; they could draught 500 men from us to-morrow in the event of hostilities breaking out.

3049. Will you point out the clause in the Act of Parliament which relates to that subject?—The clause is as follows:—"And whereas in this time of war divers watermen, "bargemen, lightermen, and wherrymen belonging to the said river do abscond and not "enter themselves into Her Majesty's service; and it being highly necessary that a "convenient number of such watermen, bargemen, lightermen, and wherrymen should from "time to time be obliged to serve on board Her Majesty's fleet: Be it enacted by the "authority aforesaid, that in case such a number of them as the Lord High Admiral or "any three or more of the Commissioners for executing the office of Lord High Admiral "of England for the time being shall from time to time give notice to the said Company "of Watermen, there shall be occasion for to serve Her Majesty, her heirs and successors "(being duly summoned by leaving notice in writing at the place of their usual abode, "by the company,) within ten days after such summons shall not appear before the "rulers of the said watermen's company, to be sent on board Her Majesty's fleet, such "person or persons so summoned, and being duly convicted before the Lord Mayor and "Court of Aldermen of the City of London, or two justices of the peace of the said City, and "two of the said rulers, that then he or they so doing and offending shall suffer imprisonment during the space of one month, and be disabled from rowing or working upon the "said River of Thames and of enjoying any the advantages or privileges of the said "company for the space of two years." It appears we are bound to supply the Govern-

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ment with as many men as they need, to the full extent of our whole number if the necessity of the state so required.

3050. Has that power ever been acted on?—Not to the full extent (namely, our entire body); but we have draughted 500 at different times, when required.

3051. When was that last done?—I think on the breaking out of the last war. All the men were subject to be impressed; and I have heard that about 4,000 served in the navy and river fencibles.

3052. Do you mean the war after the peace of Amiens?—At the commencement of the French revolution. If a notice is sent to the company to supply so many men we are obliged to do so.

3053. Do you happen to know whether there is any similar regulation to this in the case of any other body of seamen in the country?—I am not aware of it. With the permission of the Commission, I will hand in a statement of the number of freemen and the number of craft employed by the members of the company.

The same was delivered in, and is as follows:—

Number of freemen of the company of watermen and lightermen -	7,786
„ apprentices - - - - - -	1,680
Master lightermen, included in the above number, but being the owners of craft for carrying goods, &c. - - - - -	800
Number of barges, lighters, &c. registered to the above master lightermen	5,007
Number of barges registered to coal merchants and others, for the purpose of carrying their own goods - - - -	1,212

The following statement shows how the above 7,786 freemen are presumed to be engaged at the present time:—

2,500	lightermen, of whom 800 are masters and owners of craft.
1,500	watermen, scullers, &c., and in Customs, Admiralty, Thames police, and harbour service.
500	steamboats, tugs, &c.
800	pilots, and attendants on vessels.
700	fishing boats, yachts, &c.
300	navy and merchant service.
500	out-pensioners, inmates of asylum, and Greenwich Hospital.
1,000	abroad, and not following the occupation, &c.
7,800	

Mr. C. Brown.

Mr. CHARLES BROWN, having been sworn, was examined as follows.—

3054. Are you the ruler of the body of fellowship porters?—I am one of them.

3055. How many rulers are there of that body?—The governing power is lodged in the governor, who is at present Lord Mayor, Alderman Sidney, his deputy, twelve rulers, the law clerk, beadle, two corn shifters, salt shifter, and fruit shifters.

3056. What is the number of members of the body?—The number is limited to 3,000, but I suppose at the present time it does not exceed 2,000.

3057. By what rule are the numbers limited to 3,000?—By the act of the common council.

3058. Have there even been more than there are at present?—Yes; they have been as numerous as 2,800.

3059. What has been the cause of the reduction?—The restrictions which have been placed upon them by the corporation.

3060. Is there not as much work for them as there used to be?—I should say, generally, not.

3061. What is the nature of the privilege?—The body of free porters of the fellowship of London, though admitted to be a legal institution, is not a corporation itself, but they claim their rights of labour under prescriptive right from the corporation. They have existed as a body as long back as the time of Edward I., and they were originally established and now exist for the purpose of landing and delivering coal, corn, salt, apples, pears, plums, onions, and other things in their nature measureable, water-borne, brought into the limits of the port of London, that is, from Yantlet Creek eastward to Staines Bridge westward. The fellowship porters claim this species of labour, and their wages have been regulated and fixed from time to time by the Court of Common Council.

3062. Do they exercise their rights under any grants from the Crown?—No; they claim their privileged rights under prescription of the corporation.

3063. How are they admitted into the body?—All the members of the fellowship must be citizens of London, and they make application to the company of the fellowship to be admitted as members of that body.

3064. Can any citizen of London, as a matter of right, insist on being admitted into the company of fellowship porters?—He must go through the ordeal of presenting a petition to the court of rulers, and he must wait his turn.

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3065. Who is it determines how many there shall be in the body?—That has been settled by an act of council.

3366. Does that act of council settle it once for all, or does it vary?—Previously to 1619 the body was governed by ordinances issued from the Court of Aldermen; but in December 1619 the Court of Common Council passed an act for the better regulation of the company, altered the number from 120 to 200, and from that time to the present they have made various alterations to meet the increasing demands of trade; and the numbers of porters which was last fixed on in 1822 was 3,000. From that period to the present no alteration has been made in the number.

3067. I suppose the amount of business to be done by those fellowship porters varies, does not it?—Very considerably.

3368. Does not the number of fellowship porters vary with the amount of business to be performed by them?—It does.

3069. Did not you say that it had been fixed for a long time at 3,000?—In consequence of a very large portion of the corn labour being taken away by the various dock companies, the men have left the employment, and when there are spurts of work, as is the case at the present moment, we find some little difficulty in getting men to do the labour. It shows the utility of the body to those who employ them, that no longer ago than last week, in consequence of a large importation of potatoes, the principal merchants signed a memorial to the Lord Mayor, requesting him, as governor of the body, to supply them with more porters, for they had themselves employed men who were not freemen, nor under the control of the rulers of the fellowship, but only labourers, waiting about in the locality to which the potatoes come, and the consequence was that five sacks of potatoes were stolen, and in the course of the week that number extended to ten, and the merchants were very desirous that they should be supplied with more porters, or the rulers should bring those actually employed under the jurisdiction of the fellowship.

3070. What steps do you take in protecting those who employ fellowship porters from depredations of that kind?—Each fellowship porter, upon his admission, has to find two sureties, who give a bond in 40*l.* each for his honesty and general good conduct; and in case of dishonesty by a fellowship porter, on complaint being made and proved to the satisfaction of the Court of Rulers at Fellowship Hall, he would be immediately dismissed from the company, and be no longer permitted to work at the employment; or in case of other misconduct, he would be fined, and probably suspended too.

3071. How is the rate of wages regulated?—It is fixed by tariffs made by the corporation; and I should very much like to call the attention of the Commissioners to the remunerating prices which the men receive for their labour, as they have been so frequently misrepresented during this inquiry and at other places. I think, when the subject is fully explained, a great deal of the prejudice to those men as a body will be removed. With respect to corn labour, the fellowship porters receive for working oats 2*d.* a quarter; this 2*d.* is to be divided among as many fellowship porters as may be employed in the job, either seven or eight. That is the only sum they receive, and out of that they have to pay the shift; that is, a sum of money deducted from them for the purpose of paying the counting-house department of the fellowship; and a portion of that goes also towards the governing expenses. When they are doing peas, tares, wheat, and barley, they receive the sum of 2½*d.* per quarter, and whatever other charges may be added and sent in (from any other quarter in a general bill) to those who employ the porters. These are the only amounts of money received by the porters for their labour.

3072. Do you consider that the charge made by the porters is not above the market price of labour?—I should say it was considerably below it. I am satisfied in my own mind, if the porters were removed to-morrow, the corn trade themselves would find great difficulty in getting the work done, in fact they could not get it done at the price the porters are now paid.

3073. If the privilege were removed, the porters themselves would be no losers by the abolition of the privilege?—My private opinion is, that they would get more money than they actually receive now. Porters, under existing circumstances, are frequently compelled to go to jobs which they are out of pocket in consequence of taking.

3074. Is it an unpopular trade? Is there a difficulty in getting members to join your fellowship, or are there many applications to do so?—There are generally many applications.

3375. Do you think if the belief of the porter was that your tariff of prices was below the market price there would be many applications?—There are applications now, but I believe they apply in error, supposing the porters are in the receipt of the prices for labour as fixed by the corporation, and that the whole of the claimed corn labour is done by the porters, which is not the case in either instance; and as a proof that other labouring men will not work for our price, a strike took place yesterday with the men, not fellowship porters, employed in landing oranges. Our men continued work at the prices previously paid to them.

3076. When there is an occasional press of business, so that there are not enough o your men to do the work, do you then raise any objection to others being employed?—We then select freemen, and give them a ticket, appointing them to the backing department of the employment,—but never to the loose corn department,—when to be measured during the press of business.

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3077. Was it some of those freemen who struck?—No; they were not freemen at all.

3078. How did they happen to be employed? Was not their employment illegal?—I do not think it exactly illegal.

3079. They were neither freemen nor members of the fellowship, I understand you, and yet they were employed in the porterage business?—Many men who are neither fellowship porters nor freemen are employed in landing oranges, on occasions.

3080. Is there a distinction between the orange trade and other trades in that respect?—They do say there is a distinction.

3081. Is it a distinction in law or in practice?—Merely in practice.

3082. Is it on account of the perishable nature of the article, and its being important to have it landed at once?—Yes; there is always a provision in respect to perishable articles. I would now proceed to call the attention of the Commissioners to the article of potatoes. These are the corporate charges: "For delivering potatoes and turnips out of one vessel into another, if not carried on the porter's back, 1*d.* per sack." Those sacks weigh a hundred weight and a half. "If carried on shore from the first, second, third, fourth, or fifth vessel, on the tier, to any distance not exceeding ninety yards, whether delivered into carts, waggons, warehouses, or otherwise, 1½*d.* per sack."

3083. Is there any connexion between the fellowship porters and the City meters?—One of the privileges which the fellowship porters claim is that of attending the City bushel in all its engagements, and that is one complaint which the fellowship porters make against the corporation, that they do not enforce the fellowship porters' right with the meters in those various docks. Lord Denman, when Common Serjeant, and Mr. Russell Gurney, were of opinion, on a case submitted to them on the subject, that the corporation act illegally in suffering the meters to go unattended by the porters, for by so doing they remove from the merchants, factors, government, and all persons connected and interested with the corn trade, that protection for correct measurement secured to them when the meters are attended by the fellowship porters, because the porters strike off the superfluous grain from the bushel, and are a responsible body of men, equally bound to do justice as the meters.

3084. What are the occasions on which you conceive the City act illegally in allowing the meters to measure without the attendance of the fellowship porters?—I consider that there is not that responsibility attached to the labourers working within the dock that there is to the fellowship porters. When the porters are working with the meters, the porters are equally bound to see justice done between the parties as the meters.

3085. Are the fellowship porters never employed within the docks?—They have not been for some years.

3086. But the meters are employed?—They are.

3087. And your complaint is that the City do not enforce the privilege of the porters to be employed within the docks?—Yes.

3088. Is there any other case besides that of the docks in which the porters are not employed?—Yes; there have been, of late years, innovations made upon their privileges, by various mill owners on the banks of the river.

3089. Do you mean steam mills for grinding corn?—Yes, alongside whose wharves vessels go laden with corn, and they have lately taken upon themselves the prerogative of employing labourers to perform the privileged work of the porters, viz., in assisting the City meter in filling and striking the City bushel. I beg to refer the Honourable Commissioners to the evidence on this subject as given by corn merchants, millers, and granary keepers before the Select General Purposes Committee late inquiring into the privileges of meters, &c., as to the usefulness of the fellowship porters in corn ships and granary deliveries.

3090. The owners of the mills have themselves excluded the porters?—Yes.

3091. Under what right have they undertaken to exclude them?—I do not know by what particular right. They have assumed that power to themselves; the dock companies have done the same, and make a profit on the labour.

3092. Have the fellowship porters taken any steps to assert their right?—The fellowship porters petitioned the common council in the year 1847, calling their attention to the poverty brought upon the members generally in consequence of that portion of the employment being taken away from them, and praying the corporation to take the necessary steps for restitution thereon; but from that time to the present they have not had any assistance from the corporation.

3093. If the wages of the fellowship porters, fixed by the tariff, are scarcely remunerative, is it any object to them to extend the occasions on which they are employed?—I am not saying that the fellowship porters are not satisfied with their corporate tariff of wages, if they received them, which they do not, on corn labour. In the case of potatoes they are so; but the impression has gone abroad that the fellowship porters' earnings are excessive. It is not so; for under the best circumstances they are working no better than from hand to mouth.

3094. You do not find practically that the fellowship porters are better off than labouring men in the same class of life?—No; in many cases they are worse off; for instance, last Saturday, about half past two o'clock in the afternoon, I was myself on duty in Tower street; a meter applied to me for a man to go to Blackwall, saying he had fifty quarters of grain to measure and deliver into a craft. Those men had to pay 6*d.* each for the

railway, 3*d.* each waterage, and when they got on board the vessel they measured but two quarters, which amounted to 5*d*, out of that they had to pay a half-penny shift, and then the 4½*d.* was to be divided among those six men.

3095. Is that a case of frequent occurrence?—Of hourly occurrence. Men go off from Tower Street, which is the principal place for labour; they go on board vessels to do the merchants' work, and come back frequently money out of pocket.

3096. It would seem from your statement that the present tariff of rates is not equitably adjusted?—It is not the corporate tariff of corn wages we complain of, but the extreme smallness of the majority of the jobs being debarred from going into the docks, where the large ones are done. The small jobs in the river, compared with the large ones, are as one to forty.

3097. If the trade were left open, and the parties made their own bargains in cases of that sort, do not you think matters would come right, and the porters would obtain sufficient payment?—I have no doubt but we should obtain proportionate prices for the jobs; but under existing circumstances the small ones do not pay at all.

3098. What is the advantage of keeping up this system of regulation? Would not it be better to allow parties to make their own bargains for themselves?—The advantage of a system is, in obtaining at all times prompt and careful men to perform the merchant work. As a large number of men would necessarily be required, a regulating power would, I think, be absolutely necessary. The corporation compelled us, in the first instance, to purchase our citizenship, if by redemption, and I paid 50*l.* I then paid 5*l.* on my admission into that company, with the impression on my mind that this was labour which the corporation were bound to maintain inviolate, having sold me a vested right therein. Instead of their performing their obligations to me and others, I find the corporation suffer the dock companies to take this labour away, and we are not compensated for the loss thereof.

3099. Are there many persons who have paid as much as 50*l.*?—Yes, many.

4000. Are there hundreds?—I should say there were a hundred; but still the whole of them were compelled to be citizens of London, and before 1835 they were compelled to belong to one of the trading companies, and must have paid very large sums of money to the corporation for their citizenship, whether they obtained it by patrimony or servitude. They have had to pay fees, and also a large sum of money has been paid to the Government in the way of stamp duties on their obtaining their freedom, and on each admission to the fellowship 2*l.* is paid to the Government as the duty on the bonds.

4001. What you complain of is, that the City has taken your money in the shape of redemptions and freedoms, and does not give you efficient protection by the assertion of your exclusive privileges?—Exactly so.

4002. You stated that the privilege of the fellowship porters is by prescription?—Yes.

4003. They form a corporation?—No. If they were, they could then sue in their own name for a restitution of privilege labour.

4004. Not by any grant or Act of Parliament?—Not directly to them.

4005. How comes it that the privilege goes beyond the limits of the City?—I cannot say. That is the limit which the Lord Mayor claims, from Yantlet Creek to Staines Bridge.

4006. The corporation has the conservancy of the Thames between those points; but you have nothing to do with the conservancy of the river, have you?—Nothing whatever.

4007. You claim your privilege as a trade privilege under the corporation?—Yes.

4008. How comes it then that your privilege goes beyond the limits of the City?—The City claim jurisdiction over the whole distance I have mentioned.

4009. You conceive that your privilege extends over the whole port of London from Staines to Yantlet Creek?—Yes.

4010. Do your men ever go up as far as Staines?—I cannot take upon myself to say that I ever knew a team of men to go up so high.

4011. Do they go down so far as Yantlet Creek?—I have known them go as far down as Gravesend; that is the lowest place I have known them go to.

4012. You complain that this right is not enforced to what you consider to be its extreme limits?—Certainly not. We claim a right of corn labour in the several docks, which has not been enforced by the corporation. Mr. Gibbs, in his evidence before the Commission, infers that the fellowship porters increase the trade expenses of the oyster owners. Now the fact of the matter is, that neither the oyster owner, nor the salesman, nor the meter, pays the porter at all. The purchaser pays him, and the purchaser also pays the holdsman who measures the oysters; so that whatever difference there may exist on the subject of expense to the owner must be attributed to the meters of the corporation; it is not with the men who actually do the work.

4013. Your statement is, that the porters are only paid for the work actually done by them; but, whatever profit there is, accrues to the meter?—Yes; the porter is paid one penny for each peck of oysters he receives from the hold of the vessel and carries on shore. There are certain distances fixed, and for an excess of those distances he charges three halfpence a peck. The boats sometimes lie twenty bottoms out. The difficulty of purchasers getting their own goods must be very great, and attended with considerable danger. If it were left to any person who might be disposed to apply for labour, a great quantity of the goods would be lost. When the fellowship porters are employed, the

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salesman is perfectly satisfied, that as soon as the goods are in the porter's possession they will be delivered safe to the party who has purchased them; and if the goods by mistake should be put into the wrong cart, or anything of that sort should happen, the purchaser has nothing to do but to go to the Fellowship Porters' Hall, and the money is immediately paid for the loss.

4014. You say the privilege of the fellowship porters only extends to a limited class of articles. If a ship contain some articles to which the privilege applies, and certain other articles to which it does not apply, do the porters assist in landing the articles to which the privilege does not apply?—I can mention one instance, which is where a vessel comes up loaded with apples and eggs.

4015. What would be done in a case of that sort?—The porters claim the apple work; the egg work belongs to the wharfinger. They generally come to an arrangement thus: the fellowship porters' team is twenty men; the wharfinger will say, I will put on twenty men, but to prevent confusion, get the goods out just as you can lay hold of them. They mix them together, and do the best they can for the dispatch of business.

4016. An arrangement is made by which the porters assist in landing those articles, over which, properly speaking, they have no right?—Yes.

4017. Is it found in practice that no inconvenience arises from that sort of compromise?—None whatever. Some evidence has been given that we are excluded from the docks by clauses in the Dock Acts, but it is no such thing. The rights and privileges of the corporation of London are all reserved in each of the Acts. We are expressly mentioned as fellowship porters in the Commercial Dock Act; so we are in the Victoria Docks; and in all the Acts our rights are reserved to us as the rights of the Lord Mayor and commonalty of the City.

4018. You think the corporation might more effectually protect your privileges if they were disposed to do so?—I have no doubt of it; and I am borne out in that opinion by the opinion of counsel. The case has been laid before a barrister, and he is clearly of opinion that our rights might be enforced; but not being a corporate body ourselves, we are obliged to apply to the corporation to take the necessary proceedings for the establishment of the right.

4019. What do you think is the reason why the corporation show a reluctance to enforce your privilege?—My idea is that shareholders and parties who have the management of those various docks are in connexion with the corportion, and mixed up with them. And, on the other hand, I think the dock companies being very rich, the corporation does not like to commence a contention with them.

4020. I suppose the shareholders and the directors of the docks you speak of find it more profitable to employ their own men than to employ your porters?—We are informed by our principal corn shifter that in one year the West India Dock Company realized a profit of 18,000*l.* on corn labour alone.

4021. Is your meaning this: that they got the work done more cheaply than you would have charged, but that they charged their clients your rates?—Yes.

4022. How came it that they were able to get the work done so much more cheaply than they would have got it done under your charges?—The corn vessels which go into the docks, which the majority of them do at the present time, when at work,—the jobs generally are what we term days' works,—such men as the dock companies employ will be induced to work cheaper than responsible practical men,—particularly as the dock labourer is not subject to the drawbacks and expenses entailed on the fellowship porter; besides, the dock companies afford them facilities for doing the labour with less men than we do.

4023. Then by the arrangements which the dock companies were able to make they got the work done cheaper than they would have paid if it had been done according to your rates?—They got the work done, but they charged the same amount to their customers.

4024. Supposing persons who are not in the docks, but on the quays of the river, had the same privilege which the dock companies have, do you think they could get the work done cheaper also?—I think not.

4025. What is the reason of the difference?—They could not, unless they were to adopt the same system that the dock companies do, of introducing machinery, so as to enable the men to work shorter handed than we do.

4026. You think that persons on the quays of the river have not the same advantages for economizing labour which the dock companies have?—They have not at present; at all events they have not with respect to corn labour.

4027. Have not your privileges rather a tendency to prevent those arrangements for economizing labour from being introduced?—I do not see that the privileges would in any way affect the delivery.

4028. You say in the docks, where your privileges do not interfere, means have been found of economizing labour, and getting it done at less charges than your tariff, would not a similar arrangement be made on the quays of the river if persons there had the same privilege?—No doubt they might. Another of our complaints against the corporation is this, that they have passed acts of council regulating our body, in which they have coerced us to make payments to officers of their appointing. Our principal corn shifter borrowed of the company 7,000*l.*, which the corporation compelled the company to lend him, to carry on his business as a corn shifter. He was appointed in 1827, and by the return he has made it appears that he has received the sum of 87,000*l.* out of the earnings

of the porters from that branch of employment of corn labour. Although a portion of this sum has been paid over to the rulers of the company at different times, no effective provision is made for old members of the body.

4029. You say the corporation compelled you to lend this officer 7,000*l.*?—Yes, without interest, to carry on the business which they appointed him to do; and he has received, during the time he has been in the office, from the year 1827, the sum of 87,000*l.*

4030. How has he received that large sum?—This is what we term the counting-house department of the fellowship. The porters themselves do not receive the money immediately from their employers, but when they have done the job they make out an account, and they go to this man, who is called the corn shifter; he shifts the bill, and they have to deduct a penny from each shilling coming to them, and this has been the amount he has received from those pence taken out of the shillings.

4031. What was the ground on which the corporation required you to advance the sum of 7,000*l.* to this officer?—I can give no explanation of it.

4032. Did they make an order upon you to that effect?—They made an act of council in which they inserted a clause that the company should advance the shifter any sum he might require to carry on the business. He availed himself of that clause in the Act, and he had 7,000*l.* of the company's money for the purpose of carrying on his business.

4033. I suppose he employed that sum in providing an office and paying clerks?—He did, in the first instance, no doubt, use a portion of it for that purpose; but look at the inconsistency of the thing, for a man to be found that amount of capital without interest, and thereby enable him to realize a large annual income for his own advantage.

4034. Do not you suppose he spent the whole of this 7,000*l.* in the interest of the company in some way or other?—Not at all; he is indebted to the company for it. Whenever settlement day comes we shall expect him to repay it.

4035. It is still a subsisting debt on his part towards the company?—Yes. I believe he has given security for the money, and has repaid a part of it to the company. There is another complaint we have against the corporation, that in the case of the potato shifter, their principal meter, who purchased his situation some years ago, was appointed fruit shifter, and upon his returns made to this same inquiry in eleven years the amount averages 791*l.*, within a very small fraction, per annum. Out of that he pays 130*l.* to the court of rulers, making a profit of the rest. We contend that the corporation had no right to impose this officer upon us, but that this money ought to have been, under their direction, appropriated as a provision for the members of the company when old or worn out.

4036. The shifter is in fact a sort of cashier, who receives the payments from the importers?—Yes.

4037. Does he always take ready money?—They do not give very long credits. In the case of the potato shifter, it is very likely they do not give more than a week's credit. In the case of Mr. Ruston, I understand he has given long credits to some of the members of the corn trade; but that is a matter of arrangement between himself and them.

4038. How often are his accounts settled?—He gives in his account monthly to the court of rulers.

4039. I still do not quite understand your statement about the loan of 7,000*l.* Why was that made a loan? Why was not it a grant, if the shifter was bound to provide officers and clerks?—I cannot explain it, any further than this, that it is a clause in the act of council in 1822.

4040. What was the ground on which the clause was inserted?—I cannot say. It might have been upon this ground: previously to 1822 those shifts were farmed or leased; in 1822 they were to be leased no longer: they were to pay a certain portion of what they received over, retaining a certain amount themselves.

4041. He now collects everything upon your account?—Yes.

4042. Whereas before that time the collections were farmed out?—They were.

4043. So that you never knew before that time what the amount levied upon the public was?—No.

4044. Is there anything else which you wish to state?—I am not aware that there is anything else, except the general observation, that the body of the fellowship is not in that flourishing pecuniary state which the public is generally led to believe, nor do they receive those large sums for their labour which is supposed. The majority of them, at the present moment, and particularly that portion which follows the corn department of the labour exclusively, are in a state of comparative destitution. I could, if it was necesary, show what the men have received for years, and I could show that those men who follow the corn trade, even the best of them, do not now average a pound a week; and I could show that men who have been twenty-two years members of the body do not average more than fourteen or fifteen shillings a week.

4045. You consider in general the trade of the fellowship porters is a bad one, and their pay unremunerative?—The pay awarded to them by the corporatin would be remunerative if they had the whole of their legitimate employment.

4046. There is a fund, of course, belonging to the entire fellowship?—Yes.

4047. Is that fund in a flourishing condition, or is it rather low?—It is quite the reverse of flourishing; unfortunately the expenditure far exceeds the income; and this is another subject that we petitioned the corporation about in 1845, but to the present time we have not been able to get them to interfere in the matter. I have in my possession an

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official return of the references to the several corporate committees on various subjects, but I cannot find in this return any mention of those two petitions of which I have been speaking, viz., one for them to interfere as to the rights of labour, the other for an investigation into our pecuniary affairs, and for a superanuation fund to be established. I am therefore led to think that the corporation, as far as they are concerned, have burked or shelved them, or something of that sort. The body of the fellowship feel particularly dissatisfied in that respect. We also complain that the wages lately have been reduced, at the recommendation of two members of the corporation and their principal corn shifter, when that reduction was not asked for by one single member of the corn trade. We think, under these circumstances, that we have great reason to complain of the corporation's indifference and non-interference

4048. Do you consider that your fund is in fact insolvent?—We have to make the deficiency in the expenses good out of the stock. We shall be forced into insolvency if we go on in that way much longer.

4049. And the corporation do not interfere to give you any assistance in your difficulties?—No. We consider that if we have outlived our utility, which it does not appear that we have, the corporation ought to meet us fairly upon the question of compensation for the loss of the privilege labour which they have sold,* we having purchased the right to it of them, and therefore we expect it at their hands.

Adjourned to Friday next, at 12 o'clock.

* In 1807, the London Dock Company paid to Sir William Curtis, as governor of the ticket porters, the sum of 11,339*l.*, as a compensation for loss of privilege employment by a branch of that society.

Friday, 9th December 1853.

The Right Honourable HENRY LABOUCHERE, M.P., in the Chair.

J. Lawrence, Esq.

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Joseph Lawrence, Esq., having been sworn, was examined as follows:—

4050. You are stockbroker in the City of London, are you not?—I am.

4051. How long have you been established in that capacity?—Many years; above twenty years.

4052. Is your business extensive?—It is.

4053. Have you a licence from the corporation of London?—I have; I am obliged to have one.

4054. Will you have the goodness to state to the Commission what is the system under which the business of the Stock Exchange is carried on in the City of London, so far as it relates to the Corporation?—The business of a stockbroker is strictly regulated by a committee of members of the Stock Exchange. They act under the most stringent regulations; each member on his admission to the Stock Exchange is obliged to find three securities, not only for pecuniary payment in case of default, but also as recommending him in point of character.

4055. How is that committee constituted?—It is selected from the oldest members of the Stock Exchange.

4056. They are all stockbrokers, are they?—Not necessarily stockbrokers; they are members of the Stock Exchange.

4057. Is that committee altogether unconnected with the corporation?—Entirely so, except as to the claim the corporation sets up to oblige every broker to take out a licence. A stockbroker is obliged to become a sworn broker of the city of London, previously to which they compel him to take out his freedom, and to give a bond, and subscribe to the regulations of the Court of Aldermen, a form of which I have here.

4058. What is the general purport of those regulations?—In the first place, he engages that he will only carry on his business during the pleasure of the Court of Aldermen; in the next place, that he will keep certain books in the form they prescribe. They are regulations but little differing from the rules and orders they prescribe to brokers in goods and merchandise. There are also other vexatious regulations, and some which are quite inconsistent either with the freedom of trade, the spirit of the age, or the position of the parties on whom they are imposed.

4059. Will you have the goodness to specify some of those regulations to which that observation applies, in your opinion?—In the first place, they require him to make stipulations which are quite impossible, under the present system of carrying on the business of the Stock Exchange. They require him, for instance, as is done in the case of brokers bargaining for goods, to give to both parties, the buyer and the seller, the names of the principals. Now this is impossible to be done in dealings on the Stock Exchange. They deal with a class of persons called jobbers, who are not the principals, and to whom the names of the principals are never given, and in fact would never be given. I may instance the case of purchases and sales made by the Government broker, or the broker for

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the Bank of England; it would be highly objectionable if he in every case stated to the jobbers the party for whom he was acting. The same observation applies in the case of bankers and others; therefore there is a regulation here which he enters into bond to fulfil which is entirely opposed to the mode of carrying on his business. I speak now not of any irregular practices on the Stock Exchange, not of anything that approaches to gambling business, but the regular mode of dealing on the Stock Exchange. There are clauses in the bond which the City compels him to subscribe which impose a penalty in such cases, never, it is true, exacted, because they have never proceeded upon such clauses.

4060. In point of fact, are those regulations altogether set aside?—They are perfectly in abeyance. I never knew an instance of any interference of the City, except to compel the payment of the rent or penalties.

4061. What is the amount of the payment?—The amount is indirectly very considerable. The amount of annual payment by each broker is 5*l.*; but, from the City claiming to regulate who shall be admitted as brokers, they oblige them to take up their freedom, involving considerable fees and expenses; and until very lately that freedom was refused to any except through the great trade companies, which led to a very considerable further expense. I applied to the proper office at Guildhall for a table of the fees. They declined giving me any information. All that is required is to follow their regulations. I could not find a record of the sum I paid, except that I found a cheque for 12*l.* 0*s.* 6*d.* for fees to one office there; but one of my partners, Mr. Philip Cazenove, gave me this copy of his charges. He paid 18*l.* for town clerk's fees, 8*l.* 14*s.* 6*d.* for chamberlain's fees, and 31*l.* 12*s.* 6*d.* for taking up his freedom through the wheelwrights' company, which he selected as being the cheapest company. So that before he could act as a stockbroker he was obliged to pay 58*l.* 7*s.*, and to make himself a freeman of the company of wheelwrights, which of course involves the liability to serve the offices of a City company. Another of my partners, Mr. Charles Pearce, paid a still heavier sum for admission through the worshipful company of painters; and one consequence of this necessity of enrolling himself in a company before he could act as a stockbroker was that he afterwards underwent the office of master of the painters' company, at the very time that he was serving as Chairman of the Stock Exchange. From a third person, Mr. Francis Atkinson, a broker, I inquired the amount exacted from him by the corporation on his admission. He stated that he paid altogether 80*l.*, and he took up his freedom through the Coopers' company.

4062. At what time was that?—It was some time ago, before the regulation was passed which allowed a person to be a freeman without becoming a member of a trade company. Those large sums which for years have been collected have a bearing upon the origin of the claim of the corporation to levy any of these amounts. The annual charge, paid in advance on admission, and then yearly afterwards, is 5*l.* There are at present upon the published list more than 400 stockbrokers paying 5*l.* a year; so that there is a sum of 2,000*l.* a year levied without the smallest advantage to the public, inasmuch as the supervision by the Court of Aldermen is altogether nominal. The parties are required to enter into a bond of 1,000*l.* in their own name, and two sureties of 250*l.* each. Those are not inquired into. Any one who presents himself, with the fees, is taken. The only case in which I know of any inquiry having been made has been a recent one, in which the surety of the defaulters was found to be one of the waiters on the Stock Exchange. Independently of this, every member of the Stock Exchange has already provided an efficient security to the body of which he is a member, which surety goes to the payment of any loss that may be incurred by his creditors; whereas this is in the shape of a penalty to the City of London, and when recovered is appropriated by them.

4063. Are the Commissioners to understand that the present system affords no security to the public at all with respect to transactions on the Stock Exchange?—None at all, beyond that which is already provided by the committee of the Stock Exchange and the common law.

4064. The interference of the corporation in regard to the bond and the sureties they require, you say affords no protection nor security to the public at all?—I think not; I see none, inasmuch as if a perfect stranger applies,—a man who may the day before have been released as a fraudulent bankrupt,—if he goes with the fees in his hand, and presents himself with two housekeepers, who may be two 10*l.* householders, to sign his bond, he is admitted on the payment of the fees.

4065. No inquiry would be made into his previous character?—No.

4066. What is the practice with regard to the committee of the Stock Exchange?—There is a searching inquiry, inasmuch as the party applying must in the first place be recommended by a certain number of members of the Stock Exchange, who attend before the committee invariably to answer any inquiries respecting him, and the security given there is by members of the Stock Exchange, who are themselves known.

4067. To what amount is security given?—There are three sureties of 250*l.* each.

4068. In case of misconduct on the part of a stockbroker in the City of London, would the committee of the Stock Exchange have the power, and would they exercise that power, of preventing that stockbroker acting afterwards in that capacity?—They have most unlimited power. They act, not only as a court of law or even of equity, but as a court of honour. They have the power of expulsion for misconduct.

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4069. Supposing a broker had been thus expelled for misconduct by the committee and he still had the licence of the City of London to act as a broker, what would happen; could he still come upon the Stock Exchange, and defy them?—He could no longer be a member of the Stock Exchange, with a certificate of his respectability, but he might freely exercise his office as a broker elsewhere.

4070. Then he acts in the Rotunda, does not he?—He acts outside.

4071. In fact, the two sets of regulations do not clash?—They do not, except in the points regarding the mode of carrying on the trade which I have pointed out.

4072. The Stock Exchange regulations are superadded to the others?—They are much more stringent, and they are constantly in operation; whereas I never heard of a case, except the case of some public default or misconduct, which was investigated by the Court of Aldermen, and in those cases anything like redress from the friends of the party has already been exhausted by the Stock Exchange.

4073. In speaking of the City jurisdiction over stockbrokers, you use the expression jurisdiction which they claim to have. Is there any doubt upon the legality of that claim?—I shall take the liberty of pointing out to you grounds upon which there is very considerable doubt, inasmuch as I should contend that the persons now exercising the office of stockbroker do not come within the meaning of the term "broker" as defined, and clearly defined, in the Statute of the 6th of Anne, which is the only Statute under which the City can claim those payments. The Statute of the 6th of Anne is a simple and short Act of Parliament, reciting, "Whereas the old Statute of James the First. " providing for the well garbling of spices in the City of London, hath been made use of " to vex the citizens by threatening prosecutions by common informers, and therefore " this office of garbler of spices should be abolished." This was the sole preamble of the Act. I find by the debates in Parliament, on the discussion of it on the third reading, through the influence of three aldermen who were in the House, and on the committee, a rider was added to the Bill, providing compensation to the City for those fees (which they rented to one William Stuart) of 300*l.* a year. For the loss or abolition they were to be compensated by the payment of 40*s.* a year, and a penalty of 25*l.* in default of that payment, from every broker in the City of London. There the business of a broker is defined to be that of contriving and making bargains between merchants English and merchants foreign in goods, wares, and merchandises, and the said brokers are to be men recommended by at least six of their own trade and mystery as men of integrity and experience, and well skilled in the trade and mystery which they follow. From those so recommended by six persons of their own trade the Court of Aldermen were to select the brokers, so that they were in fact a kind of valuators or compensation jury, acting for both parties, equally for both buyer and seller, evidently for the sake of protecting foreigners in their dealings with the English merchants and tradesmen. Now the stockbroker is really only employed by one party; he is in fact the attorney of the banker or person who employs him; he has no duty at all towards the other party; he is not at all the same character or description of person as those here described under the name of brokers in the City of London; and though the amount of annual payment has been increased from 40*s.* to 5*l.*, and the penalty from 25*l.* to 100*l.* by a subsequent Act, the 57th of George the Third, still it refers only to the same class of persons acting as brokers as are recited in the Act of the 6th of Anne; and therefore I should feel that I am warranted in arguing that the stockbroker of the present day, dealing in Government annuities, a species of property that was not even in existence at the time of the passing of the Act of Anne in the year 1707, cannot be said to come under the description of one dealing in goods, wares, and merchandises. I need not say that a penal Act must be construed strictly, and not enlarged to include a different class of persons than its language describes I am aware it is somewhat presumptuous to speak of the legality of a conviction under this Act, since there has been a decision of the Court of King's Bench on the subject, in the case of Clarke *v.* Powell. There the Court of King's Bench decided under this Act the broker was liable to penalties. That case I have here reported. But besides that I know personally Mr. Powell was one of the most respectable men on the Stock Exchange. He had been thirty-six years acting as a stockbroker without any interference. He had a great dislike to taking upon himself any of the City offices, and was never a freeman. A person came into his office, and requested him to buy 50*l.* of Government Reduced Stock. He said he was a stranger to him, and he had better go to some one about the Bank. He said, "I am afraid of being cheated. I wish to come to a person I know." He purchased them for him. This person was an informer, and the next day he laid an information against him. He defended the case. It was decided against him in the Court of King's Bench, and he told me he paid 1,200*l.* for penalties and the law expenses; the expenses being of course swelled by the enormous fees of the City solicitor, the remembrancer, and the law officers of the City.

4074. When was that case decided?—About ten years ago.

4075. Was the prosecution instituted by the City?—Yes, in the name of Mr. Clark, who was the chamberlain, on the information of an informer whom he employed for this purpose. It is rather remarkable that the very Act of the 6th of Anne is stated to be brought in to put a stop to vexatious proceedings of the corporation against the citizens through common informers, under that old Act, as to the garbling of spices, and yet it is the very course which is now pursued under the substituted provision. Whatever

opinions may have been entertained on the law of the question, after such a decision, accompanied by such a mulct as 1,200*l.* for fine and expenses, it is very natural that most persons have preferred submitting to a burdensome exaction to defending themselves, or trying the case again; but I should think it is a question of doubtful legality.

4076. What is the date of the City regulations on the subject of stockbrokers?—They have varied the regulations; but the authority dates from the 6th of Anne. I presume they have kept to the old form.

4077. What is the date of the institution of the committee of the Stock Exchange?—It is about fifty years ago. The brokers used to meet before at a coffee house. There is another very strong point on this subject in confirmation of the view that the terms of the Act must be strictly adhered to, that in the subsequent Acts, as in the 8th and 9th of William III., when enactments were made which were intended to include other persons than the brokers so designated, additional words were introduced into the Act, and they were described as brokers and "stockjobbers." They were two Acts of a very penal nature; they are no longer on the statute book; but still it confirms the view, that if the legislature had intended to enlarge the description of the parties they would have used terms wide enough to designate them. I wish just to show that the pretext, if I may use the term, or the object, of levying those sums, is simply stated to be to provide a compensation to the City for abolishing the office of garbler of spices, which was rented by them at 300*l.* a year; and afterwards there was a similar compensation for the abolition of the office of gauger of liquors in the City of London, which was found to be not only useless but mischievous. The object of this provision was compensation for the abolition of those two offices. Now we see that one class of brokers only, namely, the stockbrokers, pay annually above 2,000*l.* a year, and, taking the fees exacted from them on their admission at the very low average of 30*l.* each, there has been no less than 12,000*l.* levied from them in fees; yet still, 150 years after the abolition of this office of 300*l.* a year of garbler of spices, when the object of providing compensation must have been satisfied a century ago, the corporation continue to levy the fines and penalties.

4078. The object of the legislature in creating this system was not to give any protection to the public in respect to the dealings on the Stock Exchange, but to provide a compensation to the City for certain abolished offices?—Strictly so, as stated in the preamble of the Bill.

4079. According to your view, that object has long since been satisfied?—Evidently, from a calculation of the amount, which is now enormous.

4080. Under the present system, however, there would be no fees for admission to the office of broker by the City, would there, except the 5*l.*?—Yes.

4081. It is no longer necessary to be enrolled as a member of a company?—No; but you must become a freeman, and there is a very heavy list of fees payable on becoming so.

4082. The fees for admission as a freeman of the City of London must be still paid?—Yes; they will not entertain the application of a person to be admitted as a swornbroker till he shall have made himself a freeman of the City of London.

4083. Which now costs about six guineas, does it not?—It cost me twelve guineas. It may perhaps be reduced. There is no table of fees in the office of the remembrancer, otherwise I would have produced the actual amount.

4084. Can you state whether at the present time, and for some years past, in mercantile transactions in London, it is still the case that there is one broker between the parties; is not there a broker for each party?—It is not always so. A broker employed by one merchant to purchase goods may buy them at a public auction without the intervention of a broker. He is employed to make a purchase or sale. On the Stock Exchange the broker's duty is only to one party; he owes no duty to the other party, and therefore he does not come within the denomination of those who are to be so selected.

4085. In mercantile transactions between the buyer and seller there are frequently two brokers, are there not, one for each party?—It is frequently the case. The brokers of the present day, I contend, are not the class of persons who were intended to be described in the 6th of Anne. In fact I should take the liberty of contending, that if the stockbroker had only called himself a stock factor or stock agent, as there are corn factors and hop factors, and agents for the purchase and sale of land, the City would never have had a pretext for calling upon the stockbrokers to take out their freedom.

4086. Would not it appear that your observations apply more or less to all brokers, as well as to stockbrokers?—More or less so. I stated at the commencement that I could give no information, except as to the particular branch of business to which I belong. But there is also a distinction; the case of the stockbrokers is stronger, because the dealing in goods, wares, and merchandise, which might be made to apply to others, cannot apply to them.

4087. Is there any other point to which you desire to call the attention of the Commission?—Having pointed out what I still consider the doubtful legality of the authority under which this payment is levied, and the burdensome nature of the incidental fees and charges which are thrown upon the brokers, I may state that there is in the bond much which is objectionable, as interfering with the freedom of trade, and much which is utterly degrading. Fancy, for instance, Mr. Capel and Mr. Norbury, the agents of the great banking houses of Coutts and Drummond, or Mr. Mullins, the agent of the Bank of England and the Government, forced to sign an engagement that they will only carry on

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their business during the pleasure of the Court of Aldermen. And more than that, those persons are not allowed to exercise a lawful calling till they promise to carry about with them a badge, with their name and number upon it, and engage to produce it whenever they are required. Men of education, intelligence, and wealth are by the Court of Aldermen subjected to a positive engagement to carry about badges, with their names and numbers, and produce them to any one who asks for it, like a cabman on the stand.

4088. In point of fact, the pleasure of the aldermen is never exercised to suspend them, is it; and they are never called on to produce their ticket?—The engagement is nevertheless very stringent. They are called on to sign that engagement, and many of them feel it to be a great hardship; and there are many whose consciences even have been grievously offended by some of the clauses in this bond, which they find themselves unable to fulfil.

4089. Do they undertake to observe the regulations, or merely to submit to the penalty in case it should be exacted?—Formerly the City exacted an oath which included all these regulations; but that was found to be so objectionable that they have separated them, and the oath now is merely that they shall perform justly the duties of their office. Persons of course have less objection to sign a bond that they will pay the penalty; but every person not producing his badge when called on is really liable to this penalty of 1,000*l*.

4090. Supposing a sum of money deposited in the hands of a broker for the purpose of purchasing stock were appropriated by him to his own use, of course the bond to the City would be forfeited, would not it?—It would.

4091. And the bond to the Stock Exchange committee?—No doubt.

4092. Suppose you proceed against the sureties under the City bond, the penalty would be taken for the use of the City?—Quite so.

4093. On a recent occasion, some member of the Stock Exchange committed a fraud of that kind; it is said many applications were made to the City authorities to issue a warrant. If they had any authority to issue a warrant, I suppose it would be quite independent of any of those bonds?—No doubt it would. In that case the parties applied to the Court of Aldermen; but already the committee of the Stock Exchange had taken very prompt measures, and had handed over to the parties suffering all the money collected from the sureties.

The Rev. C. B. Dalton, M.A.

The Rev. CHARLES B. DALTON, M.A., having been sworn, was examined as follows.

4094. You are rector of Lambeth?—I am.

4095. I believe there are some points connected with the conservancy of the River Thames, and its effect upon a part of your parish, upon which you are able to make a statement to the Commission?—I attended here in consequence of being summoned.

4096. Are the banks of the Thames adjoining the parish of Lambeth in good repair?—They are, but they are not high enough; we suffer very much from floods.

4097. Do floods frequently occur?—Whenever we have high tides the water overflows the banks and damages the property.

4098. Are there many dwellings of the poorer classes affected in that manner?—There are.

4099. Can you state what the number is?—From the Archbishop's Palace to Vauxhall Bridge there are a great many. The residences of the poor, however, do not always abut upon the river; there are several large wharfs and boat builders' premises; but the dwellings of the poor are just above them, and when the water overflows the banks it comes into their dwellings. At the spring tide which is just passing away the water overflowed the banks, and injured the property of the barge builders, and considerably injured the residences of the poorer classes. Occasionally the misery caused is very great. Two years ago there was a very high tide, and the misery to the poor was extremely great; so great that we were obliged to have a public subscription, and it cost a considerable sum to pump the water out of their rooms.

4100. Has any representation been made to the corporation of the City of London on the subject?—No. I am not aware that the corporation have anything to do with it. Mr. Edwards' statement I understand to be this, that none of this inconvenience took place before old London Bridge was removed, and that it is caused by the greater freedom of the water coming up through London Bridge. Since I received the letter from the secretary to the Commission, I have made a great deal of inquiry of the watermen on the river, and I am told that before London Bridge was built this did not take place. The City of London, I believe, are not responsible for repairing the banks of the Thames; but, as they built London Bridge, it is argued that it was their duty, before they did so, to take care to require the holders of property to raise the banks, and provide for the consequences which would ensue.

4101. On taking down old London Bridge, which operated as a dam, you think they ought to have guarded against the consequential damage of the alteration?—That is the argument that is used.

4102. Has the City of London never done anything to repair the banks of the river in the parish of Lambeth?—Not that I am aware of; there is no doubt that the misery to

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the poor, and the injury to property, is very great; and the second point, it is equally clear that it did not take place before London Bridge was built. Those higher tides to which I refer do not happen frequently. There was one about two years ago.

4103. Do you happen to know whether it would be attended with great difficulty or expense adequately to protect Lambeth against the effect of those tides?—I think so. I am told that a Bill is proposed to be brought into Parliament to embank the Thames the whole way from Lambeth Church to London Bridge. The holders of property say that their places were built before new London Bridge was built, and had they been aware that the tide would ever have come up as high as it does now they would have built them higher. Every one on the spot tells me that formerly the tide did not go down nearly so far in the middle of the river, and did not come up so high as it does now. The water runs over close by Lambeth Church. The idea would naturally be, that it comes up over the bank; but I believe the real fact is that it comes up through a sewer which is there. I believe the banks of the Thames in Lambeth belong to the lord of the manor and the owners of property, though they cannot drive a pile into the river without the permission of the City.

Mr. E. Beck.

Mr. Edward Beck, having been sworn, was examined as follows:—

4104. Is there anything which you wish to add to the evidence you gave on the previous occasion?—When I gave evidence before the Commission on Friday last, in the apprehension that I must be very brief, I omitted much that I intended to have said; and having made a slight mistake, although of little importance, I will, with permission, substitute my present evidence for the former. The existing rules and regulations for the watermen's company are felt by others and myself to be very oppressive. First, as to the origin of the laws for regulating the watermen and lightermen of the river. An Act was passed in 4th and 5th years of Queen Anne, called "An Act for the the reign of en- "couragement and increase of seamen, and for the better and speedier manning Her Majesty's "fleet." It would therefore appear this Act was passed for the object of supplying the navy in cases of emergency, and that watermen were at all times liable to serve; and in case of refusal they would be deprived of the benefits as free watermen. The before-mentioned Act, with others, were, by an Act passed in the 7th and 8th George IV. chapter 75, called "An Act for the better regulation of the watermen on the River Thames between Yantlet "Creek and Windsor," repealed, or consolidated into this Act of George IV., and by section 57 the Court of Mayor and Aldermen were empowered to make byelaws for the government and regulation of the freemen of the company of watermen, and therefore the watermen's company are not, as supposed by many, independent of the Lord Mayor and Aldermen of the City of London. Secondly, to become free waterman a person must serve seven years' apprenticeship to a free waterman, or the widow of a free waterman; and by section 11 of the byelaws, dated the 2d of April 1828, made in pursuance of the last-mentioned Act of Parliament, it is expressly stated that apprentices shall not be employed to work at any business than as a waterman or lighterman during the term of his apprenticeship; and by section 15, after some byelaws, it is ordered that no apprentice shall depart from his master or mistress's service, unless impressed into His Majesty's service; but such apprentice may serve on board any merchantman, by the consent of his master or mistress, if he has been in his other employ for two years; and during the time of his serving on board of any merchantman, or in His Majesty's service, his wages shall belong to and be paid to his master or mistress. It is generally supposed that these Acts and byelaws were made to insure a requisite number of skilful watermen and lightermen; but it will be seen by section 101 of the Watermen's Act it does not extend to any western barges; and that all flat-bottomed boats and barges, navigated from the town of Kingston in Surrey, or place or places beyond the said town, should be deemed western barges, and shall and may be navigable on the said river as far as London Bridge. And also these laws do not apply to barges or vessels trading without the limits of the corporation; nor do they interfere with the Trinity House of Deptford Strand, save as to the prices or fares, which are to be the same. These sll show that an apprenticeship is not necessary to ensure skill and ability in watermen and lightermen. The same laws and regulations apply to barge owners. None but freemen are allowed to carry goods upon hire or reward for other persons. The working of the monopoly thus created I can best exemplify by my own position; premising, that whilst I cite it I do so, not on private grounds alone, but upon the same principle that the abolition of the East India Company's charter and the Corn Laws have been advocated, and feeling satisfied in my own mind that it will tend to the advantage of all those who think themselves benefited by the present restrictions. After being at sea many years, and trading to all parts of the globe, I settled at Isleworth, where I have a large wharf, but to which there was then no established business. It never occurred to me that I could not employ my capital in working barges for carrying goods upon the river for any one who thought proper to employ me. But I found that, not having been apprenticed to a free waterman, I could not do so without employing another person who was in that position. I did not find the plan to answer, and was glad to give it up when the other branches of my business allowed me to do so. I continued to employ the free waterman for some time longer

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to carry my own goods, but from the trouble I had with the men employed by him I took the earliest opportunity, when my business allowed, to build a craft of my own, for which I obtained a licence from the Watermen's Hall, which enables me to do my own lighterage only, but which does not permit me to carry for others. This restriction I consider a great hardship, for it often happens that I could get a freight down for my barges for other persons, whereas they regularly go down empty, except upon rare occasions, when, by mutual accommodation, I carry down small quantities for a friend. But I feel there ought to be no restrictions enforced by the before-mentioned rules and byelaws, in these days of almost unrestricted commercial freedom. The before-mentioned laws regulating the apprenticeship, as well as those affecting barge owners, are easily and constantly evaded; the former by binding a boy to a free waterman for the sake of obtaining the privileges, who hardly shows himself on board a barge, and can never be capable of managing one; and the latter by purchasing the use of the number and name of the widow of a free waterman. Instances of both evasions are under my daily observation. The byelaws also expressly forbid the employment of men or boys in barges who are not free watermen or apprentices; yet this is continually done. There are many men who have been employed upon the river and in barges for many years, but who, from want of friends to get them bound apprentice when young, although perfectly capable, and whom I would trust with my craft without hesitation, are obliged to turn their hands to other means of living, or put up with occasional employment at small wages. This appears a great hardship upon such people. Barge owners would gladly have the number of such men and also apprentices increased, to break down the monopoly of the free watermen; though many of them are adverse to throwing open the lighterage business altogether. Some that I have spoken to, both masters and men, are indifferent to the subject. I find I unintentionally committed an error in saying that I was not at liberty to carry lime from the Medway upon hire. At that time I was under a misapprehension as to the limits of the jurisdiction of the watermen's company. The absurdity of the restrictions alluded to I will endeavour to show. Not far from my place of business resides a gentleman, who is a coal owner in the north. If he hires my vessel to bring him a freight of coals from the colliery, my crew may bring her up the river opposite to his house without the aid of a free waterman, and without let or hindrance; but if it happened from any circumstance, such as want of sufficient water to go close to his premises, that it became necessary to take any of her cargo out, then I must not use my barge for that purpose, but must employ the barge of one that is a freeman. Whilst upon this subject I may just add, as bearing upon the question before the Commission, that when I bring a cargo of coals to my own wharf, direct from the collieries, my men must not unload them in the manner customary in the port of London called whipping, but they are obliged to carry them out on their backs in sacks or baskets. As to the conservancy of the river, there are numerous shoals. Isleworth is a place of great trade; but either for want of money being expended in the river, in clearing away those shoals by soil accumulating, we have not a free passage. As to the amount of trade which is done at the adjoining wharf and my own, I may state as much as 25,000 tons come up to our wharfs during the year; but sometimes it happens, on account of the shallowness of the river, we are obliged to go to considerable expense in rigging out a kind of landing way, over which the goods are brought on shore. I should wish to say of Mr. Leach, the gentleman who acts for the City in our neighbourhood, that I have always found him most accommodating, and ready to do everything he can; but for want of funds I suppose he cannot do what is necessary. I cannot see why the City, as conservators of the Thames, are not bound to have cleared away the obstructions offered by Putney and Battersea bridges. They are of so narrow a character that they to a considerable extent impede the navigation, and subject barge owners occasionally to a loss, by their vessels running against them, under the most skilful management. We pay City toll 2½d. per ton to Isleworth. I consider the duties of the conservancy of the river have been inefficiently performed by the corporation, and that it is not suitable that the City should have the charge of the conservancy of the river, because those who sit upon that conservancy committee can hardly, I should think, be acquainted with the subject. In conclusion, I would suggest that the carrying trade upon the river should be thrown entirely open; that the system of free watermen should be abolished; that bargemen should be registered in a similar manner to seamen. Barge owners, as carriers, are responsible for goods committed to their care; and they would be foolish indeed who employed incompetent men. I do not think it would injure the sober, honest, and industrious watermen at all. I think it would tend greatly to improve the character of the watermen. I hear many complaints of their conduct from barge owners, but personally I have none to make, having two excellent men in charge of my own barges. Observation confirms me in the opinion that monopolies of all kinds are not favourable to the development of energy and skill. As to the conservancy of the Thames, I would place it under no existing branch of the Government machinery. I should recommend a separate and permanent establishment, with district boards working under its orders. I conceive that under such a board the river would soon assume a different character for depth of water, &c. It is the natural communication with the interior, and might be made available for the passage of vessels of at least 200 tons burden. Such a board should compel owners of property to maintain it, and not allow it to waste into the river for want of

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embankment. The wash of the steamboats is carrying away, year by year, portions of islands into the Thames, which should be prevented. The tolls levied, and to which I alluded before, are partly applied to maintaining the towing paths.

4105. How do you propose that the board to superintend the conservancy of the river shall be appointed?—By the Government, from men well acquainted with the subject.

4106. Do you propose that any member of it should be elected by the corporation, or that it should be exclusively composed of members appointed by the Crown?—I would let the corporation have nothing whatever to with it.

4107. Nor the citizens?—Nor the citizens. I may just add, which I think an important thing, and which I omitted in my last evidence, that I consider the present regulations are exceedingly oppressive upon many honest, industrious, and deserving and able men, who, because they had not an opportunity of being bound apprentices when they were quite young, have lost all the advantages of free watermen, though certainly with respect to some of them I should be quite ready to put my property under their charge directly.

4108. What vessels can now get up to Kingston Bridge?—No vessel above ninety tons burden. I know I am only stating the opinion of far better judges than myself in saying, that after clearing away all those things to which I have alluded, which are impediments to the navigation, and a sufficient sum being raised for deepening the river and the maintenance of good locks, there would be no reason why vessels should not come up directly to Kingston carrying 200 tons.

4109. Sea-going vessels?—Yes; sea-going vessels, which can get under all the bridges at certain times of the tide, with the exception of Battersea and Putney bridges, which are too narrow to admit them. I believe we have those very great floods in the Thames now which have been spoken to from the admirable system of drainage which is carried out in all our agricultural districts. No sooner do we have a heavy fall of rain than it is evidenced in the water directly. The water, instead of hanging in the land, as it used to do, comes down the ditches into the Thames, and we see it immediately.

Mr. G. C. Ashley.

Mr. George Crowley Ashley, having affirmed, was examined as follows.

4110. Where do you reside?—I reside at Isleworth.

4111. What business do you carry on?—I am a roman cement manufacturer.

4112. Are you in that capacity affected by the regulations with regard to watermen upon the River Thames?—Very seriously.

4113. Have you heard Mr. Beck's evidence?—I have.

4114. Do you take the same view that he does of the system pursued?—Fully.

4115. Have you been ever subject to any penalties for the infringement of the laws of watermen's company?—Yes.

4116. Under what circumstances?—In August 1850 I was summoned to the Mansion House, and fined 2*l*., and 2*s*. for expenses of the summons. The "case" was this: I had a barge in London. The captain of the barge came on shore to me for orders, leaving three other persons on board the barge. Either one of two of them I should have been quite satisfied to have trusted with the barge. The barge was moved away from Lambeth about a mile down the river. She had only about five tons of goods in then. It seems there was an informer, who saw this, and he immediately rowed on board, and took the command of the barge,. Almost immediately afterwards the captain arrived, and found this man in possession. The reason I was fined was, neither of the parties on board the barge were free watermen or apprentices to the water, though either one of two of them I would readily have trusted under similar circumstances with any amount of property.

4117. The captain's absence for a very short period was sufficient to render you liable to the penalty?—Yes. If the captain had been on board, although in his cabin asleep, I could not have been fined. The waterman who laid the information was a man from Kingston, who, I understood, got his living principally by this means.

4118. Are you in the habit of bringing canal boats down to your wharf?—For many years a considerable portion of my business has been carried on along the line of the Grand Junction Canal. My factory is about a mile higher up the river than the entrance of the Grand Junction Canal into the Thames. I load and employ the boats which travel on the canal to take my goods up the canal. The parties who have the management of those boats dare not move their boats one yard on the River Thames without a "free waterman." It happens generally that those boats which are called monkey boats travel in pairs on the river, and the law, as it now exists, requires that there must be two watermen to the two boats, though actually moving as one boat. In only two of the contracts which I had upon the line of that canal, I see I paid those useless watermen 124*l*. I have not paid much less than 1,000*l*. these last fifteen years for those watermen. I will cite one case in which I was a serious loser. Most of those watermen who look out for those jobs are not men of regular employ, but generally lazy characters, but have the "privilege of being free watermen," by which privilege they get those jobs, and come up to us with these canal boats. While the boat is being loaded they have nothing to do,

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and frequently get intoxicated. In one case a drunken man of this class ran a boat ashore, at a loss of 60*l.* to me, and I believe at least 40*l.* to the owner of the boat.

4119. When a waterman comes into your boat, does he take the command of it, or does he stand there, and let your people navigate it?—They have nothing to do. The tide takes up and brings back the boat, the master of the boat himself steering. I generally profess to keep a spare barge by me for emergencies, and it frequently happens, on receiving pressing orders, that I have had this barge loaded, hoping to get a "free waterman' (being obliged to do so by the present law) to take her away. The result has been in many cases that I have not been able to obtain a "free waterman" in my own village, or the neighbouring one, although at the same time I have had men in my employ, and there have been others in the village out of employ, infinitely more capable of taking this barge away than one half of the free watermen are. The result of the law is, that I dare not put any of those men on board to navigate her, and consequently I have sometimes been unable to send the barge away for a day or two, to my inconvenience and loss. As to the efficiency of those watermen, I may state that one man (who is now in our employ for want of a better) in broad daylight one afternoon ran one of my barges into Kew Bridge, which is one of the easiest bridges to pass through on the river. The barge was sunk. I lost 120*l.*, but I had no source for recompense.

4120. Are you aware of any benefit whatever which arises from the system of free watermen?—None whatever. I have now a man in my employ, a steady respectable young man, who from his childhood has been continually working on the water. I would rather trust him with 1,000*l.* of my property than eight out of ten of the free watermen; but on account of the existing law I dare not put him into a barge to navigate her.

4121. You would throw the trade completely open?—Entirely.

4122. You think it would not be necessary to substitute any system in the nature of police in any manner to protect the public against the risk of negligence or inefficiency of the watermen?—It is just the same in principle as applies to a man driving a horse and cart. If I trust a man to drive a horse and cart for me who is inexperienced and incompetent, it is at my own peril and risk of loss. If we could obtain any redress for the injuries which those free watermen from carelessness or inefficiency do us it would be a different thing, but we cannot.

4123. In the case of boats that ply for hire, wherries, and such like, though it can be easily imagined that a gentleman in your situation can form a judgment upon the fitness of the persons you employ in your trade, yet the general public might not be able to do so. Do you think it would be safe to throw the trade open, and let any body who pleased ply for hire in that way?—I think with respect to those who ply in "pleasure" boats there should be some stringent regulations.

4124. You would have some system of regulation in reference to those boats, but in regard to the trade carried on in barges, and so on, you would leave that entirely open?—Just so.

4125. Just as there is a distinction on land between cabmen and persons who drive waggons, and are used to trade of that description?—Yes; where the lives of the public may be placed in danger it is of course necessary to have efficient persons. Much more danger is experienced in plying in those little pleasure boats than by navigating barges. To show the absurdity of the existing system, I may observe that I have for many years annually had about 15,000 tons of stone brought up to my factory in larger barges than any of those used upon the river about here from Harwich; but no free watermen, even by the present law, are required in these cases.

4126. That is because they load beyond the limits of the City conservancy?—That is the only reason.

Mr. W. B. Billett.

Mr. William Bartholomew Billett, having been sworn, was examined as follows.

4127. In what capacity do you appear before this Commission?—I am the senior churchwarden of the parish of St. Pancras, and I have the honour of appearing before the Commission in consequence of a resolution that was passed by the representative vestry, in which they express the opinion that they would like to have a corporation for the parish of St. Pancras alone.

4128. Have you the resolution with you?—I have.

4129. Will you have the goodness to read it?—"At a general meeting of the vestrymen "of the parish of St. Pancras, held at the Vestry Rooms, King's Road, Pancras Road, on "Wednesday the 7th day of December 1853, William Billett, Esquire, churchwarden, in "the chair, and forty-nine other vestrymen present. A report from the committee of "vestrymen appointed to co-operate with the other metropolitan parishes, and give such "evidence as may be advisable before the Royal Commission now sitting to inquire into "the management of the corporation of the City of London, was presented, received, and "entered on the vestry minutes on the 30th ultimo. It was moved and seconded, That "the report be adopted, and that Mr. Churchwarden Billett be requested to present and "support the same before the Royal Commission appointed on the City corporation. "Whereupon an amendment was moved and seconded, That the report be adopted, with "the exception of that portion which asks for a municipality for the parish of St. Pancras

" alone, and the words 'the corporation of the borough in its integrity' be recommended. *Mr. W. B. Billett*
" The amendment was put from the chair and negatived, the numbers being for the
" amendment four, against it thirty-three. The original motion was put and carried una- 9th Dec. 1853
" nimously." I will, with the permission of the Commissioners, read the report which was presented to the vestry. " The committee appointed to co-operate with the other metro-
" politan parishes, and give such evidence as may be advisable before the Royal Commis-
" sion now sitting to inquire into the management of the corporation of the City of
" London, report, That they have met, and directed certain statistical returns to be made
" to them by the clerk as the basis for their examination. They recommend to the vestry
" that the committee should be instructed to support a separate municipality for the
" parish of St. Pancras, with a portion of its members to be deputed from each metro-
" politan corporation to form a central body for the management of the main sewers,
" police, &c.; and also to recommend that the corporation should be created by Act of
" Parliament or by Royal Charter, without the expense and trouble of an application as
" required by the present law, and that such Act should include the transfer to the
" municipal body of the powers now vested under several private Acts in the hands of the
" different self-elected paving boards, and with authority for the other boards, if they shall
" so please, to transfer their powers to that body."

4130. Is there any statement which you are desirous of making, in addition to those resolutions?—I should be glad to state the reasons why the parish desires an incorporation. They are fully alive to the advantage they enjoy from their present local privileges; but they conceive, from the peculiar position in which the parish is placed, they would be better off if they had a corporation, that is, if any share were accorded to them in the management of the police. At present we pay more than one fourth of the entire rental from the parish for the maintenance of the police, and as far as we can learn, after inquiry, there are only 194 policemen in the parish. If we had a voice in their management, we conceive we should be enabled to get fifty per cent. more men at twenty-five per cent. less cost. There is a great dissatisfaction felt throughout the entire parish as to the management of the sewers. In our parish there are several open ditches, and in addition to that we find that a number of streets have no sewers at all. In others, where they have sewers, they have been so badly contrived that the sewers are above the drains. There is a sanatory committee sitting at St. Pancras, and it has been given in evidence that where parties have called upon them to remove cesspools they have said, " We have done so,
" and we have made a drain, but that drain is converted into a cesspool, because it is
" below the sewer itself." We find this being the case, that, according to a return presented to the House of Commons in 1850, the cost, under the head of " Work done, from November 1847 to January 1849, amounted to 107,293*l.* 17*s.* 4*d.*, and that the cost of managing, surveying, experiments, &c., amounted in the same period to 57,270*l.* 1*s.* 6*d.*, which was more than half the entire expenditure. The parish conceive if they had a fair voice in the matter they would be able to get a little less science, perhaps, but more common sense, and it could be done at very considerably less than it now costs them. Last year we paid 18,000*l.* upon a 6*d.* rate, and, as far as we can gather, not one sixth of that has been laid out in the entire parish. With respect to the county rate, it costs us upwards of 8,000*l.* annually, and we have been, till recently, badly served with magistrates. If we require the presence of a magistrate to sign orders of removal of lunatics, and so on, we have great difficulty in getting one to attend, and great loss has accrued to the parish in consequence; and when we have had them, we have been charged with their cab-hire. One of them said lately openly in vestry, that complaints had been made of the cab-hire, and he begged to say it was quite optional whether he came or not. We find that is the case, and it is not necessary that the magistrate should reside in the parish. It costs us 4,300*l.* for lunatics, or 8*s.* 2*d.* a head per week at the county asylum, and 11*s.* 9*d.* at the private asylums, while the cost of our adult paupers in our workhouse is 4*s.* 4*d.* a head per week. If we had any voice in that there would be a considerable saving effected to the rate-payers. Then we complain of the paving of the parish. There are between four and five miles, portions of the parish, covered with houses, unpaved and unlighted. Those are in a very distressing state. There is an accumulation of filth, and in many places the roads are quite impassable, except in fine weather.

4131. To what part of the parish do you refer?—To that part of the parish running from the workhouse up to Battle Bridge. Then there is another portion going to the north, called Agar Town. Also Holmes' Estate, and another portion not comprehended in any paving estate, which is nearly opposite Battle Bridge. The whole of that is now covered with houses. An application was made to the commissioners of the Calthorpe estate, that they would take in that portion which lies on the northern side. They consented to take in two streets, namely, Swinton Street and Acton Street, but they refused to take in the rest of this property, because it would not pay them. Therefore it remains at this moment in a state that is very prejudicial to health, and very injurious to the owners of the property. I need hardly tell the Commissioners with regard to Agar Town, as Mr. Cooper gave evidence upon this head last week. In 1840 the commissioners of the Kentish Town estate, then applying for their Act of Parliament, were solicited by the parochial authorities to take in Agar Town, but they refused, because it would not pay them. Then, in the New Road, the most populous thoroughfare leading out of

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London, there is a short distance, not half a mile, which has no less than five paving commissions upon it under five different managements.

4132. Your complaint is, of the effect produced upon the parish by the management of those departments being distributed over various properties, and their not being managed as a whole upon a good system?—Yes; it is injurious, not only to the parishioners, but to the owners of property throughout the entire parish, and in many cases has been the means of preventing a better class of houses being erected.

W. Pritchard, Esq.

WILLIAM PRITCHARD, Esq., having been sworn, was examined as follows.

4133. In what capacity do you appear before the Commission?—As high bailiff of Southwark, commissioned to present to this Commission the resolutions of a public meeting called on the 25th of November last.

4134. Will you have the goodness to read them?—The requisition presented to me was signed by a great many respectable inhabitants, and it had for its object to request me to call an early meeting at the Town Hall, "to take into consideration the very "important question of corporate reform, with a view to laying evidence before the "Royal Commission of Inquiry, and adopting such measures as shall be necessary, not "only to obtain the corporate rights and privileges so long unjustly withheld from this "ancient borough by the City of London, but also to the obtaining for the present parliamentary borough a just and proper share in the advantages of corporate institutions." In pursuance of that requisition I called a meeting, and the result was, that certain resolutions were passed."

4135. Did you preside at the meeting?—Yes; ex officio, as high bailiff of Southwark.

4136. Was the meeting numerously attended?—Yes.

4137. How many persons do you suppose were present?—Perhaps 200 or 300. It is but a small hall, and will not hold a great many.

4138. Was it full?—It was a fair average meeting. It was not crowded.

4139. You think there were as many as 200 or 300 persons present during the chief part of the proceedings?—I should think so. These were the resolutions that were passed:—"At a public meeting of the electors and inhabitants of the borough of South-"wark, duly convened, and held at the Town Hall, Southwark, on Friday the 25th day "of November 1853, pursuant to a requisition presented to the high bailiff, and "numerously signed, describing its object to be to take into consideration the very impor-"tant question of corporate reform, with a view to laying evidence before the Royal Com-"mission of Inquiry, and adopting such measures as shall be necessary, not only to obtain "the corporate rights and privileges so long unjustly withheld from this ancient borough "by the City of London, but also to the obtaining for the present parliamentary borough "a just and proper share in the advantages of corporate institutions. W. Pritchard, Esq., "high bailiff, in the chair. The following resolutions were duly moved, seconded, and "carried as under mentioned: 1st. That the ancient corporate institutions of the country, "tending, as they do, when freed from abuses, to the promotion of the free principle of "self-government on which the liberties of this country are based, and by which those "liberties have hitherto happily been preserved, are in themselves most valuable, "and ought to be sustained, with such improvements and adaptations as are suitable "to the exigencies of the present times and to the advancement of the age. "Carried unanimously. 2d. That inasmuch as five of the eight parishes of the parlia-"mentary borough of Southwark are under the jurisdiction of the City of London, form "one of the wards thereof, under the presidency of a high bailiff, chosen by the City as "the Lord Mayor's deputy, and (being an integral part of the City of London) are "excluded from the advantages of the Municipal Corporation Act, and inasmuch as taxes "and dues are levied by the City on our commerce, from which we derive no benefit, the "present position of the borough of Southwark is most anomalous, though having a just "and undoubted claim to the rights and privileges of the City of London. This meeting "therefore consider the present a favourable opportunity for obtaining a full and equal "participation in all the municipal rights of the City of London; and that as the parlia-"mentary borough now consists of eight parishes, whose political, commercial, and general "interests are identical, it is most desirable that the whole parliamentary borough should "be incorporated with the City of London. Carried by a large majority. 3d. That a "committee be appointed to form themselves into an association, to be called "The "Southwark Municipal Reform Society," to carry into effect the foregoing resolutions; "that such committee do consist of Messrs. Pocock, Challice, Vickers, Thwaites, Collinson, "Evans, Rogers, Newman, and Walker, with power to add to their number; and that "they do also, with the high bailiff, form a deputation to present the resolutions of this "meeting and give evidence in support thereof to the Commissioners of Corporation "Inquiry. Carried unanimously."

4140. What are the dues upon the commerce of Southwark, levied by the corporation of London, referred to in those resolutions?—I am not aware of the exact dues. The gentlemen here who moved the resolution will perhaps explain that point more fully. I was requested to place the resolutions before you, and to state a few historical facts which are considered necessary for their elucidation.

4141. Will you proceed to do so?—As an officer of the corporation, I understand the corporation to be most anxious to subject their officers to the fullest examination, and a committee is appointed to meet on Monday next to give them directions so to do; it may be therefore proper for me to have the sanction of the corporation before giving any evidence of a general kind. The deputation requested me to call to the attention of the Commissioners the origin of the connexion between Southwark and London. It appears that about 520 years since, London at that time being situated within its own walls, being the great mart of commerce, and having its civic and judicial institutions entirely under its own management, was considerably impeded in the exercise of its functions by certain felons and other parties making their escape out of the jurisdiction of the City, circumscribed by its walls, and establishing themselves in the small town of Southwark, on the opposite bank of the river, where the City authority could not reach them. In consequence of this, application was made to the Government, and the King, by a charter of Edward III., in the year 1327, granted the town of Southwark, at that time comprehending one of the three manors which was within the jurisdiction of the City, and called the Guildhall Manor, to the mayor and commonalty and citizens for the purpose, being subjected to the same rule and governance as the remainder of the City. This continued, I think, for about 130 years, when it was found that considerable doubts existed from the previous charter being short, and not very comprehensive in its terms. A new charter was therefore granted in the second year of Edward IV., 1462, which has for its object to explain the prior grant, and to carry out, in a series of general and specific grants, the powers conferred on the City in respect of Southwark. Those powers were the most comprehensive which can be imagined. All possible seignories and jurisdictions were given to the City, with the whole of the Guildhall Manor, of which alone the town then consisted, and with all waifs, forfeitures, markets, and every public right of that kind necessary for the government of the borough of Southwark, as part of the City. So matters remained for nearly another century, when, in the fourth of Edward VI., 1550, a grant was made to the City, in consideration of certain money payments, of the other two manors, which at that time had become the property of the Crown, the one the monastery of Bermondsey and the lands forming the Great Liberty manor in consequence of their forfeiture to Henry VIII., and the other the King's manor, which consisted of lands derived by purchase of the Crown from the Duke of Suffolk and the Archbishop of Canterbury, and the same powers and authorities were granted with respect to their manors that had previously been confirmed with respect to the Guildable manor. Consequently, the three manors then became incorporated under one authority on the part of the City, forming, as they do at this time, the Guildable manor, the King's manor, and the Great Liberty manor. London, however, began, from its commercial enterprise and its being the seat of the Government, to extend its boundaries very considerably, and in consequence it embraced several very extensive suburban districts, more especially the ward of Portsoken on the eastern side, and the ward of Farringdon without on the western side. Those were incorporated with the City, and they form to this hour two of the wards of the City, Farringdon alone being nearly one fifth of the whole twenty-six wards of which the City is composed. Southwark increased in a similar manner, and the last grant, general and extensive as it was in its terms, was also rather specific, as indicating a mode of self-government similar to that possessed by the City. It requires that the whole of the citizens of the three manors should be within the rule and governance of the City, and that the lord mayor, the recorder, and the aldermen who have passed the chair should be justices of the peace for the borough of Southwark. But it appears that no steps were taken to grant to the inhabitants of Southwark the privileges of a representative government, in the same manner as the wards of the City on the other side, including Portsoken and Farringdon Without, possessed it. The only effort made for that purpose was by the Court of Aldermen passing certain byelaws, by which they directed that there should be an alderman of the ward of Bridge Without (comprehending the whole of the borough of Southwark, and not the mere houses on the bridge, as has been erroneously supposed by some), and that he should be elected by the aldermen and not by the inhabitants of the borough. There was no law carried into effect, though one appears to have been initiated, and to have made some progress, for giving them representation in the common council, but simply this aldermanic appointment, and that was vested, not in the electors but in the aldermen of London. However, the judicial institutions of the borough received an impulse though their civil institutions did not. The aldermen established a sitting alderman in the borough for magisterial purposes, and also four quarter sessions. There is an ancient Court of Record for the trial of civil actions, which was also established,—and that continues to the present time. The quarter sessions, however, have been discontinued, and with them the sitting of the magistrate at the town hall. The consequence is, that at the present moment the borough remains in a state of decay with regard to its institutions generally, of which the deputation request me to make complaint. They say, that though they have a civil jurisdiction established in the Borough Court of Record, and though they have a steward of the manor courts who is also the judge of that civil court, that court is of very little use, because the courts of common law issue their writs and precepts with a non omittas clause, which prevents the high bailiff of the borough of Southwark having the execution of the process, and the Southwark County Court of Surrey has since been established, therefore

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it has become of little use, and has descended to be an inferior Court. With regard to the jurisprudence of the City within the borough, that has also fallen into a state of great decay. We have no sitting magistrate now, and no quarter sessions, except as a matter of form. I summons the grand and petty juries four times in every year, but there is nothing done in consequence of the state of decay of the borough institutions, and they merely meet to be sworn and charged by the recorder, and then to find that there is no business, and to be dismissed from their attendance. This, they say, does not exempt them from the responsibility of performing the duties of jurors in other parts; they are obliged to do so at the assizes and quarter sessions, and at the Central Criminal Court, and they complain of their obligations to perform duties which do not exempt them from others, but call them together for no practical purpose. The magistrates of the county, and not of the City, hold petty sessions in the borough. The inhabitants also complain that from the want of having a fair share in the representation of the City, they have not the control of the various functions which ought to belong to them as an incorporated body. The paving, sewerage, and lighting of the borough are confided by private Acts of Parliament to certain inhabitants who are commissioners not chosen by them or being an effective representative body, and therefore not at all under their control. The market is in the same state. It is the result of a private Act of Parliament, and though the inhabitants have a high baliff presiding over them upon public occasions they have no means of defraying the expense of such meetings as they deem it necessary to call. A meeting like that which has just taken place must take its origin in the public spirit of a few individuals, and when they attend, for the necessary expenses of printing and otherwise, they are obliged to make a subscription. The deputation think, therefore, that the institutions of the borough are in a state of desuetude of which they have a right to complain, and it is upon that state of things that they ground the resolutions which I have had the honour of placing before you.

4142. How are you appointed?—I am appointed by the Court of Common Council.

4143. For what length of time is the office held?—I am annually elected.

4144. In point of practice is it customary to continue the high bailiff, or is he changed every year?—Unless there is some objection to his conduct, he is continued every year. I have been high bailiff since 1842.

4145. Are you an inhabitant of Southwark?—No; I am a citizen of London, and was a member of the corporation for several years.

4146. Is there any salary attached to your office?—It used to be a very profitable one. Those profits arose principally from the Court of Requests, which was formerly held, but which is now superseded by the appointment of the Southwark County Court of Surrey. There are a few small fees belonging to the high bailiff of Southwark, but subject to certain payments, and there is a grant of 100*l.* a year from the corporation.

4147. Have you any objection to state what is upon the average the value of the office which you hold?—I should think since the grant of 100*l.* a year, but from which there are certain deductions, the average profits from the corporation may be about 80*l.* a year. That includes everything received from the corporation, but then I am ex officio, as high bailiff of Southwark, high bailiff of the Southwark County Court, which has been substituted for the Southwark Court of Requests. The latter was for many years a very profitable office. Before I possessed it the fees were as much as 800*l.* a year.

4148. Including everything, what should you state to be the present value of the office you hold?—The fees I refer to of the Court of Requests were commuted for 500*l.* a year and the amount of those of the Southwark County Court has fluctuated very much since the appointment of that court; but I think the average of my emoluments in the two offices is between 500*l.* and 600*l.* a year, including everything. I render an annual account to the corporation, and declare what my emoluments are every year.

4149. Are you engaged in trade?—No; I am a proctor in Doctors Commons.

4150. The second resolution which you have read states it to be the opinion of the meeting that all the eight parishes, five of which only are within the City jurisdiction, should form a ward of the City?—I understood the feeling expressed at the meeting to be that they would not now be satisfied with the incorporation of the five ancient parishes constituting the three manors, but the borough having expanded so considerably, and now embracing Bermondsey, Christchurch, and Rotherhithe, they would now wish the whole of the eight parishes which form the parliamentary borough to be incorporated with London, if an incorporation should take place at all, and to be incorporated with it with the improvements which they hope to see arise out of the labours of this Commission.

4151. Are you able to state what would have been the feeling of the meeting with respect to any arrangement by which, if an incorporation took place, the incorporation should be confined to the five parishes and not extended over the whole borough?—I believe the feeling would be decidedly adverse to such an incorporation.

4151a. It would be decidedly adverse to separating the municipal jurisdiction which exists over the whole of the borough of Southwark, at present?—Yes; I think the parliamentary borough must be dealt with as a whole.

4151b. Would the people of Southwark object to being formed into a separate incorporation?—I believe the feeling is that they would prefer to be incorporated with the City; but if that were impracticable, they would rather have a separate incorporation of the present parliamentary borough than remain in their present state.

4152. Supposing the eight parishes were incorporated with the City of London, would not that involve the question how far they were to be taken out of the county of Surrey, or relieved from the county burdens in Surrey?—They would think decidedly that in that case they were entitled to an exemption from the burdens of the county of Surrey, in the same manner as Portsoken and Farringdon Without have been relieved from those of the county of Middlesex.

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Mr. THOMAS POCOCK, having been sworn, was examined as follows.

Mr. T. Pocock.

4153. You are one of a deputation from the borough of Southwark?—I am.

4154. Is there anything that you would wish to add to the statement which has already been made by the high bailiff?—I wish to state a few facts within my own knowledge, having been resident within the borough for the last fifty years, and a liveryman of London for forty years. I have been summoned by precept from the Lord Mayor, to serve at the Town Hall on the quarter sessions; many times for three days together I have been there, when business has been performed there. An alderman of the City of London used to sit daily there for the purpose of adjudicating upon robberies, misdemeanors, &c., and committing offenders to the City Prison in Tooley Street, in his capacity as daily sitting magistrate. There was at that time much business done in the ancient parliamentary borough; and living in the parliamentary borough during the last fifty years, I was called upon many times to serve, and also saw many persons who did not serve, fined; but this never exempted me from serving upon the sessions in Newington parish, which I always thought a great hardship. I have also to state that it has always been the received feeling, and believed to be a fact, that we are part and parcel of the City of London as much as Cheapside itself. The Lord Mayor and the corporation, together with the recorder, have always exercised jurisdiction over the borough as belonging to the City; they have invariably kept up their ancient landmarks in the borough, and to this day they have always been renewed at the extremities of the borough, near Bethlehem Hospital, near the Elephant and Castle, and at the extremity going towards the Green Man, where the parish terminates belonging to the City. Those are the reasons why we feel that we belong to the City of London, but we have a complaint to make that we have not been properly represented in the corporation of the City, as a part and parcel of it. We have not the rights and privileges to send members there, which we think we ought to have, and we have been striving for many years, by petitions to the common council, to be reinstated in those rights and privileges. I have myself appeared at the bar of the court, urging our claims, and they have never been deneid or disproved, but our petitions have been handed over to a committee generally, and they have shared the fate of an untimely grave, and we have heard nothing more of them. All our applications which have been going on from year to year have failed up to the present time. I have also to state that in the borough of Southwark there is an immense amount of property called the Bridge House Estate. Forty years ago I remember that consisted of many acres of land, then uncovered by any property whatever; it brought in a mere nominal income to the City, but now it is covered by the most valuable property, bringing in ground rents to the tune of many thousands a year; and must necessarily, when the leases fall in, produce an immense revenue to the City of London. We consider, in the borough of Southwark, that that property ought especially to be applied for the purposes of the bridges, and also a fair share of it to the improvement of the borough, which we have not received. I know of no improvement in the borough which has been effected by it, except that of New London Bridge, the approaches to which are much wider than they were in former times; beyond that I do not know of a single shilling being laid out in the borough of Southwark from these funds, which we think we have a legitimate claim upon. I am sure the Commissioners must be aware, from reading the papers, and also from their own knowledge, that the borough of Southwark needs great improvement in its sanitary condition. There are many streets, such as the Mint and Kent Street, which are all included in the ancient borough, upon which I think the money arising from these immense resources might have been very profitably and properly laid out. I consider that the borough stands in a different position from all other applicants from the metropolis, inasmuch as we really form an integral part of the City, and have done so for many years.

4155. Do you think in any future arrangement it would be proper to draw any distinction between the present part of the borough which is connected with the City, and that which is not, or that the whole ought to be dealt with alike?—I think, as a parliamentary borough, they ought all to be dealt with alike.

4156. You think the alternative is either cementing the whole with the City of London, or separating the whole from it?—I presume so. I have to say, to the honour of a large number of the common council and many aldermen with whom I am acquainted, that they feel most liberally disposed towards us; many have stated to me that they have considered it a hardship done to the borough of Southwark that we should be deprived of our rights and privileges. I believe it is in evidence before the Commissioners that the borough of Southwark used to send four or five common councilmen to represent them in

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the Court of Common Council; whether that is so I do not know, but I see it in the evidence which has been given before the Commissioners.

4157. Does the borough of Southwark now derive any benefit whatever from the expenditure of the corporation of London?—I believe not one farthing.

4158. Are you aware of any benefit which it has at any time derived from that expenditure?—Not any during my lifetime, except as I have mentioned, the opening of the approaches to New London Bridge.

4159. You think the present connexion of Southwark with the City is purely onerous, without any corresponding benefit?—Quite so. I consider that I have myself had to do much of the hard work of the City. I have done suit and service for the City. We are not like the prodigal son, having received our portion of goods and spent it in riotous living, but, on the contrary, our prodigal fathers have called upon us to work hard, and do suit and service without considering what their dutiful sons have suffered.

4160. Then do you think the circumstance of the Bridge House Estates being locally situated within the borough of Southwark, gives you any claim upon the proceeds of those estates?—The title of them is really and truly the Bridge House Estates. I am a large tenant, and I have always been given to understand that that property is exclusively for the purpose of making or repairing bridges, or making approaches thereunto, and new streets, and so on.

4161. Not for the special improvement of the borough of Southwark?—I conceive we ought to come in for a share of that money.

4162. Do you know how that part of the City property is managed?—There is a committee called the Bridge House committee, and two bridge masters.

4163. Do you know whether, as landlords, they manage that part of their property well?—That I cannot say. I believe they are very good landlords, and very liberal ones.

4164. Is there anything in the way in which they exercise the management of their property which is prejudicial to the trade of the borough of Southwark?—Nothing whatever.

4165. The tenants of those houses pay, of course, the county and parish rates like other tenants?—Yes. Every one must feel a great want of the means of transit across the river Thames. There is only one bridge, the present London Bridge, and the immense traffic which is passing from one bank of the river to the other is of that character that we need more easy communication; and I am only surprised, seeing the immense funds which arise from the borough of Southwark, which requires that accommodation, that some portion of those funds is not applied for that purpose.

4166. Do you remember what is the amount derived from the City property situated within the borough of Southwark?—I cannot say exactly; it must be many thousands a year. In thirty years I should say it would increase tenfold.

H. Sturmy, Esq.

HERBERT STURMY, Esq., having been sworn, was examined as follows.

4167. In the resolutions which the high bailiff of Southwark has produced, there is an allusion to the taxes and dues levied on the commerce of Southwark. Can you explain that?—That is meant to apply to the fact that ships laden with corn and potatoes coming to any wharf on the Surrey side, cannot be unladen except upon paying metage and porterage dues.

4168. Are there any City dues in the borough of Southwark, over and above those levied in the whole port of London?—Not any that I am aware of.

4169. Is there any other point to which you wish to call our attention?—It has escaped the high bailiff, with regard to the ward of Farringdon Without, that it was in the county of Middlesex, and so was the ward of Portsoken, but when they were annexed to the corporation of London, they were respectively taken out of the county. Originally, 100 years ago, the county of Surrey had not, as I believe, any jurisdiction in Southwark Proper, that is, the five parishes; but by some means the jurisdiction was allowed to creep in, and it was never resisted till it became absolute. When we say there are three parishes included in the parliamentary borough, but not in the municipal, the borough part of St. Saviour's is within the five parishes; but the clink part, which is the larger part of St. Saviour's, is not within the jurisdiction of the City, and therefore is within the parliamentary borough, in addition to the parishes of Bermondsey, Rotherhithe, and Christchurch. There is one other point to which I wish to call the attention of the Commissioners, that is, the little which has been done for Southwark in the way of improvement by the corporation. Out of the coal duties to which Southwark must have contributed at least one-third, inasmuch as the consumption of coal was always very great in Southwark, from the immense number of manufactories and other establishments, I see from a return just published by the House of Commons, that there have been only 4,000*l.* applied for local improvements in Southwark, and that was as far back as the year 1778. I wish to call the attention of the Commissioners to the immense sums which the City have applied for their own improvements, out of the coal duties, to which the southern side of the river have been large contributors, and therefore it is that we urge a right to have some provision made out of the Bridge House Estates for improve-

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ments in the borough of Southwark. I think it will be seen from the return to which I have referred that no less than the sum of 1,190,821*l.* 13*s.* 1½*d.* has been applied to improvements within the City, out of the coal duties; and to improvements of a mixed character, the sum of 1,818,200*l.* 18*s.* 0½*d*; that mixed character being principally London Bridge and its approaches, so that a sum of 3,000,000*l.* has been expended by the City of London for their own purposes, whilst Southwark has received only an expenditure of 4,000*l.* beyond the necessary improvements in the erection of London Bridge. We have ourselves endeavoured to effect local improvements. Ten years ago a bill was brought into the House of Commons and proceeded a considerable way, for the purpose of making a new street from the borough near the Town Hall to Stamford Street, and but for some disagreement between the Bishop of Winchester and his lessees, it would have been carried. The expense attending this, although large, was borne by the promoters of the measure. A few months since also we had a new line laid down by the surveyor of the Board of Works, but from the want of money we were not able to proceed with it.

4170. Does the borough of Southwark suffer in its sewerage or any other way from the present state of its institutions?—Certainly. We have complained to Lord Palmerston that there are now two or three large sewers debouching at Bankside into the river, one close to St. Saviour's Church which is very injurious indeed; the commissioners of sewers say they have no means of remedying it, as the expense of it would be 100,000*l.* Some ten or twelve years ago there was a very heavy overflow of the tide into our parish; the poor especially suffered very materially, the water came up to the first floor in some cases. The result was that the commissioners of clink pavements, whose jurisdiction extends nearly the whole length of the river in our parish, considered the point, and they made application to the then commissioners of sewers, who they thought had jurisdiction to call upon the different wharfingers to raise their banks, the commissioners themselves raising the public bank. This was done, and the whole of the bank was raised, and except in the case of a very extraordinarily high tide there is not the same suffering now.

4171. It was raised at the expense of the persons who lived along the bank?—Yes; where it was private property, and at the expense of the commissioners where it was public property. If any one having premises abutting on the river in Southwark wishes to erect anything on his premises projecting into the river, he must apply to the corporation of London for their assent. Mr. Alderman Humphery, for instance, has erected some building on his premises on the river adjoining the Southwark side of London Bridge, and for that purpose he had to get a licence from the corporation of London and Woods and Forests, and for which a fine was paid. I would only add that in consequence of the connexion of Southwark with the corporation of London we are excluded from the benefit of the Municipal Act. We cannot apply for any incorporation, and it is very expedient for us that something should be done.

4172. Your connexion with the City is sufficient to exclude you from the operation of the Municipal Act, though it does not exempt you from the burdens of the county of Surrey?—Exactly so.

Mr. J. J. Stevens.

Mr. James John Stevens, having been sworn, was examined as follows.

4173. Do you wish to add anything to what has been stated on the subject of the borough of Southwark?—I wish to say a few words in relation to the state of the whole of the borough, in consequence of there not being a board to which they can apply for the redress of their grievances. I am connected with the borough of Southwark as chairman of the board of guardians of one of the large parishes, the parish of St. George. I have also been repeatedly summoned on leet juries of the borough of Southwark, and have made presentments of the state in which several courts and places in the borough are found, one of which I beg to lay before the Commissioners (*producing the same*), it having been copied by the General Board of Health into their report. From that it will be perceived that the state of the borough is very bad as regards the poor. The courts are not drained, they are badly supplied with water, and the poor are in a very bad condition in respect to their health. This arises from the want of a properly constituted board to whom they could make application, or to whom the landlords of those several tenements could make application, in order that ther wants might be relieved.

4174. What sort of board would you wish to constitute?—The board that should be constituted should be one that would embrace the several paving and lighting boards, which are now distributed throughout the parishes of the borough of Southwark.

4175. What you wish is a board having authority over the whole parliamentary borough of Southwark, which should be empowered to execute public works?—Yes.

4176. You want a joint action in regard to such matters as sewerage and paving?—Yes.

4177. How is the paving in the borough of Southwark now neing executed?—It is executed by five or six boards: two or three in the parish of St. George, and two or three in each of the several other parshes. All those might be consolidated into one paving board.

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4178. Is the ownership of property much divided in the borough of Southwark?—Yes, very much indeed; the properties are small, with the exception of the City property in the Bridge House Estates, which is considerable. That in the parish of St. George comprises, I should imagine, one-third of the parish.

J. C. G. Bennett, Esq.

JAMES CHARLES GRAHAM BENNETT, Esq., having been sworn, was examined as follows.

4179. You are a solicitor in the City of London?—Yes; and also an election agent. In 1841 I was chairman of the wards of Cheap, Cordwainer, and Dowgate, of the committee for promoting the election of Messrs. Masterman, Lyall, Pirie, and Attwood, in the contest with Sir Matthew Wood, Mr. Pattison, Mr. Grote, and Lord John Russell. In 1843 I was secretary and agent to Mr. Baring in the contest between himself and Mr. Pattison, on the death of Sir Matthew Wood. In 1847 I was agent for Mr. Masterman, Mr. Alderman Johnson, Mr. Bevan, and Mr. Freshfield, in the contest with Lord John Russell, Mr. Pattison, Sir George Larpent, and Baron Rothschild. In the same year I was the City agent for Colonel Thomas Wood, in the contest of the county of Middlesex with Lord Robert Grosvenor and Mr. Osborne. In 1852 (the past year), I was secretary and agent for Mr. Masterman in the contest for the City, and, following that, I was agent also for the Marquis of Blandford in the City division of the county. I make these remarks to show that in election tactics I have had some little experience, and with these preliminaries I will call your attention to what occurs at elections at common hall, held under the Act 11th George I., chapter 18. Previous to the late contest for the chamberlainship between Sir John Key and Mr. Benjamin Scott, application was made personally to Mr. Potter, the secondary of London, by Mr. Brown and myself, as agents for Mr. Scott, and by Mr. Ledger, as agent for Sir John Key, with the view of getting some system or arrangement adopted for taking the poll different to that which had prevailed at previous contests. It was urged upon Mr. Potter, that inasmuch as no complete register of the liverymen of the different companies existed to govern the poll clerks, the booths ought to be arranged in alphabetical order, according to the names and titles of the companies, as on the elections for the City members of Parliament. But to this suggestion, although assented to by the agents on both sides, Mr. Potter stated he could not accede, as the election would be held under the specific provisions of the Act to which I have alluded (I should mention that there is nothing in the Act to prevent such an arrangement), and that the same arrangements would be made as on all former occasions, beginning with twelve clerks on the first day, a similar number on the second, to be reduced on the third and subsequent days of the poll to eight or six, as the pressure of business might diminish, and again to be increased in case of need. In elections at common hall, after a show of hands has been taken and a poll has been demanded, the poll has been immediately commenced. Twelve desks are arranged immediately in front of the hustings at Guildhall, to which twelve persons are appointed as poll clerks, and either of these clerks can take the votes of any persons who present themselves. None of such poll clerks, with the exception of Mr. Harker (the City crier), have the slightest knowledge of who are liverymen and who are not. It was in consequence of that, that we applied to Mr. Potter for some different arrangement, an arrangement in alphabetical order, according to the names of the companies. On all occasions of elections in common hall, barriers are erected immediately in front of the Guildhall, such barriers having separate portals or doorways arranged in the alphabetical order of the companies, at which the beadles of the different companies ought to attend, and through which none but liverymen ought to be admitted to the Guildhall, the beadles being supposed to be personally acquainted with all the members of their respective companies. The barriers are erected, but, beyond showing themselves on the first day, the beadles do not attend, and hence it is that any one can obtain admission to the hall during the contest, and the check which formerly existed in this respect has ceased. In the contests for officers to be elected by the liverymen of London (as in the case of the late election for chamberlain), where a poll is demanded, such poll continues open for seven clear days, exclusive of Sunday, whilst in elections for the City members of Parliament, the poll is limited to one day only. The parliamentary voters among the liverymen are those who reside within seven miles of London, whose names are published annually after the usual revision of the lists, whilst in elections for corporate officers, the whole of the livery of London (with certain exceptions) are entitled to vote, no matter where they reside, and the only clues to the livery (of whom many reside at great distances from London) are the private lists published by each company; 7,215 in number according to the lists for the years 1852 and 1853, were those who were entitled to vote in parliamentary contests until the last revision, but the total number of the livery may be taken at about 10,000; therefore, there are nearly 3,000 persons on the livery who are not to be found in any public register. The complaints which exist against the present system, are (among others) the following, viz.: 1st, the seven days' poll, and the mode of taking it; 2d, the want of a complete register of the liverymen who are entitled to vote, for the guidance of the clerks on taking the poll, and for the guidance of the secondary or sheriff's deputy, on objections being taken to any vote tendered; 3d, the absence of arrangement of the polling booths according to the alphabetical order of the companies; 4th, the absolute impossibility of identifying who are and

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who are not liverymen, and the consequent absence of all check against the personation of voters, whether living or dead, against voting more than once, and against false and fictitious voters; 5th, the want of a specific enactment against bribery, which the Act of 11th George I., chapter 18, does not contain; and lastly, the total absence of all means of putting an end to or preventing bribery, corruption, the manufacture of false voters, perjury, suborning of perjury, and conspiracy. These are very heavy words to utter, but I am in a situation to prove that all those practices exist at elections in common hall.

4180. Would not bribery be an offence at law without any special enactment pointing to the particular case?—The difficulty is in the proof of such cases at all times, but my observation would go further than that. I say that an opinion unhappily prevails among the liverymen, that inasmuch as the Act is silent on the subject of bribery and treating, it is no wrong, not even a moral wrong to be paid for their votes.

4181. In point of fact, does bribery prevail to a considerable extent in common hall elections?—I speak only from the experience of this one election, and I will say from this one I should judge of others; this was the first common hall election I had the slightest experience of, and it certainly opened my eyes to many disgraceful practices. The elections for members of Parliament for the City and for the county are all tainted with "'longshore" influence, to the disgrace of the voters; but they are pure and immaculate compared with common hall contests, and are not to be named in the same day with the practices which there prevail.

4182. It has been represented to us that the expenses attendant upon that contest for the office of chamberlain, to which you have referred, were very large indeed?—They were.

4183. Have you any means of judging what the amount of expenditure was upon the two sides?—On the two sides I have nothing further than report to guide me, but I think it was little short of 10,000*l*. The expenses upon Mr. Scott's side exceeded 3,000*l*., subject to a deduction subscribed by Mr. Scott's friends by way of testimonial. I beg to say, that I do not come here at the instance of Mr. Scott, smarting under recent defeat, but I come solely on public grounds. There is a set of men, about a dozen in number, who always take a most prominent part in all such contests, to the great disgrace of the livery in general, and to the great expense of the candidates in particular, who, although not specifically engaged to attend to the interests of the candidates further than in obtaining the votes of those who are actually qualified, yet they or their subordinates, in order to make a market of, and to plunder the successful candidate under the present system, supply the candidates from day to day with a number of false votes, thus keeping the candidates, at the close of each day, as nearly on an equality as possible in point of numbers, so that their demands may be more extortionate as the poll is actually drawing to a termination. In illustration of this, I have prepared two tables, showing what transpired in such respects at the last election. The first shows the daily poll and which of the candidates was in the majority at the close of each day. On the first day Sir John Key had a majority of 16; the numbers polled being 259 for Sir John Key, and 243 for Mr. Scott. On the second day Sir John Key had polled 1,126, and Mr. Scott 1,204, giving a majority for Mr. Scott of 78. On the third day there were 1,636 polled for Sir John Key, and 1,695 for Mr. Scott; the majority for Mr. Scott being 59. On the fourth day there were 2,060 votes recorded for Sir John Key, and for Mr. Scott 2,085; the majority for Mr. Scott being 25. On the fifth day the numbers were 2,421 for Sir John Key, and 2,407 for Mr. Scott; then the majority changed sides and Sir John Key got an ascendancy of 14. On the sixth day the numbers were 2,729 for Sir John Key, and 2,658 for Mr. Scott; the majority increased for Sir John Key to 71. On the seventh day the numbers were 3,179 for Sir John Key against 2,912 for Mr. Scott; the majority for Sir John Key being 267 at the close of the poll. So much for the numbers as they stood at the close of each day's poll, showing how close the contest was; but unfortunately legitimate voters alone had not been taken and recorded. I hold a table in my hand prepared with great care which gives this result: that on the seven days' poll there were actually recorded by persons who were not qualified to vote, no less than 201 votes for Sir John Key, and 129 on the part of Mr. Scott; while those who voted twice for Sir John Key were 25, and those who voted twice for Mr. Scott were seven. The totals were for Sir John Key 226, and for Mr. Scott 136. The result shows that there were 362 false votes polled during the contest; against which, under the present system, it was and is quite impossible to guard.

4184. How do you believe the ultimate result of the poll was obtained, and that which was at first a majority in favour of Mr. Scott, was converted into a majority in favour of Sir John Key?—By bribery and corruption. Aldermanic influence, and various other modes resorted to on the occasion, which were exceedingly disgraceful. Mr. Scott was the popular candidate. We had no means of ascertaining who were personated, whether living or dead; many came and voted, the real voters themselves telling me they had not voted. Then there was a transposition of some votes for Mr. Scott which were given to Sir John Key, though I dare say not wilfully. Our chairman, Mr. Robert Hanbury, gave his vote on the first day in favour of Mr. Scott; it was recorded in favour of Sir John Key. That might have been an error. If that had been the only instance I should have been disposed to have considered it an error; but that was not the only instance that came within my knowledge. I stood upon the hustings during the whole of the

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contest, from nine o'clock till the close of the poll each day, and during that time five persons were given into custody for pretending to be voters, they having no qualification; but it was with difficulty we could find any one among the poll and check clerks or any one who stood at the hustings, except Mr. Harker, who could identify any person who came there as a voter.

4185. Had Mr. Scott check clerks of his own?—Yes.

4186. Would not his check clerks prevent any vote being improperly recorded?—They ought to have done so, but they had no means of detecting improper votes, for the reason that no alphabetical order of the companies nor of the livery existed. Under the present system, no matter how pure the motives and intentions of the candidates, it is quite impossible to steer entirely clear from the contaminating influence of the men I have before alluded to, who, by making an open trade of their doings, attract to them all those who are to be bought, bribed, or treated,—all those who are unscrupulous enough to represent the living and to personate the dead; and also all those who are willing to take false oaths, whether in recording their votes more than once, or in swearing to qualifications which they do not possess. At the recent contest five persons were given into custody during the poll; one of whom, being evidently misled as to his qualification (not having been a liveryman for twelve months) was discharged by my consent, I being the prosecutor. Another was discharged after a searching investigation, because it appeared pretty evident that he had been entrapped into voting, and then given into custody for the sake of obtaining a reward upon his conviction,—a reward of 10*l.* having been offered by our opponent's committee for every conviction, my prosecutions of two of the offenders having caused the publication of a placard to that effect. The others were all prosecuted to conviction, and after a great fuss made about detecting the instigators of their perjury, they were sentenced to various terms of imprisonment with hard labour. I now propose to offer a few suggestions, if you will permit me, if these elections are to remain in the hands of the livery, by way of remedy for the existing evils. 1st. To limit the poll to one clear day, as in the parliamentary election contests. 2d. To limit the constituency to those of the livery who reside within the parliamentary range of seven miles. 3d. To disfranchise all almsmen, whether resident in the alms-houses or receiving pecuniary or other charitable assistance among the liverymen, as well as all those who have received back all or any part of their livery fines. They are already disfranchised by Act of Parliament, but for want of a register or proper list we cannot detect them. 4th. To compel the master and clerk of each company to revise the lists of their liverymen once a year, excluding those resident beyond the seven miles limit, and all classes of almsmen, and to make printed annual returns to the sheriffs of those only who are found eligible to vote. 5th. To divide the Guildhall into polling booths, arranged in alphabetical order of the companies, or to compel those liverymen whose companies have halls to vote at their halls, the Guildhall being appropriated only to those who have no hall. 6th. Whether the poll be taken at Guildhall or in the halls of the companies, to make it compulsory upon the masters, clerks, and beadles (excepting in case of sickness or from other unavoidable cause) to be present during the entire poll. The last two suggestions would have this effect, they would prevent the personation of voters either living or dead, because no man would be foolish enough, I think, to go into the presence of the master, clerk, and beadle of any company and state that he was a liveryman of that company, not being on the livery. This suggestion is simply supposing the elections are to remain in the hands of the livery, and not to be made more open than they are now. The disfranchisement of all almsmen is no more than what they are at present subject to under the 11th Geo. I., cap. 18, sec. 14; but in the absence of a register they pass undetected at the poll, and give their votes mostly for a pecuniary consideration, which I know by experience. The limitation of the poll to one day would be no great hardship upon the masters, clerks, and beadles, which with the restriction of distance would tend much to decrease the heavy expenses of elections, as well as to prevent the constant turmoil of the seven days' contest under the existing system. The polling at the halls of the companies would effectually check and put an end to personation, which at these contests prevails to a great extent, both of the living and the dead. No less than 6,191 votes were actually recorded at the recent contest, and very many of the liverymen who intended to keep a strict neutrality would be astonished to find that votes were actually recorded in their names from the mere fact that they had declared their intention not to vote at all. When a man declares his intention not to vote at all, he is a fair subject to be represented immediately by some unprincipled person, and so he is. Under the present Act of Parliament to attempt a scrutiny would be an act of sheer folly, for it would be quite impossible to comply with the requisitions of the Act in the first ten days after the poll: such as the inspection of the lists, pointing out the different voters who are objected to, exchanging those lists, and other duties to be performed; and it would be also quite impossible to conduct any scrutiny of the votes to a conclusion, supposing the preliminaries to be accomplished, within the fifteen days limited for that purpose. I would only further say, that I have no objection to the corporation of London as a corporation. I admire it and its institutions though I am neither a freeman nor a liveryman.

4187. Do you think it would be desirable to limit the votes of the liverymen and freemen to those resident within seven miles of the City?—I do not think it would be

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advisable to admit freemen as well as liverymen to vote, or to alter the franchise in any respect, beyond what I have stated.

4188. Is there not this peculiarity about the City of London, that a large number of persons are connected with it in the way of business, who come from a greater distance than seven miles?—I know it is the case.

4189. Do you think that if the power of giving votes upon paper were adopted, it would have a good effect?—I think it would, under proper arrangements, for scrutiny, and in other respects.

4190. Would not the effect of limiting the franchise to those resident within seven miles, be to retain the votes of many porters and warehousemen, and persons of an inferior class, who might reside in the City, but to disfranchise the masters, who might come in to their business during the day?—Yes; and the same objection applies to the election of members of Parliament.

T. H. Saunders, Esq.

THOMAS HARRY SAUNDERS, Esq., having been sworn, was examined as follows.

4191. You reside at Dartford, do not you?—I do.

4192. What business do you carry on there?—A paper manufacturer.

4193. Are there any points which you are desirous of calling to the attention of the Commissioners?—The only hardship which I consider I myself and other manufacturers in the locality undergo, arises from the operation of the coal tax. The brief statement which I would beg to present to you, is, that Dartford, Crayford, and the vicinity, are a neighbourhood of considerable manufacturing importance now. I have brought with me the Ordnance map. The coals which we purchase are discharged in the river Thames, at Dartford creek, opposite Purfleet, a navigable creek, formed by the junction of the Darenth and the Cray. Through that inlet, nearly the whole of the coals for the supply of the locality are brought up. We just come within the twenty miles. Of course we have no connexion with the City; and from the quantity of coal which we necessarily use in our business, we consider it a great hardship to be so taxed, because it is that very article which places us in a most disparaging position as regards other localities. I use from 80 to 100 tons a week. There are in the neighbourhood some of the largest establishments in the kingdom in the same line; also an extensive engineering establishment. At Crayford we have two large silk printing factories; and all these, and various others, are prejudicially affected by the tax upon this article.

4194. Are there steam engines used at almost all the factories you mention?—Yes, the water power is inconsiderable.

4195. Your complaint is, that yours is a district in which there are considerable manufactures. That you necessarily use coal. That the price of that coal is greater than it would be in the north, in the neigbourhood of the coal fields; and that, in addition to that high price, you have to pay the City tax upon the coal, and you derive no benefit from the expenditure of the proceeds of that tax?—Quite so.

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JOHN THOMAS NORRIS, Esq., having been sworn, was examined as follows.

4196. You are a member of the common council?—I am.

4197. How long have you held that situation?—Seventeen years.

4198. Are you engaged in trade in the City of London?—I am a builder, in the ward of Aldersgate.

4199. Have you taken an active part in the business of the common council?—I think I may say I have.

4200. You have been a member of the consolidated committee of the common council, have you not?—I have.

4201. Were you a member of the consolidated committee at the time when an arrangement was made with respect to connexion to be entered into between the corporation and the press?—I was.

4202. Do you remember anything relating to that transaction?—I remember a feeling prevailed in the corporation that the reports of the proceedings were not given so much in extenso as certain members thought desirable, for the sake of informing the public of the nature of the proceedings going on in the court; and, with a view to promote the circulation of more extended reports of our proceedings, the consolidated committee originated a report to the common council, asking to be permitted to take means (I think that was the language) to promote the circulation of more extensive reports of their proceedings. The court agreed with that report, and I think I am right in saying that the motion was, that that report be agreed to, and that the commiteee have authority to expend not exceeding 1,000*l.* a year in the promotion of more extensive reports of the proceedings of the court, by purchasing newspapers or such other means as in their judgment they should think desirable.

4203. Was that in 1849?—It was.

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4204. What did you understand by that resolution; did you think it a discretionary power to spend 1,000*l.* upon the press in any manner which you might deem desirable?—I should think the committee would feel it an authority to expend the money in any way their direction suggested.

4205. Do you remember in what way that money was expended?—I am somewhat imperfectly informed upon the matter, because, if my memory serves me right, there was a sub-committee, a select committee of three or five, of which I was not one, who had the conduct of the matter, and the other members of the committee, unless they had taken a much more active part than I did, would be unacquainted with the exact mode in which the money was expended.

4206. Do you remember anything about any project for starting a newspaper which was to be friendly to the interests of the corporation?—There were two or three projects afloat for obtaining an organ devoted to the interests of the corporation, but in a multitudinous assembly (a committee composed of forty-five or forty-six members) difficulty beset the path of accomplishing our purpose; and although it was imperfectly done for a short period in a paper called the Citizen, it was never carried into full effect by reason of the difficulty of conducting secret treating, and managing a thing of that sort, with which so many persons would be acquainted.

4207. Should you have felt yourself justified under that resolution in devoting any portion of the money entrusted to you in assisting to establish any such newspaper?—I am sure if you had the resolution of the court itself giving authority to the committee before you, you would see that the power in the hands of the committee was so unlimited that any gentleman would feel he was entitled to vote away the money in any way he pleased in promoting reports and circulating articles in favour of the corporation.

4208. Do you remember whether actually any portion of that money was expended in the attemt to get up a newspaper or to support the newspaper to which you have particularly adverted?—I have a general belief that it was, but it does not amount to such definite information as you could readily obtain from Mr. Scott, the then clerk to the chamberlain.

4209. Was Mr. Scott a member of that sub-committee?—No, he was the officer of the sub-committee, and the organ through whom its operations would be carried out.

4210. Are you well acquainted with the committee system of the common council?—I think I am.

4211. Do you believe that persons well acquainted with the subjects entrusted to the committees are generally placed upon them?—Yes, I think so. There are standing orders and usages amongst us which would go sometimes to secure that. In the markets committee, if a man is supposed to know more of the administration of affairs in a market, he would almost necessarily be placed upon it; so much so, that if it has been charged upon committees that the kind of persons immediately interested in the trade, under the supervision of the committee, had a preponderance, and therefore the public service was in some measure injured.

4212. Have you turned your attention especially to the finance of the corporation?—I have not, to any large extent, and I should infinitely prefer your asking any question of that kind of Mr. Scott, who is much more perfectly informed on the matter than myself.

4213. Do you think the decision of wards by which the common councillors are elected is a fair one?—It is neither fair nor reasonable; it sins against common sense and common arithmetic. There are twenty-five wards, and in those twenty-five wards there is a rateable property of 1,116,000*l.*; the average, if the wards were equally divided, would be 44,000*l.*; instead of that, the ward of Farringdon Without is rated at 193,000*l.*, and the ward of Bassishaw at 12,000*l.*, the ward of Vintry about 13,000*l.*, the ward of Queenhithe about 14,000*l.*; taking the population and making the same calculation, it would be found that there are six or seven times as much property and population in certain of the wards as there are in others; taking the representation of the larger as against the smaller wards, the disproportion at once becomes ridiculous; sixteen persons represent the ward of Farringdon Without, rated at 193,000*l.*, while four represent the 12,000*l.* rating in Bassishaw.

4214. Would you seek to remedy the evil by equalizing the wealth and population of the ward, or by abolishing the wards altogether?—Possibly some charity property or other local interests might render it desirable to retain the distinction of wards, but I would divide the City into twelve somewhat equal electoral districts, and distribute the representation upon the basis of that which now exists in the ward of Farringdon Without. The number of 206 is, in my judgment, far too great to carry on the business of the corporation with propriety; 206 of us are summoned, exclusive of the aldermen; the aldermen added, 232 persons are summoned to the Court of Common Council. We meet on the average 60 or 70 persons, and in the progress of the day's business we frequently dwindle down to between 40 or 50 persons.

4215. What is the number of which you think it desirable the common council should consist?—I should think half the present number; about 100 persons.

4216. The common council is essentially a body with executive functions, is not it?—Extensively so. It has, under the charter of Richard II., the power of making byelaws to a very considerable extent, for the purpose of its own internal regulation, and the power of levying tolls upon the public. I would suggest that for the beneficial working

of the corporation hereafter, that the magisterial and municipal functions of the aldermen should be separated. At present the aldermen take little interest in the municipal duties of the body corporate to which they belong; they are as justices appointed for life, but in that responsible position they claim as a separate court the privilege of dealing with the municipal funds, and do so to a large extent.

4217. Do you think it would be desirable that the magisterial functions of the aldermen should cease?—I think some public convenience would arise from their doing so, but it is quite essential to the honest and clean handed working of any municipality that those persons who deal with its funds, should be responsible to those who pay the rates which they administer.

4218. Do you think it desirable that the power which the Court of Aldermen now possess of voting sums of money out of the corporation purse should no longer exist?—Precisely so.

4219. Would you make any other alteration with regard to the Court of Aldermen? would you abolish it altogether as a separate court?—I think it might be desirable that we should have aldermen continuing to perform certain duties which now appertain to them, but I would at once take from them the power of dealing with the funds in the manner in which they now do; and I should, in future, withdraw the condition of a justice of the peace from every alderman who had not passed the office of Lord Mayor.

4220. Why would you make that distinction?—I concede it in some measure to the earnestness with which the aldermen claim the distinction of administering justice. It is the most distinguished and most honourable feature in the position of an alderman, and they cling to it with so much earnestness that, without carrying out my principles to the largest extent and depriving them of it all at once, I have thought that with the smaller member of aldermen (for I have said already that I would divide the City into twelve wards), about half might be supposed to be those who have passed the chair, and those who have not passed the chair I would have subject to periodical election, because at this moment the livery of London have the selection of two persons who are returned to the Court of Aldermen, and the Court of Aldermen take one of those two; they have a vote as to which they will take, and it gives them a power which should be rather in the hands of the electors, and not in the Court of Aldermen.

4221. Do you think it desirable that the aldermen should be elected for life?—I think before they have served the office of Lord Mayor they should not. Before a man had served the office of Lord Mayor, he should be subject to periodical election; that would enable the electors to correct a bad choice or confirm a good one.

4222. Once having passed the office of Lord Mayor, he should be an alderman for life, and then should become a magistrate?—Yes.

4223. With regard to the constituent body of the City of London, do you think any alteration should be made?—I think the corporation of London, if it exists at all, should be sustained by a very extensive constituency; at present, I may say, figuratively speaking, we have no constituency at all. There are about 17,000 persons rated at more than 10*l.* per annum to make up the amount which I have stated (1,116,000*l.*); but of those 17,000 persons so rated, we have only in the constituency about 5,900; there is only about one in three of the persons who are rated in the City at exceeding 10*l.* who has the power of voting at municipal elections.

4224. How do you think the municipal franchise, which is adopted in other boroughs, would work in the City of London?—I think it would answer very well, and I should like to see all the City elections handed over to a constituency appointed under an Act of Parliament.

4225. Do you think there is any advantage in keeping up the distinction of common hall elections and ward elections?—No. I think if the whole were abolished, and perhaps nine tenths of the things which were originally given to the corporation, and are now called rights and privileges, and which possibly at first were given as an equivalent for some service rendered to the public, were taken away, it would be a great advantage. I think the measuring the salt, and corn, and fruit, and the privilege of porters, exacting street tolls, the payment of five guineas a year for brokers rents, and a vast list of things of that kind should be swept away, retaining only such as subserve the public interest, and then I think the corporation would be distinguished for its usefulness rather than for its exercise of power and its love for its prescriptive privileges.

4226. Would not there be a great advantage from the simplification which would be the result of an alteration of that description?—Undoubtedly so. At present it is almost impossible for any trader in London to make himself acquainted with the rights and privileges of the corporation, as they are called, which can be enforced against him, and if any man of sound discretion falls into any difficulty, he yields to the enormous power of the corporation rather than litigate any case in which the mulct, though small to them, is large in amount to him and obnoxious to trade.

4227. What is your opinion of the manner in which the patronage of the corporation has been exercised in the appointment as to the more important offices?—I think it has been exercised with considerable prudence. I have been in the corporation an advocate for paying our officers well. We have invited men of the highest class, in point of honour and integrity by our handsome salaries, and we have had therefore considerable security

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and the public have had considerable security, for the well-doing of the corporation and the efficient discharge of the duties in which those officers are concerned.

4228. You think the personal and official conduct of the higher officers of the corporation has been, upon the whole, distinguished by integrity and ability?—Yes; there are in existence several offices which might be united together, and much saving of expense might be brought about by such an amalgamation.

4229. Do not you think the officers who are now employed in the various duties connected with the corporation are far more numerous than those duties require?—Vastly so. From the multitudinous assembly and from the change in committees, of which a man is ordinarily a member no longer than four years, and many of them imperfectly acquainted with the business, the time is occupied very needlessly, and we are officered and clerked to a larger extent than we need be by reason of that circumstance.

4230. Are you acquainted with the working of the committee of the common council?—Yes.

4231. Do you think that the allowance which is made to them for dinners is a useful method of remunerating the services of committee men?—I think it is one which it would be very desirable should be discontinued. I have sometimes ineffectually suggested that it should be, but the fact has always stared me in the face that if a committee is appointed for any specific duty, and is not what is called one of the standing committees, and therefore has not its 200*l.* or 300*l.* a year to spend on dinners after the first burst of enthusiasm which has lit up the question and excited men's minds is over, the attendance will average only five or six members, whilst if it were an ordinary monthly meeting of an ordinary committee for its ordinary business there would be twenty-five or twenty-six persons present, affording a safeguard in some respects that things were honestly and properly done.

4232. If an allowance is made to some committees and not to others it is easy to conceive that those to which the allowance is made would have the largest attendance, but if no allowance were made to any committee, do not you think they they would be equally well attended?—I am afraid not. When certain of those committees have met six or seven times in the early part of the year they sometimes do not have a dinner, but in the month of June or July in place of that they make an excursion on the water with a party of ladies, which is an expensive entertainment as compared with their ordinary dinner at a tavern for twenty or thirty persons, and that necessitates them going without a dinner during some future months. It is unfortunately true that during those future months when there is no dinner there is not so large an attendance.

4233. May the Commissioners take it to be the fact that the custom of providing dinners does increase the attendance?—I think it does. I think it ensures the presence of persons who would be seriously inconvenienced, probably, by being away at the time of taking their own dinners.

4234. You took considerable part in the question of the removal of Smithfield Market when it was before the common council, did not you?—I did.

4235. Do you know anything with regard to the measures that were adopted by the corporation for preventing the change of the site of that market?—I know a good deal that was done. I know that which was before the public, but being antagonistic to the corporation on that question I was not intimately acquainted with the secret movements; but I am sure during the struggle on that question, as on all questions where the corporation has got into conflict with the Government, there was a lavish expenditure; at least as large an expenditure as if there was an inexhaustible source of money to resort to to thwart the passage of any Bill which was obnoxious to them; that prevailed very much on the question of the removal of Smithfield Market. There was a committee in the City called the Central Markets Association, composed of gentlemen highly respectable in their position in life, but chiefly more or less interested in the continuance of the market in the City. They gave subscriptions in aid of the movement to get popular men on their side as to the retention of the market. From what I saw of their list of subscriptions, and from what I know of their sense of propriety as to making subscriptions for such an object, I am sure all the money they subscribed would be spent in a day, while the conflict lasted for some three or four months. During that time I am sure the corporation spent money in a secret way, and which Mr. Benjamin Scott can enlighten you on far better than I can, for the retention of the market. For instance, money was spent in the purchase of pamphlets written by doctors and men of that sort, who had leisure and wanted work, setting forth how healthy and beneficial the presence of cattle in the centre of the metropolis was. Those books were sent out gratuitously. There was a model made, and it was lectured on, and there was nothing left undone that could be done.

4236. Where did the funds come from which were applied in this manner?—The corporation has various sources of income. Out of which of them this money was abstracted it is not for me to say.

4237. Do you mean that money can be spent in that way by the corporation of London, and not appear distinctly in the City accounts afterwards?—This society must have spent at least ten times its amount of subscription, but the most active men in promoting the views of that society were constantly at Guildhall, in the presence of the City solicitor and Mr. Benjamin Scott, and I believe they walked out with money once a week, to a very large extent. Certainly, the corporation paid all expenses of that sort in what, in my humble judgment, may be called a very illegitimate way.

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4238. You say you have never devoted your attention much to examining the accounts of the corporation?—No; it is the usage of the town clerk to deny to one committee the privilege of looking into the doings of another committee. The expenses of the committee of the corporation charged with the opposition to the removal of the market, and the orders given by them, so far as I was concerned, would be secret.

4239. This is a question of accounts. Is not it the duty and the privilege of every member of the Common Council to examine and make himself acquainted with the expenditure of the City of London?—To this extent. If I asume this expenditure went into the bill of the City solicitor, or the bill of the remembrancer, it would be in one line, or even if it were ten lines the supervision of it would be with the committee which had given the order for it, and they could order its payment if it did not exceed 100*l.* If it did, the committee would come to the Court of Common Council with a report, and say that they had found it necessary to ask leave to draw upon the chamberlain for, say a sum not exceeding 2,000*l.* for the necessary expenses relating to the defence of the rights of the corporation as to the Bill pending in Parliament. The court would agree to that.

4240. If you suspected that this large sum of money had been spent in an irregular manner, would not it have been in your power to move for the items of that expenditure?—It would have been quite within the limit of my power to do so, but the prejudice in favour of the retention of the market was so great that a man had need of a good voice and considerable energy to get up and make that motion, and my experience of fighting that question for ten or twelve years tells me that I might have got twelve or twenty persons to hold up their hands with me, while sixty or seventy would be on the other side.

4241. If expenses of the irregular nature which you have stated were incurred, they would have been accounted for under some general head of expenses of opposition to the Bill before Parliament?—Undoubtedly so.

4242. If your statement be correct, does not it imply rather a vague and loose way of rendering accounts on the part of the City?—Very much so.

4243. Is there any other point which you wish to bring before the Commission?—No. I think I mentioned the extreme disproportion of the wards, taking the rating only. Taking the voters to be 5,900 or thereabouts, and dividing them by 206, the number of representatives, it gives an average of 29 for each, but in the smaller wards there is a representative for every thirteen persons.

4244. Do you think it would be objectionable that the Lord Mayor should be eligible from among the whole body of citizens of London, without requiring that he should have been an alderman, or even a common councilman?—I think it would be desirable that he should have been an alderman or a common councilman, so as to have been educated for the presidency of the municipality.

4245. Has not the present system the effect of excluding from the office of chief magistrate of London many persons who have not time to devote to the duties of a common councilman, or an alderman, but who might be willing to accept the office of chief magistrate?—Undoubtedly. If the aldermen of London had not the obligation of attending by rotation at the Central Criminal Court, and being present at the Court of Common Council, and attending to magisterial duties at the Guildhall and the Mansion House, it would not involve so large a sacrifice of time, and you might find men who have a smaller amount of leisure than the office now requires who might under the new system come in and be elected, and do great service to the corporation.

Mr. R. Roberts.

Mr. Robert Roberts, having been sworn, was examined as follows.

4246. You carry on business at 118, Lower Thames Street, do not you?—Yes.

4247. Your business is that of a fish factor?—Yes.

4248. What is the difference between a fish factor and a fishmonger?—One is retail and the other is wholesale; the fishmonger buys of the fish factor.

4249. Do you know what rent was demanded for standings in the market before the year 1823?—I do.

4250. What was the amount?—We used to pay 30*s.* a year.

4251. For each standing?—Yes.

4252. What is a standing?—A sort of form.

4253. Each dealer uses a standing?—Yes.

4254. Since 1823, what has the rent of a standing been?—We pay 9*s.* a weeek for it now.

4255. What was the cause of that change?—That I really cannot tell.

4256. Was the change made by the corporation?—I rather think it was.

4257. You do not know whether they brought up any of the rights of the previous owners do you?—No; I do not.

4258. You have no knowledge on the subject of the cause which led to that change?—I cannot say what caused the change unless it was to put extra gas in the market.

4259. Is the rent now a reasonable rent?—I should say so.

4260. You have no complaint to make with regard to it?—Not at all.

4261. Is there anything to complain of with respect to the regulations of Billingsgate Market, so far as they are established by the corporation?—I should say not the least.

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4262. Do you think that that is the general opinion of the dealers in the market?—There may be one or two who may be dissatisfied, and that always will be the case; but taking the generality of them they are pretty well satisfied.

4263. Are there any officers of the market?—Yes.

4264. What duties do they perform?—They are up very early in the morning; they see that the market is kept in proper order, cleansed, and so on. They are there by way of protection to us as factors, that we are not insulted in any way; there are some strange people come down there sometimes.

4265. Is it the principal officer who does that, or the deputy of the principal officer?—I rather think he is the principal officer; he is the son of Mr. Goldham.

4266. Have you had any conversation with Mr. Goldham about the regulations of the market?—Yes, I have.

4267. Of what nature?—Our market of late has been newly constructed, and at the present period the forms are not properly arranged. I have asked concerning it, and I am told that they are to be properly and thoroughly arranged for our convenience.

4268. So far as the conduct of the corporation and their officers is concerned, you have nothing to complain of?—I am perfectly satisfied with the way in which they conduct Billingsgate Market.

4269. Is there any other subject on which you wish to say anything to the Commmissioners?—No.

Mr. John Finlay.

Mr. JOHN FINLAY, having been sworn, was examined as follows:—

4270. Are you a liveryman of the City of London?—I am a liveryman of the Blacksmiths company.

4271. Do you reside in London?—I have had a residence in Fenchurch Street upwards of forty years.

4272. Do you carry on any trade there?—I am a tailor and draper.

4273. Have you ever taken any part in the election of common councilmen?—I have taken an active part, both in the election of aldermen and common councilmen. I have also attended the election of sheriffs, and have attended common hall. I am also a guardian of the City of London Union, and from my experience can give grave reasons why we should not be mixed up with the out-parishes. I have been serving on a committee for some time, in which the City of London school is mixed up with St. Saviour's, and several of the out-parishes, of which we have had great reason to complain. I was the mover of a certain resolution at the Court of Common Hall, whereby there was a committee formed of the livery companies, who successfully opposed the attempt on the privileges of the livery of London.

4274 To what attempt do you refer?—To a bill brought into Parliament one or two sessions ago. In my capacity of an assistant of the company to which I belong I have some observations to make, to show the nature of the connexion between the livery companies and the Irish Society, of which I have some complaints to make.

4275. Do you propose any alteration in the constitution of the Irish Society?—The Irish Society are trustees for the City of London, and they have not fulfilled their trust.

4276. Do you wish to show that the property of the Irish Society belongs to the corporation?—To the livery companies.

4277. Has that ever been disputed?—So far as this, that they absorb all the money. I have in my hands the accounts sent to my company yearly from the Irish Society, in which there is generally a small balance, but the larger amount is absorbed, either in visiting Ireland, or dinners.

4278. Is this your complaint, that although the property managed by the Irish Society belongs to the companies, the management of the corporation is not economical, and that no large rent accrues to the companies?—None whatever.

4279. You think that the management by the corporation is not a good one?—The evil arises in this manner: There are persons upon this trust, who have no interest in it. This Irish Society was formed exclusively of members of the livery companies. At that time it was arranged that they should be taken from the twelve companies. Afterwards it was extended, and it was said that they should be taken from the livery companies, but of late, since the alteration in 1837, many persons are on that committee who are not liverymen, and consequently have no interest in the Irish Society. The deputy chairman upon one occasion was not even a freeman of London. He was free of the chamberlain's office, but not of either of the companies, and therefore he had no interest in the society.

4280. Do you think it would be an advantage to take the management of the Irish property entirely out of the hands of the corporation, and vest it in persons appointed by the companies?—I think if we were to go back to what they were originally intended for, and did away with the abuses which have crept in, we should do all that is necessary.

4281. What was the original state of things according to your view?—The following is a report on the subject from the common council:—"That they have divided all the "lands which they think properly capable of division unto the twelve companies, but

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" certain parts, namely lands which are adjacent to towns, and which, in all probability, " will be built on, and those lands which are town lands and ferries, and fisheries, cannot " be properly divided, and therefore we recommend that part, namely, the town lands of " Derry and Colerine, and the fisheries and ferries shall not be divided, but shall remain in " the hands of the Irish society. We are of opinion that a division cannot be fitly made of " them; but the rents and profits of them may be divided, and go among the several " companies." Showing that they are trustees for the twelve companies.

4282. Has it ever been disputed that they are trustees of the twelve companies?—Yes, it has. Although they send us a printed paper containing an account, all that we get is that printed paper. The society goes over annually, and makes a pleasure trip at the expense of the twelve companies.

4283. Do you think it would be better that the connexion between the corporation and the management of the Irish estates should be entirely put an end to?—No.

4284. What alterations do you think should be made? Would you exclude from the Irish society all persons who are not members of the companies?—I would.

4285. Would you make any other alteration?—No; I do not think that any other alteration would be necessary.

4286. Have you any objection to the union which is formed between the schools in the City of London Poor Law Union, and certain other unions of parishes?—I am chairman of a committee who have been in communication with the poor law commission for the last six or eight months. We complain of the union which has taken place, but we are not in a position to be relieved at present. We are in fact taxed for the benefit of the out-parishes in that particular. The common charges of the children at Norwood are divided among the whole there are four other unions joined with us whose children out number ours, but we pay six elevenths of the whole.

4287. Is there any other point which you wish to mention?—A committee was formed to oppose a certain bill in Parliament in March 1852. From the minutes I have I find there have been many such committees formed in Common Hall. The next morning my friends called upon me to know how I intended to summon that committee; Sir James Duke among the number. By their recommendation I waited upon the town clerk to inquire of him if he considered it his duty to summon the committee so nominated in Common Hall. He stated that he had no power to do so. I asked if expenses were incurred how they would be met. He said he had no funds to apply to. The result was that I applied to the Mercers Company, and they very liberally took the matter up, but though the corporation are the trustees for the funds for us in this instance we could not participate in them.

Adjourned.

Tuesday, 20th December 1853.

THE RIGHT HON. HENRY LABOUCHERE, M. P., IN THE CHAIR.

Mr. SAMUEL WEYMOUTH HOPWOOD, having been sworn, was examined as follows.

Mr. S. W. Hopwood.
——
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4288. In what capacity do you attend this Commission?—As clerk to the commissioners for paving of St. Andrew's Holborn and St. George the Martyr.

4289. Will you have the goodness to make any statement which you wish to bring before us?—The commissioners have instructed me to attend as their clerk to object to the continuance of the street toll levied upon carts of non-freemen entering the City. The united parishes adjoin the City, and can only be approached by the streets of the City. About two-thirds of the inhabitants of those united parishes, upon a fair calculation, are in trade. They are obliged to keep or hire horses and carts, for the purpose of carrying on their trade, and they are visited with this toll whenever they may either have to fetch goods from warehouses in the City to their own premises, or to deliver them to their customers on the east side of their parish. The commissioners have petitioned the House of Commons, through Mr. Duncombe, and also the common council of the City, through Mr. Bennoch, with a view of obtaining the abolition of this toll; but the petition when presented to the common council, was not in any way considered, but ordered by a large majority, on a resolution, to lie on the table. The manor of Hendon is exempted from this toll by charter. There is one of our inhabitants who carries on a large trade, who has a farm at Hendon, and he gets exemption by putting his name and his address at Hendon upon his cart. He has all the privileges which his other brethren in the trade have not, by the mere circumstance of having a farm at Hendon. The principal thoroughfare from the City traverses the united parishes, and that is Holborn. We have no toll whatever to assist us in maintaining our streets; the whole of the burden is raised by rates upon the parishioners. Holborn itself costs 700*l.* a year to keep in repair. If we were without the

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City traffic, we should of course be relieved from very much of that expense. They pay us no toll; but whenever we pass the boundary which divides us from them, we pay toll, unless in the case of freemen, which is quite an exceptional case with our parishioners.

4290. Do you object to this toll principally on account of the vexatiousness of the interruption of the traffic, or on account of its amount?—In many instances the parishioners object to the amount, particularly those who are engaged in the corn trade. They have to go three or four times a day, perhaps, to Thames Street, where the warehouses are, to fetch their grain. I am told that that amounts to a large sum in the course of a week. Even a laundress's cart in coming from the eastward to the City pays a toll of 2*d*. When they hire vans, the toll is always taken into calculation, so much per day or per hour, including toll if we go into the City.

4291. Do they pay every time they go through the City?—Yes.

4292. Is there any mode of compounding for those tolls?—Only by the purchase of your freedom.

4293. No owners of carts ever compound with the City to pay so much a month or a year?—I suppose that might be done with the lessee of the toll. In practice I never heard of an instance.

4294. There is no bar erected, is there?—No; at each of the entrances to the City they have appointed toll collectors, who immediately distinguish the cart of a freeman, either by its bearing the City arms or some other means, from that of a non-freeman.

4295. Does the cart of a freeman bear the City arms?—Usually.

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Ambrose Moore, Esq., having been sworn, was examined as follows:—

4296. Have you ever had any connexion with the City of London?—I was a silk manufacturer, resident within it for about forty years. About six years ago I retired from business, but am still connected with the City.

4297. Do you mean that you carried on your business within the limits of the City?—The workpeople lived in Spitalfields. The warehouse where the business was transacted was within the City. I am a freeman of the City, and a liveryman, and I am connected with one or two companies there.

4298. Are there any points connected with this inquiry to which you desire to call our attention?—I desire to address a few words to the Commissioners, not so much on points of detail, but rather as to the general outline of the corporation. My feeling is, that it would be wrong to abolish the corporation of London, or to unite it with the metropolitan districts. Whatever you might think it right to do, if you had now to consider whether you would create a corporation, I see no reason why the old City of London should be deprived of any of those privileges which it has had so long, which are applicable to the present time, and are not injurious to the citizens of London.

4299. Do you mean that you would be unwilling that the City of London should be deprived of municipal institutions?—Certainly.

4300. And you would be unwilling to see the City of London merged with the whole of the metropolis in one general system of municipal institutions?—I am of opinion that to have one corporation, or confederation of corporations, in the metropolis, would be inexpedient. This is the seat of government. If the Parliamentary boroughs had corporations, and they were to co-operate, I think it would be inconvenient to the government itself. I have been a long while an inhabitant of my private residence in the borough of Marylebone. I do not know any advantage that that borough could have by being incorporated in the same way that municipal towns in the country are. I think it would be inconvenient to the government. I think, for instance, it would be an inconvenience that the government police should be under the control of local corporations.

4301. It does not necessarily follow, does it, that were municipal institutions given to different portions of London the police should be under their control?—No; but those corporations would be dissatisfied if they had not the same control over their local police that country corporations have.

4302. As the law now stands, it is in the power of the different parliamentary boroughs of which the metropolis is composed to apply for municipal institutions, if they should so think fit?—Yes; but I am giving the opinion that it would be inexpedient that they should have them, nevertheless. As to the City of London, no doubt it has the control of its own police, and as it is an ancient corporation, which has enjoyed immunities for so many ages, it seems to me it would be very unfair to deprive it of them, unless it has abused its power. I apprehend the police of the City is well managed, and there is no reason why it should not be continued. With respect to the City appointing its own magistrates, the appointment of magistrates by the people is an anomaly, I apprehend; but in the case of the City, it is an an ancient privilege, which I believe they have never abused. As a citizen of London, I believe I speak the general impression, that justice has been very well administered in the City. If the City of London has to elect its own magistrates, I would say I think those magistrates should certainly be elected for life.

4303. You think it desirable that the aldermen should hold their offices for life?—I do, for many reasons. If they are to be magistates, it is obvious they should be independent. If I were before an alderman, and were contending a point against another citizen who might be an inhabitant of that ward of which he was the alderman, and he were subject to re-election if he did justice to me, I should probably feel if the decision were against me that he had been influenced by considerations connected with his re-election. I remember well talking to the late Sir Matthew Wood on the subject, who was as fond of popular and liberal institutions as any man, and he deprecated exceedingly the idea of electing the magistrates of London periodically.

4304. Do you conceive that the alternative is, either to have the aldermen for life, and allow them to be magistrates, or, if you do not allow them to be magistrates, to elect them for a period?—In all cases in the City of London I would have the aldermen, whether they are magistrates or not, elected for life. I believe that an independent body like that is very useful in the City of London; they have to perform many duties besides that of the administration of justice, which render it convenient that they should be an independent body.

4305. Do you approve of the present ward elections for aldermen?—If the constituency were changed, and the wards were more equalized.

4306. How would you change the constituency?—Whatever Parliament might think the proper constituency for the election of members of Parliament. I cannot see any reason why the same constituency should not elect municipal officers.

4307. Would there, in your opinion, be any objection to taking the municipal franchise as existing in county boroughs, and applying it to London?—I think whatever is the Parliamentary franchise, for simplicity's sake it would be better to have it in London for both purposes. If it is a good constituency for one, I cannot see why it should not be a good constituency for the other purpose.

4308. Have you considered the privileges which the City now exercises upon trade, such as meteage and other things of that kind, with a view to form an opinion whether they are advantageous or injurious?—I can see no advantage in them. I think they are not adapted to the circumstances of the present time.

4309. You would be disposed to abolish them?—Yes; I would abolish the City tolls. I will not say whether there is any great hardship in them, but they are a needless interference with the traffic of the City. Meteage and everything which interfered with the freedom of trade I would abolish. For instance, I would take away any peculiar privilege which freemen of the City of London have with respect to trading.

4310. You would abolish the freemen altogether, would you?—So far as any advantage of trade is concerned.

4311. Have you yourself ever taken any part in the business of the corporation?—I was never a member of it. I have taken great interest in municipal and parliamentary elections.

4312. Do you think the election of the Lord Mayor, the chamberlain, and some of the other officers in common hall should be continued?—With your permission I will state to the Commission a few suggestions of a very general character. The wards at present are unequal. I would endeavour to make them more equal. Some people are for entirely re-arranging the City into wards. I suggest that it might be more expedient to unite two of the smaller wards in several instances, and divide some of the large wards, so as not to disturb the ward boundaries. If you look at the map of the wards it is not symmetrical; but I am not aware of any inconvenience which arises from that. The local boundaries are very well known. In the case of Bassishaw, it is very small, and it should be united, I think, to the adjoining ward, having one alderman to the two wards. That would leave undisturbed the charities and all the local arrangements.

4313. Would you diminish the number of aldermen?—No; I would retain the present number of aldermen. Taking the ward that Sir James Duke is alderman of, Farringdon Without, I apprehend that there are in it the materials for three wards at least, and there would be no difficulty in naming them after some of the main streets. In Cripplegate there are actually two distinct wards, holding separate wardmotes, and having no connexion with one another, except that they have one alderman. Bishopsgate, in like manner, is a very large ward, and could be divided. As I have already mentioned, Bassishaw might be united to Coleman Street. Cordwainer and Bread Street wards might also be united. And there would be no difficulty if that principle were adopted in making such an arrangement.

4314. Are you aware that by the Municipal Corporations Act, with the exception of London, there is no case in which there are more than sixteen aldermen, nor more than forty-eight common councilmen; would that be at all desirable in the case of London?—I do not see any advantage in reducing the number in London to that amount. I think the business of London is much larger than it is in other places, and it is a different class of business to that which is transacted by any country corporation. If the aldermen are still to be magistrates I think the duties would be too heavy upon them if there were but sixteen or eighteen. I should be an advocate for the aldermen remaining a separate court for some purposes. They are, as the Commissioners well know, now a separate court, and they are also members of the general Court of Common Council. I should be an advocate for their still being a separate court; and if that be so, I think the

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number of twenty-five is better for the purpose of deliberation than a small number would be. I think there should be one alderman to each ward. I think there should be four common councilmen to each ward, one to be deputy. If it were thought better, and my suggestion were adopted, there would still be an inequality in the size of the wards, and therefore some wards might return three, and some five, the average being four. If that were carried out the number would be reduced to 100. 206 is the present number, and I conceive it is far too large. You must in some degree comply with the customs of London. The corporation of London has been accustomed to perform certain duties which may not apply to a country corporation. The traffic and business of the City of London are infinitely greater than in any town besides. The present number is too large, undoubtedly; they take up too much time in debate and discussion; they have been accustomed to take up political questions, and questions not connected with the municipality, more than they ought to do. I apprehend if the number were reduced a superior class of men would be likely to accept office. Many of the present number are not the class of men in point of station whom it would be desirable to have to represent the City of London, though doubtless there are many talented and respectable men amongst them. I think, as I have said, the aldermen should be chosen for life, and that they should be magistrates, but removable. I believe there is now a power of removing them, on proper cause for their removal being shown. The Lord Mayor should be chosen by the common hall, from the aldermen who have served the office of sheriff. I am against the principle that prevails in municipal corporations, that any citizen should be eligible for the office of Lord Mayor. I apprehend, if you wish to have respectable men to fill the office of alderman, you ought to confine the choice of Lord Mayor to that body. There is no interference with popular rights in so doing. If you allow the parliamentary constituency to choose the aldermen, you must suppose they will choose men fit for the office of Lord Mayor, and it would be much more convenient for the business of the City of London. I believe that the Lord Mayor, before he takes office as such, should be well acquainted with the duties of the municipality. If he be an alderman, and a member of the Court, he gets acquainted with all the interests and the business of the City of London; but if you were to take Mr. Thomas Baring, and persuade him to be Lord Mayor, he having never been a member of the corporation, and knowing nothing of its business, he would be a very ornamental chief magistrate, but not the efficient man of business that a person would who had been a member of the corporation, and understands its affairs. I would retain the right of the approval of the Crown to the selection. I know it has been given up in Dublin; but considering London as the metropolis, and the seat of Government, I think it would be right that the approval of the Crown should be obtained. I would deprive the citizens of London of the appointment of the sheriff of Middlesex; it is an anomaly which has no reason in it at all; the right should be restored to the Crown, to appoint sheriffs, as in other counties. The sheriffs of London should be chosen by the common hall, as at present. A question arises as to the unfair way in which men have been chosen sheriffs, and the unfair fines which have been put upon them. I confess I do not see how you can make sure of having persons to accept the office of sheriff unless they are liable to a fine for refusal. When it is an office of ambition there are many candidates. Some times it has been so, but at other times persons are very reluctant to accept the office.

4315. It has been stated to the Commission that cases have occurred in which a person known to be reluctant has been elected as sheriff, in order that his fine might be obtained, when it was well known that there was a person in the back ground ready to come forward and accept the office. Do you believe that such cases have occurred?—I do not doubt it. Men have been chosen who it was known would not serve. I am not prepared to prove it, but from the observation I have made I do not doubt it.

4316. Supposing that state of facts to have existed, do you consider that to be a fair way of using the power of fining a man who refused to be sheriff?—No; a very unfair way. But the question is, whether a regulation cannot be made which shall keep up a fine for refusal, excluding that unfairness. I suggest that the aldermen might annually put in nomination six or any other number of suitable persons three months at least before the day of election. I apprehend the Court of Aldermen would not select those who might not fairly be called on; they might even confer with them to know whether it would be agreeable to them to serve. The Lord Mayor has, from usage, the power of nomination at present. I think, however, the nomination should be made the act of the Court of Aldermen itself, who would, doubtless, as men of independent character, not make any improper nomination. It, however, would not be proper to confine the electors in common hall to choose none but those so put in nomination before them. It ought, therefore, to be in the power of other parties to propose to the common hall fit persons for the office; and then would come the opening for their proposing such as were unwilling to serve, for the purpose of getting them fined. But why should there be a motive for fining them, if you had a corporation who would not accept of money improperly obtained? If the corporation were well constituted they would not accept of money from a gentleman who was an unsuitable candidate. But, more than that, you might deprive the corporation of the money when it was levied, thereby taking away the motive for fining parties at all. There has been a vast amount of jobbing in the election

of sheriffs. I believe that the right of election has been more abused in the case of the sheriffs than of any other officers in the City of London. There has been very much done by men desirous of filling the office of under-sheriff. It has not been who should be sheriff, but who should be under-sheriff. Members of the corporation have looked out for men to fill the office of sheriff who would appoint them under-sheriffs, and there have been all sorts of manœuvring and jobbing to accomplish that object. Common hall should be composed of all persons in the City who have the parliamentary franchise.

4317. Would you propose that there should be more than one constituent body for municipal purposes in the City of London?—Only one; the franchise being the same as in the case of an election of members of Parliament. The elections of Lord Mayor and sheriffs should be conducted like those of members of Parliament. The wardmotes likewise should consist of all persons who in their respective wards have the parliamentary franchise. The ward elections should be confined to one day. I would suggest that the election of chamberlain and bridge masters should be in the Court of Common Council in future. The chamberlain is, in short, treasurer to the corporation, and I see no reason why the whole of the City should be set to elect a man to a highly paid office. There has been a great deal of corruption connected with the election of chamberlain, because it is a very valuable office. A man will spend two or three years of his income in getting elected. If the election were in the common council, he being the servant of the corporation, all that evil would be avoided.

4318. The common council being elected by those who had the parliamentary franchise, the whole body would elect the chamberlain?—Virtually so.

4319. Might not the same principle be applied to the election of the sheriffs?—It might. In the country the corporation elects its mayor and all its officers; but in the City of London I think some deference should be paid to custom. I have shown, I think, a disposition to cut down all practices that are not useful; but I think the Lord Mayor and the sheriffs should be elected in common hall; the people would approve of it generally, I think, and I see no objection to it. I would abolish such officers as ale conners and flesh lasters, and those antiquated officers which are not applicable to the present times. I would permit the Court of Aldermen to form a separate court. I do not think we have any reason to complain of the Court of Aldermen in the City of London. There have been some exceptions as to respectability, but generally speaking they are a respectable body, not taken, perhaps, from the highest class, but still they are very independent and respectable people generally, and they are very useful, in my opinion, as a separate court. They have now the right to appoint the recorder, and I think that right should be continued. The two last elections of recorder have given universal satisfaction in the City of London. In the elections of the late recorder, Mr. Law, and the present most excellent recorder, I believe the Court of Aldermen acted from the highest motives, and have satisfied everybody; but I would suggest, as that is a very important appointment, it should be always subject to the approval of Crown. In that case I think it would be a perfect mode of appointment. Although I am an advocate for retaining the magistracy in the aldermen of the City of London, I am also an advocate for giving them the power of appointing one or two, either of their own body, or persons professionally well qualified, to be police magistrates within the City, if the court should think fit, and the Secretary of State should approve. I think there might be a much greater inducement to the higher class of citizens to accept the office of alderman, were it not for the onerous duties of the police courts.

4320. Do you mean that you would leave it optional with the aldermen whether they would or would not actively exercise magisterial duties?—I would put in the power of the Court of Aldermen, if they should judge right, to appoint one or two police magistrates.

4321. Are we to understand that your reason for that suggestion is, that it might not be a matter of necessity for the aldermen to attend the police courts as magistrates?—It would depend upon whether the Court of Aldermen themselves came to that decision.

4322. Suppose that decision were come to, would the effect be that it would not be necessary for an alderman to act as a magistrate in the City of London unless he so thought fit?—Certainly.

9323. He would be in the same position as a municipal magistrate in a borough, where there was a stipendiary magistrate appointed under the powers of the Municipal Corporations Act?—Yes. I think some of the higher class of merchants would then accept the office, who would not now accept it.

4324. Is every alderman now obliged to attend the courts of justice?—They attend according to rota among themselves; no doubt consulting the convenience of each other.

4325. Supposing an alderman becomes a very old man, does he cease to attend the court?—Practically, I believe he does not attend if he is infirm; they make an arrangement among themselves for the purpose. I would retain the Lord Mayor and aldermen in the commission at the Old Bailey. I see no reason why, that being an ancient honour to the City of London, that honour should be taken away, the public interest not being injured by it.

4326. At the Old Bailey, at present, they do not take any active part, do they?—No. I have understood that the recorder or common serjeant, when presiding, will sometimes ask the opinion of the aldermen sitting by as to punishment. I apprehend that the chief

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officer will sometimes consult them upon that subject; but that is the whole part which they take. I believe they are qualified in point of law to do so; but they never do interfere further than I have just mentioned. If the Court of Aldermen had the power of appointing one or two police magistrates at salaries, the salaries to be fixed by the common council, and the appointment being subject to the approval of the Secretary of State, that might be a useful arrangement. There are quarter sessions held, of which the aldermen are members. That of course would be the case whether they were a a separate court or not.

4327. We hear every now and then that the court at the Old Bailey cannot be formed because the required number of aldermen is not there. Is it fair to infer from that that they do not like to come?—I have nothing to say in praise of that; but I think the custom of the Lord Mayor and aldermen being named in the commission should be continued to the City, not for any use I see in it, but as a matter of honour to the City which there appears to be no reason for their being deprived of. The aldermen have charge of the prisons in the City of London, which is an important duty.

4328. Do you believe that duty is regularly performed by the aldermen, and the inspection is carefully carried out?—I think it is fairly done, as far as I have the means of judging. I believe there is a great desire on the part of the Court of Aldermen to do its duties well. I apprehend that the Court of Aldermen would be useful in regulating the traffic in the streets. I apprehend they have not sufficient authority for that purpose at present. The traffic in the public streets in the City of London is very different from what it is in any other part of the metropolis, or any other town in the kingdom.

4329. Have not the ordinary police of London sufficient power at present in respect to the traffic in the streets?—I do not think they have sufficient power. I am told that the aldermen are deficient in the necessary power for the general regulation of the traffic.

4330. Do you know whether the Act for the City police contains the same provisions as the Act for the metropolitan police?—I do not know. If there is to be any authority in the City of London, exercising a control over brokers, I do not know of any better authority than the Court of Aldermen. I am not saying that the regulations respecting brokers are as good as they might be; but if there is to be any authority exercising a control, I think the Court of Aldermen would be the best body for the purpose.

4338. Do you think it necessary that there should be any authority to control stock-brokers, for example, except the committee of the Stock Exchange? What object can it answer, except to produce a revenue to the City?—I am not speaking of it as a matter of revenue. I think there is an important safeguard to the citizens derived from the control which is exercised by the corporation.

4332. Have there been any cases of prosecutions by the Court of Aldermen in cases of fraudulent brokers?—From what I have observed of those men, they have generally absconded, and the prosecutions may have ended in that way; but there is every disposition to prosecute in such cases. The City take sureties, and come upon them when they can.

4333. Do you believe that the bond which the City takes of each sworn broker affords any security to persons who have been defrauded?—I know of no reason why their bond for good behaviour should not be as available as in the case of a bank clerk.

4334. Do the corporation enforce the provisions of the bond so as to afford security to the public?—I have no doubt they do. I am not prepared with instances of the kind.

4335. It is your belief that the system does afford a protection to the public?—I think so. At all events, if it is considered necessary that there should be any control, the Court of Aldermen is the best body in whom it can be vested; and that is another reason why the aldermen should be elected for life, that they may be a perfectly independent body. It is well known that the more respectable and wealthly classes in the City of London will not be members of the corporation. I apprehend that is chiefly because the body is too numerous. It is too antiquated in its forms; it is too political in its conduct; and a very inferior class of men at present become connected with it. If you wish to induce the higher classes to take part in it, I believe it may be done by reducing the number. My opinion of the higher class of the citizens of London is, that they will be directors of banks, directors of dock companies, and other companies, and they will attend fairly to the business of those associations; but they do so as men of business; they do not attend for the purpose of talking. If you reduce the numbers, and simplify the forms of the corporation, I believe you will find that more respectable men will join it just as they have done in Liverpool and other large towns.

4936. Do you think the species of pageantry which now surrounds the office of Lord Mayor is generally liked by the City of London, and is any motive for men of intelligence to accept that office?—I do not know that a man of intelligence would wish to see men in armour riding before him. But I am not for abolishing the Lord Mayor's show, nor the ceremonies of the City of London. I am for putting into office men of better taste, and they will modify them, and reduce them to good taste, of their own accord.

4337. You think that the Lord Mayor's show would be better got up?—Yes; it is a tawdry affair at present. The ceremony might consist of the Lord Mayor going in state on the proper day to receive the approbation of the Crown, or do what was necessary to be done. I think a ceremony of that kind is far from being useless.

4338. As at present conducted, it has not the merit of antiquity to recommend it, has

it?—I believe it is more modern than antique; it is in bad taste. I do not think, however, it is wise to say that all these things shall be abolished. I believe a reasonable amount of ceremony conduces to public order and to public good. If you put first-rate men into office they will soon arrange those matters, and bring them to a better rule or standard of taste. I would not abolish the dinner on Lord Mayor's day. I would have Lord Mayor's day in the City of London continued as a day of ceremony and of rejoicing, always in moderation and in good taste.

4339. You think that decent splendour and hospitality ought to be maintained?—Yes. we see what entertainments can be given in the municipality of Paris. I never heard any one complain of them; they are done in much better taste than in the City of London. But I see no reason why the entertainments in London, because not done in good taste, should be totally abolished.

4340. It has been stated to us that a system of dinners in the common council is necessary, in order to induce the attendance of the members. Do you believe that to be the case?—Yes, I do; that is because of the character of the men who are in office. If you have a low class of men, as many of them are at present, you cannot wonder at that circumstance.

4341. If the number of the common council were reduced, and the constituency altered as you propose, do you think that system of dinners need be continued?—No. I was not alluding to dinners of that kind when I recommended their continuance.

4342. You were speaking of dinners given on public occasions, when the public occasion was the principal object?—Yes. If the corporation were composed of the right sort of men, I apprehend the dinners would not be so numerous. They would attend to their business in the daytime, and attend to it as men of business. With respect to the conservancy of the Thames, I see no advantage in continuing that in the corporation; that might be transferred to the Crown, or to a body of commissioners.

4343. Does it appear to you that the corporation is well fitted to exercise the functions of the conservancy of the Thames?—It appears to me that there are not men among them qualified to do so. I believe there is a degree of public spirit among the members of the corporation, and a desire to do right between themselves and the public, but they are not fit men for the purpose, in my opinion.

4344. You stated that you were of opinion that it would not be desirable to place Marylebone and the other parliamentary boroughs under municipal institutions. You did not see that they would derive any benefit from those institutions; but you thought it would be desirable to continue the present corporate constitution of the City. Do you conceive that the City derives any great benefit from its present municipal institutions?—Yes, I think it does; but I have already stated that I think they require great reform, and in that case we should derive still greater advantages from them.

4345. What are the advantages which the City derives from its municipal institutions which you think Marylebone and the parliamentary boroughs would not derive from such institutions?—I put it chiefly upon a matter of habit. In the City of London those institutions have been engrafted into the very habits of the citizens, and their business is conducted according to certain forms. There would be a violation of all the feelings of the inhabitants, and a great revulsion in the mode of conducting business, if they were abolished. I am for improving, but not for revolutionizing.

4346. Do you think there is no value in the principle of self government, and the management of local concerns by the persons interested in them?—Yes; in the City I think there is.

4347. You think the danger of having such municipal institutions in so vast a metropolis as London, in immediate contact with the Government, ought to counterbalance whatever there be of advantage in giving to the people the local management of their own concerns?—I think the Government is at hand, and can do, and does, for the metropolis many things it cannot do for a country town; for instance, the police and the sewers are managed by the Government.

4348. Putting aside the question of police, do you think the mode in which the general Government now deals with the local concerns of the metropolis in other matters is quite satisfactory?—I know of no advantage that would be derived from a change.

4349. Do you think there is no evil in the clashing authority of so many local boards in the metropolis?—That clashing may be avoided by remodelling the boards themselves. I think it would be an inconvenience to the Government to have two and a half millions of people incorporated in the way which I have sometimes seen recommended.

4350. If I understand your opinion, it is, that in a metropolitan City municipal institutions are out of place, because it is the seat of Government, therefore you think it is not desirable to establish municipal institutions in the parts of the metropolis where they do not exist; but you would maintain them in the City, because they do exist?—Yes; and because the feelings and habits of the inhabitants are connected with them.

4351. You would retain them, rather because they exist than because you think they are beneficial?—I think as to the administration of justice it is positively beneficial to the citizens of London that they should have justice administered there by magistrate chosen by themselves, who are men of business. There are many cases which have happened and and may happen again, in which a stipendary magistrate has not been as useful as the aldermen are, sitting there now as men of business. There have been many cases known

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in which the interference of a man clothed with magisterial authority, one of themselves, has been very useful.

4352. You propose that the two police courts in the City, in which aldermen now sit, should be filled by stipendiary magistrates?—Not to the exclusion of aldermen; those magistrates might be members of the Court of Aldermen themselves.

4353. Is that the only advantage which you think the City of London derives from municipal institutions, independently of ancient custom and habit?—They derive benefit, I apprehend, in many ways from such institutions. I am not prepared to state, as a matter of principle, what the advantages of municipal government must be. When you take away the administration of justice and the police, there is not much else to do, except in a place like the City of London, where there are many old customs to be kept up.

4354. Do you think it desirable that the City police should be distinct from the rest of the police for the metropolis?—No; except from regard to the privilege which the corporation of London always has had. I think to deprive them of it would be a species of punishment which is not deserved.

4355. You would preserve it rather because it is an existing institution than because it is a good institution?—Yes; but I do not think it is a bad institution. Perfect uniformity of police over the whole metropolis would be the natural state of things; but I think the City of London does not deserve to have its ancient privileges taken away, so long as they are consistent with the public good.

4356. It is not a very ancient privilege, is it? It is not above fifteen years old?—There was a species of police under a different name, before.

4357. A parochial police, but not a municipal police?—Neither was there in the country generally.

4358. The existence of a municipal police in the City of London is not one of the ancient privileges of the City?—As being a substitute for the old constables, it is.

4359. Were the ancient constables appointed by the corporation or by the parishes?—By the wards.

4360. Were they corporation officers?—They were under the authority of the corporation, in some way; I am not prepared to say how far.

4361. How was the head of the police appointed?—There were some police officers appointed by the corporation. I recollect their uniform well, though I do not know what they were called. They have now two marshalmen.

4362. Do you think it desirable that there should be a separate commission of sewers for the City?—I do not see any particular reason why there should be, except the reason I have given already, that the City should be suffered to govern itself in matters in which it has been accustomed to do so. I think they have exercised their functions very advantageously.

4363. According to your recommendation, the City, with its ancient boundaries, would be the only municipal body in the metropolis. Under those circumstances would not the chief magistrate and the corporation of the City continue to be, as at present, the presumed representatives of the entire metropolis for municipal purposes?—At Paris or St. Petersburg they would. We know in England they do not.

4364. Is not it at present the case that the Lord Mayor is considered the representative of the whole metropolis?—On a public occasion you would have a meeting at the Mansion House, with the Lord Mayor in the chair, and he would appear to be at the head of the metropolis. In some cases that may be very useful.

4365. In fact does the corporation represent the interests of the metropolis?—Not in any practical sense.

4366. On any practical question, where the interests of the entire metropolis were at stake, you would not consider the present corporation as properly representing them?—It has nothing to do beyond the City boundaries, undoubtedly.

4367. Do you think the present corporation can be considered as representing the general commercial interests of London?—They do not at present, because the body is not composed of such men as it might be under the system I have spoken of.

4368. Do you think the effect of the system you propose would be that persons connected with different branches of trade in the metropolis would become members of the corporation?—I think it is probable that they would. They will not associate themselves with members of the corporation at present, because many of them are not their equals; but if a right course were taken I think many of them would be induced to do so.

4369. Would it be desirable, in your opinion, that Southwark should be connected with the corporation?—No; I would sever it. There is an anomalous kind of connexion now which I would sever. I do not see any use in the connexion between Southwark and the City of London.

4370. You propose that the sheriffs of London should cease to be sheriff of Middlesex. If that change were made would not the office of sheriff in the City lose a large part of its importance?—Not at all. The present state of things does not induce more respectable men to take the office than would otherwise be found to do so.

4371. Does not it affect the business of the under-sheriffs materially?—There are separate under-sheriffs for the county; but if it were otherwise the office might easily

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be severed. They call themselves sheriff of Middlesex and sheriffs for the City of London.

4372. Have you ever turned your attention to the effect of the 4*d.* duty on coals, which is part of the City estate?—I know it as one of the public. I am not much in favour of it. I do not see why the City of London should have the administration of large funds for general purposes, nor do I see why the inhabitants of a large district should be taxed for strictly local purposes.

4373. Would it be advantageous that the coal duties should be commuted into some other charge?—I do not think mine would be a very good opinion upon the subject. I see no reason, generally speaking, why the corporation of London should have the administration of affairs beyond its own boundaries.

4374. At present there are certain charges for public purposes laid upon the coal duty. The corporation levy the duty, and pay over a portion of the proceeds to the Government?—I have no reason to doubt that they do that part of their business very properly. I am speaking of it as an unsuitable thing. In conclusion, I would say that I think generally if the number of the corporation were reduced, and the forms simplified, more respectable men would aspire to a connexion with it.

Mr. E. Wilson.

Mr. Edward Wilson, having been sworn, was examined as follows:—

4375. Are you in any manner connected with the City of London?—I was a silk manufacturer in the City of London, and a member of the common council for the ward of Cripplegate, during the years 1832, 1833, 1834, 1836, 1837, 1838, and 1839.

4376. Did you take an active part in the business of the corporation during that time —A very active part.

4377. Are there any points to which you desire to call the attention of the Commissioners?—I went into the common council as a very strong reformer and as a free trader which I have always been. I was upon several of the committees of the common council among others, I was upon one which Mr. Williams, the present member for Lambeth, moved for, for the purpose of inquiring into the salaries and emoluments of the Lord Mayor and the corporate officers. With regard to the office of Lord Mayor, a report was made which bore my signature among others, and which undoubtedly stated that the total expenses of the mayoralty was 35,000*l.* per annum. I felt bound to come here to correct what would otherwise certainly be a false inference, for clearly there was a fallacy upon which that calculation was based, and which the Commissioners I am sure will have explained to them better than I can do it. I will only shortly say, that the explanation will be found in the resolutions of the common council moved on the 23d of March 1836, which took up those various items one by one. The principal mistake in the report I refer to arose from reckoning the cost of the original building of the Mansion House, and the original cost of the ground upon which it was built, and calculating seven per cent. upon that, and then debiting that as expenses of the mayoralty during the year of office.

4378. How came you to adopt that principle at that time in making the calculation, when it appears to you to be an erroneous one?—I was oneof the young members. I had just come into office, and there were persons on the committee who I thought better understood the matter than myself.

4379. Are there any other points to which you wish to refer?—I will mention some of the duties which members of the common council have to perform in their office. The aldermen and the common councilmen have to hear any complaint of undue assessment in their wards, and to correct them, for the purpose of rating the inhabitants.

4380. What do you mean by rating?—It is for the purpose of carrying out the rating. If a person comes before the deputy and common councilmen, to say that he considers his house is unfairly rated in the rate book, they consider it, and they have the power of altering it so as to make it more uniform with others in the ward. With respect to jury lists, in the same way they have before them the names of the different parties liable to serve on juries in their wards, and they place them as their standing warrants upon the grand jury, or the petit jury, or otherwise. They have also the publicans before them; and no publican is licensed except he has been, if I may so term it, approved by the common councillors of the ward. The deputy being a commissioner of sewers, if I may so call him, may always be approached by the inhabitants of his ward; and any nuisance or want of repair of the pavements is always communicated to him, and he, as a commissioner of sewers, naturally reports it to the commission, and I attribute in some respect the cleanliness and good paving of the City of London to the fact that each ward is represented in that commission by these deputies.

4381. Is the deputy a paid officer?—No; he is appointed by the aldermen from out of the body of the common council, and usually continues for life, or till he ceases to be a member of the Court of Common Council.

4382. He receives no remuneration for his services?—None whatever. With the permission of the Commissioners I will now hand in a memorandum of what I think to be important alterations in the constitution of the mayor, aldermen, and commonalty of the City of London. Having taken a very active part in the endeavour to reform the corporation through its own body, I would suggest that the corporation should consist of

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a Lord Mayor, twenty or twenty-five aldermen, and not less than 100 councillors. That the wards should be equalized as to size, regard being had to the population, &c. That there should be as many wards as there are aldermen. That the Lord Mayor should be elected by the whole constituency of the City from the aldermen, and that there should be no return of two, with choice of one by the Lord Mayor and aldermen, as at present practised. That one alderman and an equal division of the councillors should be elected for each ward by the constituency of the ward. The present assumed veto of the Lord Mayor and aldermen on the choice of an alderman to be abolished. The Lord Mayor to be elected annually, and the aldermen for life. The councillors and all officers of the corporation to be subject to annual election. That there should be no money qualification for Lord Mayor, aldermen, or councillors, but a penalty for any one who should have been insolvent, bankrupt, or convicted of fraud, voting or acting in either capacity, the office to be vacated in event of either occurring. The chamberlain to be as at present treasurer of the City cash, and appointed by the electors. Auditors, not being members of the corporation, to be annually appointed by the corporate body. The electors to be the parliamentary constituency; and the aldermen and councillors in each ward to make and publish annually a list of voters for each ward, in the same manner as for the parliamentary franchise; the poll to be taken in one day. Power to corporate body to arrange lists and voting places for election of Lord Mayor, and chamberlain, &c., &c., the poll to be taken in one day. The Lord Mayor and aldermen to have the management of the administration of justice in the City, and of the prisons, and to draw on the City's cash for an agreed sum of money annually for that purpose. Nothing beyond that amount to be expended without sanction of the Court of Lord Mayor, Aldermen, and Councillors. All other acts and entire control of the City's cash to be in the corporate body. The necessity of being free of the City, or of any municipal company or companies, for purposes of trade, to be abolished. The City tolls to be abolished. A commissioner to be appointed by the Crown, to whom parties may appeal against any decision of the navigation committee. The question of the navigation of the river by the free watermen, the corn and other metage fellowship porters, town carmen, and the various dues paid to the City, to be a separate subsequent inquiry. I would suggest that those more general alterations which I have spoken of should be carried into effect as soon as possible; but with respect to questions like those which are connected with the watermen's company, the fellowship porters, and various other bodies having certain exclusive privileges in the City, I think it would be impossible for Parliament to deal with them without appointing committees and hearing evidence on the subject, which could not be got through in one session of Parliament.

4383. Have not privileges analagous to those in other cities and boroughs in the country been dealt with by Parliament?—It is possible that they may; but I think in the City of London there are so many matters of this kind, those, for instance, connected with the watermen's company and the various municipal companies, that any inquiry with respect to them must be protracted to so great a length in a committee of the House of Commons, that the object to be attained by the passing of a more general measure would be defeated by waiting for the result of such an inquiry.

4314. Do you think it would be impossible to deal with them on some general principle?—I think it would. I will take up, for instance, the one single point of the watermen on the River Thames. They are managed by the watermen's company, which company would assert privileges and charters which it would require a long time to inquire into, and I know the difficulty of dealing with these questions in a hurried manner. I believe it would be necessary to have some restriction upon the navigation of the River Thames. I believe the number of accidents and the damage that would ensue to the bridges render it impossible to say that any man might be picked up in the streets and allowed to navigate a barge.

4385. Are there not two things perfectly distinct; one, the system under which watermen are allowed to ply on the River Thames, which is a mere matter of police, and the other the control of the navigation of the Thames in the wider sense of the word?—I propose that the question of whether the navigation of the Thames shall be dealt with by the navigation committee, or some other body, should be subsequently taken up; but my impression is that you ought to deal with the general principle of the corporation first, and then with the details. Whether the meterage of corn is an important thing, as between buyer and seller; whether the present fellowship porters are a restriction upon trade,—are matters of detail which would occupy so much time that it would be desirable that they should be looked at in a separate form.

4386. When you said you thought there should be a commissioner appointed by the Crown to hear appeals from the navigation committee, did you mean merely with regard to the watermen?—From the experience I acquired during the short time I was in the navigation committee, I found there were applications made for things so utterly impossible that they were compelled to be refused, and every one who was so refused thought the corporation were acting hardly by him. If there were any matter of importance connected with the docks, or with the banks of the river, refused by the navigation committee, and the parties felt themselves aggrieved, I consider there might be very judiciously some power, to which they could appeal, for the purpose of stating their grievance.

4387. Would you give that power to which you propose there should be an appeal,

a peremptory authority to decide the question upon such appeal?—If the authority consisted of some of the elder brethren of the Trinity, or some practical men appointed by the Crown. I see no objection to allow them a peremptory decision in case of appeal.

4388. Would not that, in substance, be merely transfering the power now exercised by the corporation generally to this body to which the appeal lay?—I do not believe that in one case out of a thousand there would be an appeal. Sometimes there has been a complaint of certain barges being moored in a particular spot. It has been reported that they were the means of keeping the channel of the river clear, and preventing the accumulation of a shoal. Parties complaining of those barges would naturally appeal, if it appeared to be a matter of importance to the commissioners, who would hear the opinion of the navigation committee, and also hear the opposite side. I believe, from what I know, that the public generally would have more confidence, and the facilities of trade would be much greater if the management were in the hands of the navigation committee as at present, an appeal being given as I have mentioned.

4389. Have you no apprehensions that such a double machinery would produce delay and expense?—I think it would not. That which commends itself so much to my mind in the present system of the navigation committee is, that the committee are so easily approachable; that it is, in fact, what may be called a popular body.

4390. Do you think that the members of that body possess the knowledge and experience necessary for them to deal judiciously with questions of this description?—I think perfectly so, along with their officers.

4391. You think their officers do, though they do not?—Many of them bring some degree of knowledge to the subject. I believe they perfectly understand the business and carry it out as well as it could be carried out.

4392. The larger questions relating to the conservancy of the river are generally decided practically by the harbour master, are not they?—No; generally speaking, upon the larger question there is what is called a view. A sub-committee goes down to see the spot in question. That sub-committee then reports to the grand committee. They have their officer with them to point out what would be detrimental or useful, and the committee decides upon their report.

4393. The harbour master is a very efficient public officer, is not he?—Yes, he is.

4394. Do you believe that the gentlemen of this committee who have no professional knowledge, are able, from merely going down the river in a boat and looking at the spot, to form a satisfactory opinion themselves upon the subject?—I believe no one can point out an instance where they have come to a wrong conclusion.

4395. Do you think that is to be attributed to their power of judging of those things with their own eyes, or to their trust in the harbour master, who is an efficient public servant?—Both. They are all of them practical men of business, though not acquainted with matters connected with navigation. They are the same people who would be trusted to judge of a man in a case of life and death; and you might as well say that, if it were a question about a coat every body on the committee must be a tailor, as to say that upon a question of driving a pile, or things of that kind, they must be professionally or practically acquainted with them.

4396. Do you think that any gentleman who has not turned his attention to such subjects could judge very well of the effect of an embankment on the river Thames?—I would take the gentlemen here present. I should have every confidence in their decision on going down with the officers of the corporation, viewing for themselves, and coming and reporting the result of that investigation.

4397. Is there any other observation which you wish to make?—With regard to bankruptcy, or insolvency, or fraud, vacating the office of an alderman, I believe there has been an Act of Parliament passed, by which aldermen do lose their seats upon any occurrence of the kind. In the Court of Common Council one of the byelaws of the court is that no one who is insolvent or who has been convicted of fraud shall sit upon committees. There is a great deal of difficulty, however, in knowing whether that has been so or not, and there is a great deal of delicacy in a gentleman getting up and saying, such and such a person has been convicted of fraud, and I move that he be not placed upon the committee. With respect to the auditors not being members of the corporation there is in what is called the Gas Consumers Company a case in point which works very well; the corporation appoint two auditors to inspect the accounts, and they appoint a party to inspect the quality of the gas. The corporation have appointed highly efficient men for that purpose, and it appears to work very well, and I think something of that kind would give confidence to the public generally.

4398. Is it the practice to exact any fees from applicants to the navigation committee for the redress of grievances?—Whenever any applications are made for driving piles or building out, or anything of that sort, the payment of an extremely small sum, merely nominal, is required for the purpose of ascertaining the freehold right, in the event of the necessity arising for removing those things. The money all goes into the funds for the navigation, and is not a revenue to the corporation.

4399. What are those funds?—The amount is reported from time to time.

4400. Are they strictly accounted for?—Strictly. I never in my life saw a better statement of the affairs of a corporation than that which is annually laid before the corporation of the City of London. Some parties say, I should keep it in such a way, and

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others in such another way. But I think it is as clearly presented as possible in what is called the abstract. It is a great mistake to suppose that the City funds are large and extensive. Properly speaking they are very small. I should say at the outside they are not above 150,000*l.*; so much of that is apportioned to particular purposes as to leave but very little to be dealt with by the City. When you take out the cost of the administration of justice in the City, which otherwise must be paid for by a county rate, when you take out the cost of the police, when you take out certain sums paid annually for bringing up old officers of the corporation, and a vast number of other things, it leaves a very small amount of corporate funds to be actually dealt with. One reason why it is thought that there is such a large sum in the possession of the City is, that they have undoubtedly under the Bridge House estates, the navigation of the river, and various improvement trusts, large funds to deal with; but they are all obliged to be kept as strictly separate, the one from the other, as one merchant's money would be kept from another merchant's money.

4401. Do you think the present form of accounts satisfactory and clear?—I do. I have before me the account for 1832. In the page which gives what I call the City's cash proper, it refers by marginal numbers to pages in the same account, where will be seen more elaborately what those particular items are. I think the corporation of the City are extremely good landlords. While I was in the corporation it was referred to a committee to see whether there was any justice in the complaints of the restrictions in the leases—whether any alteration in the leases should be made by the City law officers. We found the clause on that subject a most important clause. It is the desire of the corporation not to let houses which shall be immediately relet at very large sums in order to put money into the pockets of the intermediate party. It is also their desire to give every fair advantage to the then tenant whenever a lease runs out. This clause enables the corporation to know into whose hands the various leases go, and to know how they are subdivided, and it is a check upon a practice which certainly the corporation do not wish to encourage, that is to say, that they should let a house at a fair and moderate rental, and the party taking it from them should exact the utmost farthing from the under tenants.

4402. The 4*d.* duty on coal is considered part of the City estate, is it not?—I believe that originally, in the reign of Queen Anne, there was a duty on coals connected with the orphan fund; when the alteration in the duty on coals was made in 1823 the corporation had to pension off the whole of their coal meters. They did so by allowing them annuities, and I believe they calculated that while they were paying very large sums for those annuities they would be ultimately recompensed by the 4*d.* upon coals.

4403. Do you believe that a full remuneration for that sacrifice has now been effected?—To some extent, but I believe the money has not yet been wholly recompensed.

4404. Do you believe, if the case could be made out that it had been recompensed, it would be then expedient to abolish that duty?—That would quite depend upon the purpose to which that duty is applied.

4405. Do you think that the duty taken by itself, seeing that it is levied by the City for city purposes upon a very great area of country surrounding the City, is not objectionable?—I consider that for the purposes of improvement on a large scale nothing can be fairer than that the fund should be taken from the coal duties. I consider we have evidence of that fact in the manner in which it has been scrutinised over and over again in Parliament, and yet it has always resulted in the same thing. I believe there is no city in which improvements do not come from that fund. In Brighton, for instance, the duty upon coal is 2*s.* 6*d.*, if not 3*s.* 6*d.*, a ton, for the purpose of improvements, and I consider it quite fair that the duty in London should be spread over a large area. It would be very unjust either that the citizens of London, or of Southwark, or of the metropolitan boroughs even, should be by an improvement rate compelled to rebuild London Bridge, because that bridge is for the use and for the traffic of persons coming from a very long distance from London. I certainly would not advocate the rounding of a corner of a street out of such a fund. The corporation have done that frequently by the authority which they have in their Sewers Act out of the corporate funds. But those very gigantic improvements which are not only improvements for the citizens of London alone, but for the traffic of all the outlying districts, ought not to be made by mulcting the citizens of the locality with an improvement rate.

4406. You do not think that the opinion expressed to us by parties from various parts of the metropolis is a correct one, that an improvement rate would be more just in principle than the present coal tax?—Certainly not for gigantic improvements.

Mr. M. Saward.

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Mr. MICHAEL SAWARD having been sworn, was examined as follows:—

4407. Do you reside in the City of London?—Yes.

4408. What are the points to which you desire to call the attention of the Commission?—I have an opportunity of laying before you a very important instance of the disadvantages arising from there being a double jurisdiction for the management of the police. I have had correspondence with both of the commissions upon the subject, and I can

point out that there is a district running through the centre of London which both commissioners refuse to watch.

4409. Will you inform the commissioners where you reside?—I reside at No. 9, Chatham Place.

4410. Do you carry on any trade or profession?—I am secretary to a life office. Having had our house broken into in the latter part of the year 1849, I was induced to have this correspondence first of all with the City commissioners, and then afterwards with the metropolitan commissioners. I should first explain, in order to make myself fully understood, the position of our house. It is situated on the west side of Chatham Place; and at the back it abuts upon a coal yard, into which we have no right to go. That coal yard is open to the Thames at all times, and in the night it is closed by high gates. The result is, that the police are shut out at night, and any one can come into the yard from the water side. The result is, that thieves come in, and are enabled to carry on their depredations without any let or hindrance; and they are enabled to do that in consequence of the tide receding from the banks at low water about one hundred yards. That leaves a causeway or hardway, extending from London Bridge up to the Temple, upon which parties at all times can roam about. They do roam about; and I believe there is scarcely a house or a counting-house on the banks of the Thames which has not been broken into and robbed. Of course, in the City, in which I reside, the land police is under the jurisdiction of the City commissioner; the Thames is watched by the Thames police, and is under the jurisdiction of the metropolitan commissioners. The Thames police, I should say, is always kept afloat. The consequence is that when the tide recedes from the banks, which it does at low water about one hundred yards, there is no one at all to watch that part which is left dry by the ebb of the tide. I pointed this out to the City commissioners, and begged they would watch it. I have the correspondence here, in which they refuse to do so.

4411. What ground do they state for their refusal?—Here is a letter which I will read. I called their attention to the yard behind as being entirely unwatched at night, the police being shut out by the gate being closed; and I also drew their attention to the fact of thieves coming in from this hardway. This is their answer: "Guildhall, November "3d, 1851. Sir, In reply to your letter of September last I am directed by the police "committee to inform you, that they have made inquiry with respect to the watching by "the police of the premises at the back of Chatham Place, and have been informed that it "was intimated to the parties who made application to the police commissioner upon the "subject, that as the entrance to such premises was private, and locked, the proper mode "would be to employ a private watchman to protect the same, if necessary, in which "suggestion I am directed to state the committee concur, and to communicate to you "accordingly. I am, Sir, your obedient servant, (signed) H. A. MEREWETHER." They avoid the question about watching that particular ground, and they tell us (we paying of course our fair proportion of the police rates) that in addition to paying the police rates we are to employ a private watchman to watch a yard which does not belong to us. In answer to that letter, I wrote by way of a remonstrance against that decision. I reminded them that they did not meet the particular point, with regard to watching this causeway, and also that it was a very hard thing to us to say we were only to have one side of our house watched, we having no right in that yard. In addition to that, I got our alderman, Sir James Duke, also to interest himself about it, giving him a full account of our position. The answer which I received to my letter and also to Sir James Duke's interference was this: it is from the town clerk: "Guildhall, 28th November 1851. Sir; I am "directed by the police committee to acknowledge your letter of the 14th instant, and to "inform you that there is no reason to alter their opinion of the matter in question." In fact, they refused either to watch the premises behind us, or to watch this ground left by the receding of the tide. I then went and saw Captain Hay, at the metropolitan police office. He seemed to be very much surprised at the circumstance; but begged that I would make a statement in writing of what I had told him. I did so, and I concluded by asking the metropolitan commissioners whether they would undertake to watch that spot, and this is the answer which I received in reply: "Metropolitan Police Office, Whitehall Place, December 26th, 1851. Sir, I have to acknowledge the receipt of your "letter of the 30th instant, and to acquaint you in reply that it is impossible for the "Thames police to protect the space adjoining Mr. Capel's wharf, left exposed at low "water," which means in fact the whole space. There the matter rests; the consequence being, that that space, which runs one hundred yards deep, and is a dry causeway, upon which any one can walk from London Bridge up to the Temple, is left at night without any protection by the police, and thieves do roam about there, and they have committed robberies in almost every house on the Thames, as I understand. My house has been broken into; the house next but one has. Mr. Capel's counting-house and Sir Charles Price's have been broken into more than once.

4412. Did any of your neighbours join with you in those representations?—Yes, they did. We presented a joint memorial, but we received no satisfactory reply.

4413. Do you understand that the City consider the portion of the shore left dry by the receding of the tide is not to be watched by the land police?—That is their impression.

4414. They consider that the jurisdiction of the police stops at high tide?—Yes.

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4415. Do you know what is the practice upon the portion of the shore which is within the district of the metropolitan police? Do they watch the portion which is between high and low water mark?—I understood Captain Hay to say that they did.

4416. Do you know what is the case on the Southwark side?—I do not. The Thames police is always kept afloat; of course they row up and down the river, and they cannot approach the side; they are a boat police, and have nothing to do with the land.

4417. Do you know whether any communication ever took place between the City police and the metropolitan police on this subject?—No, I do not. I should state that first of all I drew Mr. Harvey's attention to it, but he made me no reply. I then wrote to the police committee, and this is the answer which I received from that committee, through the town clerk, Mr. Merewether.

4418. Did Mr. Harvey make any statement to you of his reason for not interfering?—Not at all; he never answered my letter. This circumstance to which I have called your attention shows that in consequence of the clashing of the two jurisdictions of police there is an important part running through the centre of the City which is entirely unwatched. From what I have heard there are innumerable robberies committed in consequence.

4419. Do you believe it would be desirable to abolish the separation between the metropolitan and the City police, and place the whole of the police of the metropolis under one government?—I have no doubt of it. I believe the metropolitan commissioners would have watched this ground if it had been under their jurisdiction. At all events they told me they would have watched the yard behind the houses, instead of requiring us to subscribe for the purpose.

4420. You say that the yard was not your property; therefore if you had employed a watchman to you must have employed him to watch the property of another person to secure your own?—Certainly. I pointed that circumstance out to the commissioners. We had no more right in that yard than the police had. The gentleman who is the owner of the yard says he is quite willing to permit the police to enter the yard, and would give them a key for the purpose of their doing so.

Mr. Henry Roy.

Mr. Henry Roy, having been sworn, was examined as follows:—

4421. I believe you are desirious of making some statement to the Commission with regard to the system pursued in the City of London upon the Stock Exchange?—I am.

4422. What means have you had of becoming acquainted with the system?—I once intended to enter into the Stock Exchange, but I found difficulty in so doing. The opprobrium was so great in attempting to act without being admitted by the Stock Exchange that I declined to do so.

4423. Are you now speaking of the control exercised by the corporation over the Stock Exchange, or the control exercised by the private committee of the Stock Exchange itself?—Of the control exercised by the private committee. I complain that the corporation neglect their privileges, and do not exercise their full rights, to the disadvantage of the public.

4424. Will you state the nature of any complaint you have to make upon that subject?—The Stock Exchange is entirely a private association. It has been stated to the Commission, as I understand, that the regulations of the Stock Exchange are incompatible with the City privileges. I conceive that there is no point on which they are incompatible, except with respect to passing names on contracts in the case of sworn brokers.

4425. Is your complaint directed against the private committee of the Stock Exchange, or against the control which the corporation exercises?—Against the control which the corporation exercises.

4426. Will you have the kindness to state what are the evils which you think are attendant upon the management of the Stock Exchange by the corporation of the City of London?—I think the corporation neglect their privileges.

4427. In what respect?—I think their privileges, in the first place, is a great source of safety to the public, and a more full exercise of it would be beneficial.

4428. You mean that they are not sufficiently stringent in the exercise of their privileges?—They are not. I think that the corporation, having the privilege of electing sworn brokers for the City, ought also to have the right to enforce the entrance of their brokers into any market.

4429. Do you mean that it ought not to be permitted that there should be a private committee of stockbrokers to exclude any stockbroker from the Stock Exchange after the City of London had given him a licence?—Yes. The business of all the public bodies, the Bank of England and the Government, and nearly every other body, is now done in close market. But a question may be raised how far bargains done within a market which cannot be entered by the public are legal. The corporation, I think, should have directed their attention to this point, and as a part of the exercise of their full privileges should enforce a legal market.

Adjourned.

11th Jan. 1854.

Wednesday, 11th January, 1854.

The Right Honourable HENRY LABOUCHERE, M.P., in the Chair.

(*Chairman.*) We now propose to take the evidence of the officers of the corporation. We thought it advisable to begin our inquiry by taking the evidence of parties who had paid attention to City affairs, and who were disposed to recommend important alterations in the present constitution of the corporation. We thought that the most convenient course of proceeding; and we found that the authorities connected with the corporation acquiesced in it. We are now desirous of hearing the evidence of the corporation officers. At the same time it must be understood that we do not preclude ourselves, if we should think it necessary, after that evidence shall have been received, from reverting to points which we may not have sufficiently considered, and taking the evidence of other parties upon them. We thought it was for the public convenience that there should be a sort of primâ facie case made out upon those points which there has been an opinion among some parties that there ought to be an alteration in the present management of the corporation affairs.

(*Mr. Town Clerk.*) Will the Commission allow me to say, that it certainly has been the apprehension of the corporation that their case and their witnesses would be heard last. I am sure the Commissioners will thoroughly understand me, in making that observation, that it is not at all on their part expected that there should not be an opportunity, if necessity should require it, to examine or re-examine witnesses; they by no means feel themselves justified in suggesting that such an exclusion should à priori be made. I should not, however, be discharging my duty towards you if I did not state that it is the undoubted expectation of the corporation that, unless anything occurs to make another course necessary, their evidence will close the case.

(*Chairman.*) I think, from the beginning, in all our communications with the City officers, we distinctly stated that, while we were desirous of adopting the course of first of all hearing the parties who had, as it were, charges to make against the management of the corporation, and then hearing the officers of the corporation, we must reserve in our own hands the most unfettered discretion as to calling witnesses afterwards upon any points which might either appear to us not sufficiently cleared up, or which might suggest themselves to our minds in the course of the inquiry. There is, for instance, one point upon which we have received no evidence at all, which is the management of the Irish property. It will be obvious that we must, upon that point, receive some evidence; and there may be other matters of the same kind. I state this in order that there may be no misapprehension at a future time.

(*Mr. Town Clerk.*) I trust the Commissioners will have the goodness to excuse me in having made the remark which I have; and as at present no question of the kind arises, I need say nothing more.

(*Chairman.*) I need hardly add that if, in the evidence which may be taken after the officers of the corporation have been before us, any new point should arise which they would require to answer, it would be but reasonable that they should have an opportunity of doing so.

(*Mr. Recorder.*) I appear before the Commissioners as the chief officer of the corporation, not in any proper sense as an advocate, but in my official capacity, and as their mouthpiece, to ask their permission to read a written statement which has been drawn up by way of a general refutation of the main charges which have been made against the corporation, and a vindication of their general administration. It has been thought convenient to take this course, in order to concentrate, in this form, what might otherwise be dispersed at greater length in the evidence of the various witnesses who will be called before the Commission. If this statement be read, and placed upon your records, the witnesses will only have to refer to the facts which they can prove in support of the allegations which are there made. If this course I propose is thought desirable, I am authorized by the committee, who have had the management of the production of evidence upon behalf of the corporation, to read the statement for them, not at all shrinking from any share in the responsibility of its preparation, but not as my address, but one put forward by the whole corporation.

The Recorder read the following statement:—

To Her Majesty's Commissioners appointed to inquire into the state of the Corporation of London.

We, the consolidated committee, appear before you as representatives of the corporation, in pursuance of a resolution passed by the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, on the 30th of June last, after reading Her Most Gracious Majesty's Commission under the Great Seal, which resolution is in the following words:—

"Resolved and ordered, that it be referred to the consolidated committee to assist the

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inquiry before the Royal Commission on behalf of the corporation of London, and afford the fullest information on every subject connected therewith; and that all the officers, clerks, and servants of the corporation be authorized to attend before the Commissioners, and to give them the fullest information in their power, both oral and documentary."

Since the receipt, on the 5th instant, of the official copy of the evidence taken before the Commission against the corporation (up to the 14th day of the inquiry), we have considered the same as fully and carefully as the short interval would permit.

If all the persons examined before you had (as some of them have done) confined their observations to a fair and temperate review of the past history and present position of this ancient corporation, and if they had accompanied their statements by suggestions of such alterations and amendments as they might consider necessary or expedient, we should, without making any preliminary observations, have tendered the members and officers of the corporation to the Commission as witnesses, to furnish the most ample information in their power, both oral and documentary; and we should have felt it our duty to seek instructions from the various branches of the corporation to enable us to submit to your impartial consideration the various projects for improving our corporate institutions which at different periods have been proposed in the corporation, many of which would have been long since effected if the governing body had had within itself the clear legal power to carry them into execution.

We observe, with satisfaction, that many of the witnesses who have been examined bear testimony to the integrity and honourable character and conduct, both official and personal, of the several members of the corporation. We, however, perceive that there are exceptions to this rule, and that some of the persons who appear to be conducting the case against the corporation have constituted themselves at once accusers, witnesses, and projectors, and have in their evidence on oath so intermingled offensive misrepresentations and exaggerations of assumed facts with groundless opinions and speculative projects, that it is difficult to deal with the multifarious questions they have thus raised, in any of the forms by which truth is usually investigated.

Being anxious, in a question of so much importance, to avoid this inconvenient intermixture of opinions, facts, and proposals for alteration, we desire, with the permission of the Commissioners, to keep them distinct. We propose, first, to furnish a written answer to the accusations made against the corporation in as definite and concise a form as their vague and irregular character will admit. We then propose to tender the officers of the corporation, and other witnesses as well, to substantiate on oath the facts stated in the answer, as to submit themselves to a general examination upon all matters into which the Commissioners may think it right to inquire, asking leave to reserve the expression of either corporate or individual opinions upon any proposed alterations, either in the constitution or administration of the corporation, until we shall have concluded what we intend to be a full and perfect refutation, either written or oral, of the various charges that have been preferred against the constitution of the corporation, or against the conduct of the members who compose it.

In the belief that this course of proceeding will be acceptable to the Commissioners, we have prepared the following statement, in which we have collected and arranged the several charges against the corporation under distinct heads, and we propose to answer them seriatim in that order.

Firstly. It is charged that the income of the corporation is excessive in amount.

Secondly. It is said to be derived from objectionable sources, viz.:—

1*st.* From rentals of property, including encroachments on the Thames.

2*d.* From tolls, offices, and dues, including charges on freedoms, coal dues, and metage of corn.

Thirdly. It is charged against the corporation that their expenditure is excessive in amount, and useless in its objects, namely:—

1*st.* As respects the costs of the Mayoralty, including the costs of the banquet and pageant on the inauguration day.

2*d.* As regards the expenses of the committees.

3*d.* The salaries of the corporate officers.

Fourthly. It is said that the police and sewerage of the City, instead of being under the management of the corporation, should be amalgamated with the establishments for the rest of the metropolis.

Fifthly. It is charged that the accounts of the corporation are in an unintelligible form, and that they are intentionally so kept.

Sixthly. That the Lord Mayor, Aldermen, and Common Council, during the present century, have been, and are greatly inferior, to the corporators of former times, both in rank, respectability, intelligence, and public spirit; that they are unfit for the stations they occupy, and have been regarded with disrespect by the citizens.

To these charges we submit the following answers:—

Firstly. In answer to the charge that the revenue of the corporation is excessive, we say that, considering the special circumstances which affect the City, this is not the case. The proper income of the corporation averages about 200,000*l.* per annum, of which a little less than one half is derived from freehold and leasehold rents, and a little more than the other half is derived from tolls, offices, and casual sources of revenue. This sum represents the gross receipts of the corporation in respect of its corporate property. It is

of course subject to very large deductions for collection and management, as well as charges for rebuilding and repairing the property, all of which necessarily become augmented as the properties increase in number and extent. The aggregate amount is likewise liable to large fixed charges, which cannot be diminished; thus leaving the sum upon which economical retrenchment can operate very much less than the magnitude of the entire sum would to a superficial observer appear to imply. Besides the proper revenue of the corporation, the police committee of the common council, and the commissioners of sewers, consisting of members of that body, have the raising and expenditure of an average amount of about 111,000*l.* per annum, by rates upon property in the City; namely, 84,000*l.* for paving, lighting, and sewers, and about 27,000*l.* for police.

It should be remarked that inasmuch as the foregoing particulars of receipt and expenditure are annually published, it was impossible for the witnesses to misrepresent their actual amount; but they obtained for their exaggerated statements given to the Commissioners, and through the Commissioners to the world, by means of the public press, all the effect of misrepresentation, by mixing up these sums which are avowedly received and accounted for by the corporation with tithes, poor rates, charity funds, and other sums with which they have no connexion. Having thus mixed up these sums together, the annual revenue of the City is by one witness said to be 350,000*l.*; by another, 450,000*l.*; and a third represents the amount to be 1,160,000*l.*

Secondly. It is said that the sources of the corporate income are objectionable. We will examine them separately. The rental, amounting to nearly 100,000*l.* per annum, is chiefly derived from houses in the City, from the perpetuity leases, and occasional fines of the Conduit Mead estate, and from the rents of the Finsbury property, which is held upon lease.

A very large portion of this property is built upon the site of the old walls, gates, and fortifications of the City, which existed when London was a flourishing free City under the Romans; and on their departure from the island, the property devolved upon the citizens, and has been possessed by them during the twelve centuries that have elapsed since that event. For although one of the witnesses has deposed that this site was part of the common soil of the City, and although King Henry the Sixth did by charter profess to grant to the citizens of London the common soils within the City, such charter could only be considered as an acknowledgment of the free pre-existing rights of the citizens, which had been secured to them with their other rights by the charter of William the Conqueror, which had been recognized by similar instruments in subsequent reigns; and which, though abrogated by King Charles the Second, were restored and confirmed by Act of Parliament, as soon as the Revolution of 1688 had restored law and order within this realm.

Having regard to the principles by which property is acquired and protected in this country, we apprehend that the possession of twelve hundred years would confer an adequate title, even if we could produce neither charters nor Acts of Parliament to vouch our rights. The title of the corporation to the Conduit Mead estate, though of much later origin, is secured by the possession of centuries; and the property which has for ages been held by the corporation from the prebend of Finsbury, is vested in them by an Act of Parliament until the year 1867.

A great portion of the rental of the corporation is said by some of the witnesses to be derived from embankments of the Thames; and the pending suit with the Crown is referred to as if that suit had been intended to put an end to such encroachments.

This statement is founded on a total misapprehension of the facts. The entire amount of rental derived from embankments, made, not for the sake of revenue, but for the improvement of the river, and the convenience of commerce, does not exceed 1,100*l.* per annum. It is not mixed with the corporation rental, and forms no part of it. It is and has been kept for many years as a separate fund, and is applied to the purposes of conservancy and improving the river only. This sum of 1,100*l.* forms only a portion of the amounts expended by the corporation under this head, the remainder being paid out of the corporate funds.

The history of the pending suit with the Crown may be very shortly stated.

From time immemorial, probably from the period when the Thames was first embanked in very ancient times, the corporation of London have possessed the conservancy and soil and bed of the river. They have claimed and exercised the right from time to time of granting licences to embank, in cases where it has been considered beneficial to the river, applying the proceeds to the removal of shoals and other purposes of improvement on the river.

In 1842 the corporation contemplated a large expenditure of money for the purpose of carrying into execution an improvement of the river upon a more extended scale than had before been attempted; but in order that they might receive the best advice before they commenced the undertaking they applied to the Admiralty for the assistance of Captain Bullock, who had been engaged in surveys for that board for many years, and Mr. Walker, the engineer. Captain Bullock and the officers of the corporation in harbour and conservancy service made a survey of the Thames within the limits of the City jurisdiction, and presented a most able and elaborate report, recommending a definite system for the future management of the river and its branches, for the purpose of removing shoals, securing the banks, and erecting steam boat piers where requisite.

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As this project contemplated the expenditure of a very large sum of money, the opinion of the most eminent counsel was taken as to the legal power of the corporation to carry it into execution, and to apply the fines or rents which might be received from the owners of wharf property wishing to embank in defraying the great charges of the improvement.

Counsel were unanimously of opinion that the corporation were fully justified in taking this course. The report was printed and extensively circulated, and the removal of the shoals was about to be commenced, when the solicitor of the Woods and Forests filed an information against the corporation, which had the effect of restraining them from executing their design. The ground alleged for this step was that by the prerogative right of the Crown the soil and bed of all rivers within the flux and reflux of the tide forms a part of the hereditary revenues of the Crown, and that when the state of the river justified its embankment the ground reclaimed from the river should be let or sold for the benefit of the sovereign, as part of the Crown estates.

The corporation, under the advice of most distinguished counsel unconnected with them, controverted this position, and they have taken such proceedings in resisting the claim of the Crown as counsel have from time to time advised, always professing their readiness to be bound by Act of Parliament to apply the revenue which might be derived from this source as they had previously done, not to corporate uses, but for the benefit of the river. The corporation have been in negotiation with the Government during almost the whole time the suit has been pending, for a settlement of all differences connected with the river in a manner that would be just to the Crown and the corporation, and at the same time beneficial to the public. These negotiations are still pending, and as ancillary to this object the corporation have each year placed themselves in a position before Parliament to enable them, in case the proposed arrangement with the Crown could be accomplished, to carry it into effect by means of a Bill.

Complaint has been made that the corporation, in conducting this case, have resisted, by all the means in their power, the proceedings of the Crown; to which we reply that we were advised by counsel (unconnected with the corporation) that the proceedings themselves were unusual, and ought to be resisted at every step. When any of the subjects of the Crown are in actual possession of property, they can be ousted only by some one who in a court of law can show a better right.

In ancient times the Crown claimed by its prerogative to be exempt from this rule of law, and asserted a right to the possession of a disputed property, unless the person in actual possession could prove his own title. To redress this grievance a remedial Act of Parliament was passed in the reign of James I.; and the Crown, by a writ of intrusion, ought now to seek to enforce its claims to property by the strength of its own title, and by means similar to those which a subject must adopt. The present suit is said to be an unconstitutional evasion of this Statute, by which the Crown seeks to oust the corporation of the soil of the river, of which they are in actual possession, by questioning their title instead of asserting its own. The corporation have repeatedly offered to the ministers and officers of the Crown that if they would proceed by writ of intrusion or otherwise in the common law courts, they would afford every facility for a cheap and speedy trial of the case. 2d. The corporation contend that their title to the tolls, offices, and dues which constitute the remaining portion of their income is alike unobjectionable; they are held by prescription; a recognised legal title of the highest order; but the Common Council, as representing the citizens, have expressed their willingness to concede such modifications and reductions of some of these dues as the interests of trade and commerce may require. The corporation, however, confidently believe that no violence will be done to the rights of property by interfering with any of these revenues, except with the full and free consent of the representatives of those to whom they lawfully belong.

The first of these revenues to which objection has been made is the charge upon the admissions of freedom.

This charge, which, until within the last twenty years, was 27*l.* 6*s.* 8*d.*, and produced some thousands a year, is now reduced to the ancient fee of 2*l.* 6*s.* 8*d.*, and yields now very little more than one tenth of its previous amount, and is obviously too small to deserve a single comment, except from the misrepresentations which have been made as to the proceedings taken within the last few years to compel persons to become free, not for the purpose of increasing the amount of the funds of the corporation, but to increase the number of the municipal constituency.

One of the witnesses stated that in 1845 he was elected a common councilman to enable him to correct abuses, and that an attempt was then being made by that body to compel wholesale dealers who acted as retailers to become free. If this had been the case it would have been a measure perfectly unobjectionable, provided the means were as fair as the object was just. But the witness further stated that the corporation had employed spies to lodge information against wholesale dealers who, not in the regular course of trade, but to oblige customers, might cut off a few yards from a single piece, or divide a dozen of stockings to accommodate a particular customer, and stated that the object of this proceeding was to get money. The facts connected with the freedom question are as follow:—In the year 1729, when, as will be hereafter explained, the corporation was under a different management from that which now prevails,

a redemption fine of 25*l.*, in addition to the ancient payment of 2*l.* 6*s.* 8*d.*, was imposed upon freedoms, some of which were sold to pay the debts of the corporation, and others were distributed amongst certain members and officers, who sold them for their own benefit. The practice of exacting this fine continued until within the last twenty years. Complaints having at length been made that the weight of the redemption fine and the charges of the livery companies upon admission to the freedom pressed heavily upon trade, and tended to reduce the municipal constituency, the common council before the appointment of the former Royal Commission, referred it to a committee, to consider whether it was expedient gradually and to what extent to reduce and ultimately to remit the fine upon the admission of all householders paying their scot and bearing their lot to the freedom of the City. 11th Jan. 1854.

The common council had it also in contemplation at the same time to admit non-freemen without the intervention of the livery companies.

The former Royal Commissioners were apprised of these contemplated alterations in the mode of admitting non freemen; and having investigated the subject themselves, they reported, "That the then existing method by which persons became free appeared "to them highly objectionable, and that the livery companies possessed no one feature "from which they could discover any advantage in compelling freemen to belong to them, "and that that part of the system was, in fact, no more than a troublesome and a capricious "method of taxing the inhabitants of London for the emolument of the companies." The Commissioners also objected to the acquisition of freedom by purchase, as being practically a tax upon the retail traders of the City, who were compelled to take up their freedom. The Commissioners, at the same time, stated, that if redemptioners were to be admitted to the freedom of the City without the livery of the company, they could not, without the alteration of the 11th George 1, be enabled to vote for corporate officers in the common hall elections.

Being thus justified in these contemplated changes by the opinion of the Royal Commissioners, the common council, in 1835, under the advice of their law officers, passed resolutions to admit householders, and persons carrying on business in the City, to the freedom, without the intervention of the livery companies, and then commenced a reduction of the redemption fine, by remitting ten pounds out of the twenty-five pounds imposed in 1729; and they have since proceeded in further reductions until that payment is extinct, and there remains now only a nominal fine of 2*l.* 6*s.* 8*d.*, together with official fees not yet abolished, amounting to 15*s.* 8*d.*, and the Government duty of 3*l.*, the principal portion of the fees with which the admission was formerly encumbered having been abolished, from time to time, as vested interests ceased.

While these reductions in the cost of freedom were being effected, the common council directed their serious attention to other alterations in their constitution, which had received the approval of the Commissioners; and in 1843 a committee had matured a proposal for repealing the City Election Act of the 11th George 1, and for extending the right of voting, both in wardmote and common hall elections, to the ratepayers within the City. It was also proposed to render the wards more equal in size and population. One of the main arguments for extending the franchise, was that, notwithstanding the reduction that had been made in the cost of freedoms, the number of freemen was still diminishing, and the merchants, bankers, and wholesale dealers still refused to become free, whereby colour was given to the popular complaint, that the corporators, both representatives and electors, were principally confined to the retail class; a body which, although large, respectable, and well qualified independently to exercise their various functions, were much less numerous than householders, who were governed by the same authority, and contributed to the same rate.

When the report of the committee was brought before the common council, recommending an application to Parliament to effect these objects, it was violently opposed by the livery companies. This opposition, might, however, have proved fruitless, had it not been for an opinion then expressed, that under the customs and byelaws of the City merchants, bankers, and all other persons occupying premises within the City were liable to the penalty of 5*l.*, imposed by the byelaw, as occupiers, without reference to any trade they might or might not carry on therein. From a mixed motive, partly from an apprehension of opposition in Parliament from the livery companies, and from a desire to effect their object by their own powers, the common council referred it to a committee, to endeavour to enforce the law against merchants and wholesale dealers, in the manner that had been suggested.

For this purpose, actions were threatened or commenced against twenty persons, including in the list Foreign and English merchants and wholesale dealers, not as wholesale dealers occasionally retailing goods (in the manner suggested by the witness before referred to), but as merchants and wholesale dealers acting in that capacity alone. The defendants contributed funds for a joint defence, and for the purpose of trying the case in an amicable manner, as an abstract question of law. The twenty actions were consolidated in one, and by the directions of the committee that action was tried upon admissions agreed upon by the counsel on both sides, so that the possibility of raising the fact of retail dealing might be excluded; and it was arranged that, whatever might be the ruling of the judge, either party should be at liberty to put the matter at issue on the record, to be tried before a superior court.

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The cause was tried upon the admissions in the Lord Mayor's Court, before the then Recorder, who was of opinion that the action could not be sustained. A bill of exceptions to his ruling was prepared, but the committee and the common council determined not to carry the case further. It is to be regretted that a witness in a matter with which he represents he was personally connected should have permitted himself to charge his colleagues with having employed spies to entrap the unwary, with the object of obtaining money, when he might have known the contrary. The action was against Mr. Sturt (not against Messrs. Ward and Company). It was commenced and carried on in a spirit of frankness and fairness on all sides, without the slightest reference to pecuniary objects, solely to determine the question, whether the franchise of the City was to be confined to retail dealers, or whether the obligation of citizenship could be enforced upon the merchant and wholesale dealer.

After the decision in the Sturt's action had been pronounced, the common council determined to apply to Parliament to accomplish some of the objects recommended by the Commissioners; but being unwilling to provoke the opposition of the livery companies, they obtained, in 1849, a partial measure, which was impaired in its efficiency by alterations forced upon the promoters in its progress through Parliament; and in 1852 they introduced a Bill to extend the elective franchise to the rate-payers, and to admit them to the right of voting in common halls. This measure met with a strenuous opposition from the livery companies, and it was finally rejected at their instance. If it had not been for the City Election Act (the 11th Geo. 1.), an ancient prescriptive power (confirmed by Charter and Act of Parliament) to amend any of the old usages that from the change of times and circumstances might need amendment would have enabled the corporation themselves to have made the requisite alteration in the election law; but Parliament having refused to amend the law, and being unable themselves to legislate against the express provisions of an Act of Parliament, the common council determined to make another effect to induce or compel retail dealers to become free. For this purpose they referred it to a committee, to cause all persons returned by the ward inquests, except merchants, bankers, or wholesale dealers, to be summoned before the Chamberlain, and against thirty of them actions were brought for the penalties.

In these cases, with few exceptions, the parties took up their freedom. It has been represented by some of the witnesses that these proceedings were enforced with unnecessary harshness and severity. If this were done, it was without the sanction of the common council or the committee. The officers who conducted the proceedings will be tendered for examination. They have reported that the fact was the reverse; for that when the parties consented to obey the law, the costs (trifling as they were) were remitted in all cases except one, where a wealthy firm carried on a very large wholesale trade; but being in the constant habit of supplying customers by retail, it was not thought right to remit the costs in that case.

There is no pretext for saying that the corporation instituted those proceedings either for the purposes of oppression or extortion. By relinquishing the redemption fine of 25*l.*, which their predecessors have received for upwards of a century, it must be obvious that the present corporation cannot have been influenced by any such motives as those which have been imputed to them. The common council have suspended all further proceedings, but in doing so they feel that the constituency, already too limited, will be further reduced, unless Parliament will assist the corporation in applying a sufficient remedy for this acknowledged evil.

The next source of revenue enjoyed by the corporation, is a toll upon coals, yielding about 70,000*l.* per annum.

The coal duties consist of an ancient duty, subsequently confirmed by Parliament, at 4*d.* per ton, to the corporation of London, 8*d.* per ton applied to metropolitan improvements not within the City of London, and 1*d* per ton granted for the establishment of the coal market, but now applied to metropolitan improvements not within the City of London; making, together, the sum of 1*s.* 1*d.* per ton.

The duty of 4*d.* per ton has been for some years past, and is now, applied by the corporation of London to improvements within the City of London. The new Cannon Street has lately been made out of that duty, at an expense of upwards of 500,000*l.*

The duty of 8*d.* per ton is applied in payment of the principal and interest of sums raised by the Commissioners of Her Majesty's Woods, &c. for public improvements in the metropolis, not within the City of London. The New Oxford Street and other important improvements have been executed out of that duty and in aid of the same object; the corporation of London pay 11,500*l.* per annum and other sums towards this fund, for improvements out of the City of London.

The duty of 1*d.* per ton was granted to establish a coal market, with a provision that when a sufficient sum was accumulated to defray the expenses of the Coal Market the duty was to cease. In the year 1845 the corporation of London relinquished this duty, in order that the public might have the benefit; but the Government of that day immediately appropriated the duty to metropolitan improvements, under the direction of Her Majesty's Commissiomers of Woods, &c.

If public improvements are to be effected, it appears difficult to devise means by which the amount required can be raised in a manner so little injurious to the public, and falling so equally upon the persons for whose use the improvements are required.

The avenues of the City of London are sufficient for the inhabitants of the City of London, and the necessity for their improvement and enlargement arises from the immense concourse of people who daily frequent the City from miles around it. What, therefore, can be more equitable than that the persons residing within twenty miles round the metropolis should contribute to the improvements required for their comfort and convenience? 11th Jan. 1854.

With respect to the alleged extension of the area of taxation by the Act 14th and 15th Vict. chap. 146., the opinion of the law officers of the Crown is conclusive, that the area of taxation was not extended by that Act.

The next source of revenue is derived from the metage of corn, which amounts to about 10,000*l.* a year, subject to the cost of collection and management.

The corporation are entitled by prescription to the metage of all measureable articles brought into the port of London. This right has been constantly exercised, and was confirmed by Charter, in the reign of James the First. For the convenience of trade, in very ancient times, the measuring and delivery of corn was effected by the corporation meters and the ancient fellowship of porters acting together. In the year 1835 complaint was made to the corporation, by the fellowship of porters, that Messrs. Combe and Co. were in the habit of bringing malt into the port of London, and delivering it at the Savoy Wharf, without employing the meters or porters. At the request of the porters, the corporation allowed the fellowship to use their name, as joint plaintiffs in the suit, to enforce the claim for porterage. In the progress of this suit the City's claim for metage became involved, and the proceeding has since been carried on for the purpose of enforcing the claim to both metage and porterage. The corporation have for several years been impressed with the opinion that the time was approaching when the interests of the com merce of the port would require a considerable modification of the ancient customs of London, as far as both metage and porterage were concerned. With a view to the accomplishment of these objects, with as little detriment as possible to the interests of individuals, an Act of Common Council was passed regulating the admission of porters, which would have the effect, in the course of years, of enabling the common council to accomplish the proposed modifications of the existing customs, which would, it was hoped, lead to an amicable arrangement of the suit with Messrs. Combe and Co.

During the last eighteen months an investigation has been proceeding which has had for its object the removal of all disputed questions as regards both porters and meters; and there is good reason for believing that it will result in an arrangement satisfactory to the merchants, the corporation, and the fellowship. So soon as the proposed arrangement shall be placed in a more definite form, it will be submitted to the common council, in order that, if approved, it may be placed before Parliament in the shape of a Bill, as the law officers of the Crown have expressed an opinion that, however desirable such arrangements may be, they cannot be legally effected without the authority of an Act.

Thirdly. We proceed to answer the third charge, that the expenditure of the corporation is excessive in amount, and useless in its object.

1st. To support this statement it is said that the costs of the mayoralty are excessive, and that the inauguration banquet, and its attendant pageantry, are expensive, useless, and absurd.

To this we reply, that the allowance to the Lord Mayor to maintain the state and hospitality of his office (including the proportion of the banquet and pageantry) does not exceed a sum between 8,000*l.* and 9,000*l.* per annum. The casual sources of income, such as the fines for the admission of Jew brokers, grants of freedoms, &c.,—referred to by some of the witnesses,—which were formerly perquisites of office, have been for some years abolished, or commuted for money payments included in this sum.

We contend that the inauguration banquet is not profuse either in its character or cost; and that it is conducted as becomes a State banquet given to the Ministers of the Crown, the representatives of Foreign Powers, the elite of the learned professions, and the great commercial and monetary establishments of the City, by the corporation of the first City of the first country in the world. There are about 1,100 guests entertained; the expense, defrayed by the Lord Mayor and the sheriffs in equal moieties, amounts together to about 2,200*l.*, out of which sum the cost of the pageant and procession by land and by water does not on an average exceed 200*l.* Besides this sum, the corporation defray the costs of lighting and fitting up the hall.

We likewise contend that the pageant, being in continuation of an ancient custom, ought not to be abolished, without stronger reasons than have been yet assigned for its abolition. Previous to the last 9th of November, the Lord Mayor took the opinion of the bankers in Lombard Street, of the brokers in Mincing Lane, and of the market traders in Thames Street. They did not feel that it would occasion any such inconvenience to their pursuits as would render it improper for the procession to pass along those streets on its progress through his Lordship's ward. A difference of opinion upon this subject, however, exists; by many it is contended that, in this age of competition, the humbler classes of the people have but little respite from their labours; some hundreds of thousands of both sexes and all ages amuse the passing hour by gazing on this spectacle as a memorial of ancient times, which costs them nothing, and adds so trifling a charge to the other expenses of the day. A further justification of the corporation in incurring the charges of the banquet may be found in the fact that various sums have in past ages been

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given by citizens to the general fund to perpetuate festivities on state days. In the time of our Saxon ancestors, out of the funds raised by the guilds of the City, a portion was to be applied to festive purposes.

In answer, also, to the assertion of two or three of the witnesses, that the cost of the mayoralty is 25,000*l.* per annum, it should be stated that this is founded upon a report made by a committee in 1834. On this subject the attention of the Commissioners is invited to the proceedings of the common council, in which court, 1836, this report was examined and disallowed.

2d. As further evidence of the extravagant expenditure of the corporation, it is said that the allowances to committees are excessive in amount and mischievous in their application. The costs and efficiency of this department of corporation business, which is conducted by the committees, were inquired into by the former Royal Commissioners; and they have thus reported of the common council and its committees:—"Whatever "opinions may be entertained respecting the constitution of this body, the manner in "which its duties have been exercised seems to have given satisfaction, with very few "exceptions, to its constituents, and, as it appears to us, justly so. The system of commit-"tees, in particular, seems to operate very successfully, and to combine in a remarkable "degree the requisites of power and liability to control."

At the date of that former inquiry, the four standing committees received certain allowances in cash, called line money, which was distributable rateably, at the close of the year, among the members who had been present at the time their names were called over. Besides these sums, they had certain stipulated allowances to be expended in dinners, or other refreshments, for members. We present, in a tabular form, the allowances to the committees at the date of that inquiry, as well as those of the present time. We have likewise set out the average amount of the allowances at the commencement of the present century, when the influence of the merchants and bankers was felt in the administration of the affairs of the corporation. We have also set forth the amount of the revenue, under the management of the committees, as nearly as we have been able to ascertain it, and the average number of meetings of the committees in the course of the year:—

	Average of seven years.		
	1802.	1832.	1852.
City Lands Committee	£	£	£
Allowance - - -	200	200	
Expenses - - -	1000	500	400
Bridge House Committee.			
Allowance - - -	300	200	
Expenses - - -	900	300	300
Navigation Committee.			
Allowance - - -	300		
Expenses - - -	600	500	300
General Purposes Committee.			
Allowance - - -	200	200	
Expenses - - -	500	300	200
Average Amount of Revenue -	80,000	140,000	210,000

It will be observed that at the present time the line money, formerly allowed to the principal committees, is no longer paid to them; that allowances were abolished, and the other payments were regulated by an order of the Court of Common Council in the year 1836. The Commissioners in their report questioned the propriety of such a payment (amounting as they say to only 3*s.* 9¾*d.* for each attendance), as it might be said to place common councilmen in the invidious position of managers of business paid out of funds under their own control. A great difference of opinion prevails on this subject. Some persons think that, like the directors of the Bank of England, joint stock banks, dock companies, insurance offices, and other public establishments, it would be better to pay the committee men for their attendances in money, leaving it to be expended in refreshments or in any other mode that might suit their own convenience; but, in accordance with the judgment of the majority of the members, the line money was discontinued, and the allowances for tavern expenses were moderated, but retained.

Although the vast augmentation in the revenue and expenditure of the corporation has rendered the creation of additional committees necessary for the convenient division of labour, and although the number of meetings has been proportionately increased, yet the aggregate amount of the allowances to all the committees in the present day is less than it was at either of the former periods embraced in these returns.

3d. The salaries of the officers of the corporation are stated by some of the witnesses to be excessive.

The remarks we have just made as to the committees may be likewise applied to the officers. The Commissioners thus express themselves with respect to them:—"It is a common practice with the common council when, offices of any importance become vacant, to refer to a committee the business of examining into the duties of the office,

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and reporting whether they should be charged,—whether the office itself should be abolished, or consolidated with any other,—whether the salary should be altered,—and questions of a similar kind. The reports which have resulted from these inquiries furnish most valuable accounts of all relating to the office, and many most important reforms have been effected from time to time, with a very scrupulous regard to existing interests. We believe that the history of no other corporation furnishes such honourable testimonials of the vigilance, good sense, and justice of its legislative body.

In the time of our predecessors in the last century, the corporate offices have been bartered and sold, some with and some without the power of alienation, and with the right of remuneration from fees and emoluments which were undefined; it is impossible therefore to state with any precision what the amount of their emoluments may have been; but the Commissioners thus report of the offices as they existed in 1832:—

"With respect to the salaries in general, we have to observe that they are undoubtedly "framed on a very liberal scale; but we are of opinion that the question of their amount "is one which may safely be left to a civic legislature fairly chosen."

The practice of the corporation described above has, since the date of the report, been constantly observed. They state to us that their labours, cares, and responsibilities have been augmented as the amount of the revenue and expenditure of the corporation have increased; notwithstanding which, we believe that their net income is less than it was at the date of the Commissioners' report. We have no desire to screen those gentlemen, any more than ourselves, from the fullest inquiry upon this point, and we have directed them to submit themselves for examination upon this and every other matter upon which the Commissioners may think it right to inquire. Returns of the particulars and amounts of their salaries, made out by the officers, will be delivered to the Commissioners, from which they will be able to compare the amounts payable to them at the two periods.

Fourthly. Amongst the items of revenue and expenditure under the management of the common council to which exception has been taken, the City Police and the Sewers Commission are named, not on account of the manner in which their services are conducted, but principally because it was assumed that if amalgamated with corresponding establishments of the metropolis those functions would be more economically and more efficiently discharged. We will make a few observations upon each of these subjects.

Police.—It is well known that in ancient times the watch and ward in London and other ancient cities and towns were performed by the male inhabitants bearing their lot in return; their duties extending to the night only. Instead of rectifying the inconvenience of this system by an act of the governing body of the corporation, which might have been amended from time to time as experience called for alteration, an Act of Parliament was obtained (11th George II.) by which a nightly watch was established. Watchmen were to be appointed; their authority to act was limited to their respective wards, and their duties were confined to the nocturnal hours. The want of a day police, for which this Act made no provision, having been pressed upon the Court of Aldermen, they established, about twenty-five years ago, an effective day police, consisting, first, of sixty-eight, and afterwards of one hundred men, properly clothed and accoutred, to act over the entire City during the day only, under the Lord Mayor and Court of Aldermen. The cost of this corps of police amounted annually to about 7,000*l.*, and was maintained at the corporate charge. Some time afterwards another advance was made in the improvement of the system. Government had provided an adequate police force under commissioners, to act both by night and by day over the remainder of the metropolis, which up to that time had been entirely without any day police. A parliamentary committee investigated fully the whole matter, and a bill was brought in by the corporation, and passed, with the approbation of Parliament, to repeal the old Act establishing the nightly watch, and enabling the common council to form an efficient force for the protection of the City both by day and by night. Under this Act it is efficiently protected, having every portion covered. By subsequent Acts and additional regulations, the metropolitan police and the City police, the Aldermen of London, and the stipendiary magistrates of the home counties, have interchangeably the power of acting and executing warrants within the several jurisdictions as often as the public service may require. There are peculiarities in respect to the City force that distinguish it from the metropolitan police. The men are picked men, both as to age and height; and they are all required to reside within the City, so as to ensure prompt and vigorous united action in cases of emergency, in consequence of which both officers and men are allowed a higher rate of wages. The force is likewise required to be more numerous in proportion to the area and population of the City than in any other part of the metropolis; it is necessary that the ground should be more closely covered, both by night and by day; the vast number of vehicles that pass and repass through the streets of the City daily,—the multitudes of persons who continually have to resort to the Bank, where 24,000,000*l.* of dividends are annually paid, the Post Office, the Custom House, the Royal Exchange, the Stock Exchange, the insurance offices, banking houses, and other commercial and monetary establishments, many of them with property of great value about their persons,—require the daily service of a greater number of able, active, vigilant, and trustworthy men than any other part of the metropolis,

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where these circumstances do not concur; and by night a much larger force than under ordinary circumstances is required, because, although there are in the banks, counting-houses, warehouses, and shops in the City cash securities and goods of immense value, these establishments are almost deserted during the hours of night, leaving the property to the protection of the police. To secure this additional number of men of a superior order, under the control of their own officers, the corporation contribute out of their funds one fourth of the annual cost of the entire body. The Government likewise pay one fourth of the cost of the metropolitan police, in return for which they have a right to employ the men for special Governmental purposes, not only within the metropolis, but also to send them, as they have often done, to any part of the country where their services are required. We respectfully urge, in answer to the charges that have been made against us on this head, that the general interests of the metropolis cannot in any degree suffer from the independent exertion of two co-operative forces, acting as they do in harmony with each other for all purposes where co-operation is required, and acting separately only in the instances where special circumstances require a special treatment.

Sewers.—The objection to an independent commission for the lighting, paving, and sewerage of the City is founded upon the same arguments, and is to be met by the same reply. The affair of both the sewers and the police are superintended by members of the common council, selected by the inhabitants of each locality, whose wants and wishes are known and attended to by their representatives, with a diligence and intelligence that it would be impossible to impart to a central body acting for the entire metropolis, covering eighty square miles of territory, and representing two millions of inhabitants. Upon the score of united action with the Metropolitan Commissioners of Sewers in all matters where union is required, there can be no pretext for destroying this ancient and useful commission in the City, or for merging it in the larger and already over-burdened body which has charge of the rest of the metropolis, for under the Act of Parliament the common council appoint four representatives to act as members of the metropolitan board in all cases where combined action is required; and it has been proved by the experience of several years that the members of the united body can act in harmony with each other for the benefit of the whole community, while both sections have special regard for the interests they respectively represent.

It should not be forgotten that both before and since the formation of the Metropolitan Board and the Central Board of Health, the City commissioners and their officers have been diligently engaged in carrying into execution extensive measures for the organic improvement of the sewers, and for the sanatory improvement of the City. During the last few years the Commissioners have constructed many miles of sewers, necessarily at a very great expense, having to form them under the crowded thoroughfares within their jurisdiction. These sewers, having been substantially constructed, will last for many years, and the rates on the citizens will be reduced. If the change proposed by some of the witnesses were to be carried out, the citizens may be assessed to defray in other localities the cost of works which they have already provided in their own. The attention of the Commissioners is respectfully invited to the report of Mr. Walker, Sir William Cubit, and Mr. Brunel, which was made in 1848, and will be laid before them.

Since the period of that report, further and extensive works have been executed on the principle approved by those eminent engineers, till at last the sewerage of the City is all but completed, and the reduction of the rates has already commenced.

Fifthly. It is said that the accounts of the Corporation are intentionally kept in an unintelligible form.

We deny both the asserted fact and the motive imputed. The Chamberlain keeps the requisite set of books for the conduct of the business of his office, in which the general transactions of all the various funds in his department are daily posted and balanced. He keeps, in addition, a separate set of books for each of the distinct accounts or trusts in respect of which he is treasurer, the entries of which are regularly balanced with the general cash books. This separation of funds (without which inextricable confusion would result) is provided for, at the same time that an efficient check is furnished by the re-duplication of entries. These accounts are again arranged, for audit, according to the system known as "charge and discharge," which has been in operation more than a century. This system affords proof of accuracy, and has called forth expressions of satisfaction from all who have made themselves acquainted with its working. That it is quite misunderstood by those who have given evidence upon it before this Commission will be made apparent.

Abstracts of all the accounts of funds arising from public monies under the control of the corporation are laid annually before Parliament.

Upon this head it will probably be sufficient to add, that, apart from all theory, the efficiency of the system, as now established, will be best proved by its practical working, which has afforded perfect security for the various funds committed by the corporation to the charge of the Chamberlain.

The statements made to the effect that the audit is conducted apart from the check afforded by the comptroller's charge,—that vouchers are not produced,—and that the audit is performed by the officers, and not by the auditors, are quite contrary to fact. Without asserting that the corporation arrangements in these respects are perfect, and admitting, that from time to time all well-considered improvements should be introduced, we yet feel confident that this branch of the corporate administration will not be found unworthy of

comparison with that of other public departments, municipal or even imperial, and is undeserving of the censure bestowed upon it by the parties alike unacquainted with the system and its details. 11th Jan. 1854.

Sixthly. It is said that the Lord Mayor, aldermen, and common council, during the present century, have been and are shopkeepers; that they are greatly inferior to the corporators of former times, in rank, respectability, intelligence, and public spirit; that they are unfit for their positions, and have been regarded with disrespect by the citizens.

Statements to this effect have been made by many of those who had been examined. One witness condescends to refer to vulgar caricatures; and others indulge in coarse and disparaging language, and in terms more or less offensive. One witness alleges that a slur is cast upon us by the higher classes of the commercial community, and insinuations abound throughout the evidence that the corporation have fallen into disrepute because the aldermen and common councilmen, unlike the great corporators of former times, are now taken from the retail shopkeepers of an inferior grade. As far as the Commissioners are concerned, it would seem almost unnecessary to notice such aspersions, for the witness making them can hardly have hoped to bias the judicial mind of the Commissioners by such statements; but as they have been circulated through the public press, as assertions made upon oath, some of them by men of character and station, it becomes our duty to reply to them, lest they should be considered unanswerable, if left without refutation or comment.

One of this class of witnesses says, that the corporation impede all public improvements, and are guilty of jobbing and mismanagement; and he attempts to support this statement by adducing the following instances:—

1st. He says that the corporation jobbed away the control of the New River, in consequence of which the citizens are surcharged for water to ten times the amount they ought to pay. The corporation relinquished all concern with the New River two centuries ago.

2d. That the corporation, by collusion with the Government, jobbed away the Gresham House and grounds, on lease in perpetuity, for 500*l.* a year, by which the public lost 108,000*l.* a year, the sum for which the lease has recently sold. This transaction, be its character what it may, took place in 1769.

3d. He says, that the corporation refused to make docks from London Bridge to Blackwall, in consequence of which the merchants abandoned the corporation, and established the London Docks. This however was in 1799.

Another witness, though he employs less offensive language speaks with equal disrespect of the corporation, as being now composed of persons of an inferior class. He fixes the same period as the former witness as the date of the downfall of the body in commercial respectability. Although this gentleman professes to speak as from his own personal knowledge and observation, he totally mistakes facts, which, if correctly stated, would entirely negative the inference he draws from them.

The witness represents that his friend, the late Mr. Robert Williams the banker, of Birchin Lane, threw up his gown, and that a partner in Glyn's house did the same, and from that time there seemed to be a sort of slur cast upon the position of alderman.

How far Mr. Robert Williams, the gentleman referred to, meant to cast any such slur upon the position, or the colleagues he left behind him, may be judged of by the following letter addressed to them on his retirement.

To the Right Honourable the Lord Mayor and Court of Aldermen.

My Lord and Gentlemen,

As I find myself quite unable, through the multiplicity of business in which I am engaged, to give that time and attention to the duties of a magistrate which I think such an office requires, and knowing how important it is that they should not be neglected, I think it both for the interest and credit of your respectable Court and my fellow-citizens in general, that by retiring from my present situation I should give an opportunity to so respectable a part of the City to elect some person better qualified to represent it in the magistracy. On these grounds, I will request your Lordship and the Court to accept the resignation of my gown.

In thus retiring from a situation which I shall ever consider as the most honourable a citizen of London can be placed in, I beg to add that I do so with sentiments of the deepest gratitude and respect for the Court of Aldermen collectively, and to almost every individual of it, for such marks of cordiality and friendship as I have received, and which I never can forget.

I have the honour to be,
My Lord and Gentlemen,
Your most obedient and faithful servant,
Bedford Square, 25th May 1801. ROBERT WILLIAMS junior.

When the late Mr. Robert Williams retired from the corporation, he left behind him Sir William Curtis, Sir John Perring, and Sir Charles Price, all of them baronets, and bankers of London, who remained members of the Courts till the day of their respective deaths, and also Sir Richard Carr Glyn, the head of his eminent house, who remained for more than a quarter of a century till he retired full of honours and of years.

We deny that there is any foundation for the assertion so often made, in terms more or less disrespectful, that the Corporators as a body are inferior to the corporators of former

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times, in the qualities essential to fill with honour and usefulness the position they occupy.

Several witnesses, who in their evidence appeared anxious to separate themselves from their fellow-citizens, by fanciful distinctions of classes, speak of themselves as merchants and gentlemen commercially connected with the city, while they describe the corporators by the title of "retail dealers of an inferior class." We deny the existence of such class distinctions in the various walks of commerce and trade as has been assumed. It is true you may define the characteristics which in the earlier history of commerce, distinguished the merchant, the manufacturer, the wholesale and retail trader, from each other; but we say that commercial operations are now so intermixed that it would be difficult to distinguish the various classes referred to, and there are probably few of the members of either Court who are engaged exclusively in retail trade.

Of the existing Court of Aldermen, eleven have graduated to their present position through the common council.

The personal honour and respectability of the aldermen, and the perfect honesty and independence with which they have discharged the duties of their office, have not been impugned by any witness; on the contrary, they have been made the subjects of praise by some of the witnesses who upon principle would prefer stipendiaries.

We believe that there exists amongst the citizens of London a very strong prepossession in favour of the retention of aldermen as magistrates, instead of having justice administered in the City by stipendiaries; and, in our opinion, there exist well-founded reasons for this prepossession. Almost all the aldermen are or have been engaged in the pursuit of commerce and trade within the City, and have been accustomed to judicial inquiries, by occupying the post successively of petty, special, and grand jurymen for many years. In the great majority of cases that come before the aldermen the matters to be investigated are questions of fact, on which their commerce with the world, and their knowledge acquired as jurymen, prove of the greatest value; and the relative proportions of acquittals and convictions, which their commitments to the Central Criminal Court manifest, prove that the judgment exercised by them is, at least, as frequently justified by the result of the trial as in cases of other commitments to the same tribunal. No witness has questioned the high character and professional ability of the clerks in attendance upon the Lord Mayor and the aldermen in the justice rooms. To them is committed the exclusive duty of adjusting the forms of the proceedings, to meet the cases brought before the aldermen; and they are men of legal education and attainment, which qualify them to assist the aldermen with their judgment and advice in cases where questions of a purely technical character arise, upon which it may be supposed that aldermen, like all other magistrates, not of the legal profession, are not so familiar.

We consider that all questions as to the manner in which justice is practically administered by the Lord Mayor and aldermen are more fitly the subjects of evidence than statement. We therefore propose to place before the Commissioners, for examination, the clerks and other witnesses who can furnish facts upon which the Commissioner's judgment may be more safely formed. The objection raised in the evidence against the aldermen is, that they are not of the same rank and standing in the commercial world as some of the aldermen in former times. We assert that it would be difficult to find in the House of Commons, or in any other large body in the kingdom, the same number of men, who could be taken alphabetically or by lot from the entire mass, who could produce so many evidences as these gentlemen do that they enjoy a large share of public confidence, expressed in so many different ways. Besides being all elected by the inhabitants of their wards, out of the twenty-six, eight of them are or have been members of the House of Commons, five of them for large metropolitan constituencies; fifteen of the aldermen, as well as several members of the common council, are county magistrates, some of them for two or three counties; one of the aldermen is, and has been for many years, a bank director, and chairman of the society of merchants trading to the continent; one of them is the chairman of the committee of joint stock banks of London. Two of them are directors of the London and Westminster Bank, two of them are directors of the London Joint Stock Bank, and two of them of the Union Bank, and most of them, who have leisure and inclination, like many of the common council, are directors of insurance companies, gas companies, canal and water companies connected with the metropolis. It is hardly necessary to observe, that men are chosen for these offices of trust by their brother shareholders, who have the strongest motives to select persons of character and station, of respectability and probity, of business aptitude and business habits, to be the most faithful guardians of their money and their vital interests.

There are occasions when men are compelled to assert their true position. In the present case, therefore, we deem it a duty, not only to ourselves, but to the citizens who have elected us, and to the important interests they have committed to our charge, to pursue this part of the subject still further than we have hitherto done. The witnesses against the corporation have not only failed to establish, but they have almost abstained from making, any tangible charge against our conduct as corporators, as if they hoped, by casting imputations upon our respectability, and by instituting invidious comparisons with former times, to justify their attacks upon the corporation itself. We, who are not conscious of any corruption in our administration, are not surprised at this course having

been taken. It will be remembered that amongst the parties examined there are some witnesses who have had the means and opportunity of knowing all that we know, and have, in their evidence, shown no disposition to screen or withhold anything that could injure the character of the corporation or its individual members. We therefore feel ourselves justified in concluding that it is principally by a fallacious comparison of the present and past generation of corporators that it is hoped by them to succeed in this object.

It is almost as difficult to find a dividing line to separate two generations as it is to make the separation of commercial classes. But as two of the principal witnesses to this part of the case have fixed upon the end of the last and the commencement of the present century as the point on which the respectability of the corporation was said to turn, we will adopt that as the bounding line between the two periods, and we will examine the condition of the corporation in the 18th and 19th centuries.

In the 18th century, the aldermen obtained an Act of Parliament (the 11th Geo. I.,) by which they contracted the municipal constituency, and, giving out of their own hands the power to regulate their own proceedings, they encumbered their elections with a mass of expenses and dilatory forms which are and have been the admitted obstruction to the many beneficial alterations which might otherwise have been made in our corporate constitution. In the 19th century the aldermen have joined with the common councilmen in seeking to repeal this Act, and to place the constituency and the forms of election upon an extended and solid foundation. In the 18th century, four years after the passing of the Act, the corporation raised the redemption fine for freedoms to 25*l.*, besides the charge of the livery companies, and numerous fees to officers, thus imposing an additional pecuniary impediment to the exercise of elective rights. In the 19th century the corporation remitted the 25*l.*, abolished most of the fees, and passed a resolution admitting householders and persons carrying on trade in the City without the intervention of the livery companies. In the 18th century, non-freemen were constantly harassed and sued by common informers, who put the old Acts of common council in force for their own private gain. In the 19th century the common council put an end to the trade of the common informers by passing an Act of common council interdicting such proceedings. In the 18th century almost all the officers of the corporation were remunerated by fees, and the offices were sold or disposed of, both in possession and reversion. Offices judicial and administrative were disposed of in this manner, although the produce of the sale rarely found its way into the corporation chest. In the 19th century, as offices have become vacant, the fees have been diminished or abolished; not only has the sale of offices been discontinued, but the corporation has, as occasion served, bought up the right of alienation wherever it existed. In the 18th century the corporation likewise sold and leased, or authorized the Lord Mayor and the sheriffs to sell or lease, at fines and at nominal rents, the profits of the markets of the City, as well as the profits of certain coal, corn, and other meters' places. In the 19th century no such sale can take place. By payment of large sums of money, and by granting equivalent annuities, and post obit compensations, which have now been almost all discharged, the corporation have bought up the revenues thus wasted in former times.

In the 18th century, in consequence of the system of administration then prevailing, the corporation became in a very embarrassed state.

During the 19th century, by increased attention to the business of the corporation, and by an improved management of its affairs, all its old debts have been paid off, the revenue has been lifted above its expenditure, and its credit has been so completely re-established, that when, for the purpose of effecting great public improvements, the corporation has had occasion to go into the market to borrow very large sums of money, its seal has commanded the required loans on the lowest and most advantageous terms.

During the 18th century members of both courts were eligible to corporate offices and employments in the gift of the corporation, and such offices and employments were held by them to a large amount.

In the 19th century none of these offices can be held by a member of either court; by standing orders of the common council every office is closed against every member, and every employment and every contract is closed against, not only every member, but his partners also. The self-denying regulations of the Court of Common Council in this respect have perhaps extended beyond those of any other popular assembly, for they render all its members ineligible for office, unless they have for three months before the election ceased to be members of the court. The sons of members of the court are likewise rendered ineligible for office by a recent resolution.

During the 18th century bankrupts and insolvents might remain corporators; the Court of Aldermen thence became a very mixed body; bankers and bankrupts remained seated together; the vicissitudes of commerce that swept the merchant from his place left the magistrate in his seat, and many men continued to retain office long after the power to discharge its duties has ceased.

In the 19th century this anomalous state of circumstances no longer exists; the Lord Mayor, Aldermen, and Commons obtained an Act of Parliament, by which not only were the seats of corporators vacated by bankruptcy and insolvency, but absence from duty for six months worked a forfeiture of office.

In the 18th century, and even at the commencement of the 19th century, the

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corporation, with an income of 80,000*l.* a year, remunerated their four standing committees with cash allowances to the annual amount of 1,100*l.*, and tavern expenses ad libitum, amounting, upon an average of seven years, to upwards of 4,000*l.* per annum. But in the 19th century (by a series of resolutions) the same four committees, administering a revenue of 210,000*l.* a year, discharge their duties without any money allowance, and with tavern bills restricted to 1,200*l.* a year among them all. In the 18th century the 25*l.* redemption fine for the admission of freemen was imposed and exacted; but two donations of 100*l.* each were all that was returned out of the corporate funds to their indigent widows.

In the 19th century the fine has been remitted; but for the last twenty years 500*l.* has been annually applied to this just and beneficent purpose. In the 18th century no assistance was rendered to public education in the City, and the corporation, resting satisfied with performing the liberal trusts of John Carpenter's will, gave a superior education, with board and clothing, to four youths, out of the revenues of an estate left for that purpose.

In the 19th century the corporation have interpreted the same will in a liberal as well as a literal sense; they still give board and education to four youths, and they have likewise expended 20,000*l.* in the erection of the City of London schools, and contribute out of their own funds 900*l.* a year to aid the education of the scholars.

In the 18th century the corporation made no provision for the education and maintenance of the orphans of freemen who had contributed to their fund.

In the 19th century the corporation has erected and endowed an orphan school, in which provision is made for boarding and educating orphans of freemen at the expense of the corporation.

The fines paid paid by persons for not serving the office of sheriff, and the ancient fine of 2*l.* 6*s.* 8*d.* for freemen's admission, are applied to this fund.

In the 18th century the corporation provided no almshouses for decayed freemen.

In the 19th century the corporation have contributed upwards of 4,000*l.* towards the erection of almshouses, and have endowed them for the benefit of poor decayed citizens.

If blame is due to the alienation of the house and ground left by Sir Thomas Gresham for the purpose of education, as stated by one of the witnesses, this took place in 1769, and that reproach lies on the 18th and not on the 19th century.

In the 19th century the present corporation have notwithstanding obtained favour with distinguished persons who have desired to find faithful guardians of funds destined to the purpose of education. Mr. Beaufoy generously invested 6,000*l.* for four exhibitions to the University for scholars at the City school, and constituted the corporation guardians of his bounty. Alderman Salomans, a member of the existing corporation, has followed this example; and when the proprietors of the *Times* determined that a large sum of money presented to them for a great service rendered to the commercial community should be applied in the endowment of a scholarship, they selected the City of London School, and appointed the Lord Mayor and Chamberlain of London trustees.

In the 18th century it appears to have been the policy of the corporation to avoid publicity in the conduct of its affairs; the Common Council frequently, and the Court of Aldermen and Commissioners of Sewers constantly, deliberated with closed doors; they did not publish accounts or minutes, and gave no facilities for the reporters of the public press.

In the 19th century a totally opposite policy prevails. The corporation publish their annual accounts, the minutes of their proceedings, and the reports of their committees. To insure a full attendance and a knowledge of the voting of each member, lists of the members present at the courts, and the names on divisions, are printed in the minutes. The Court of Aldermen, the Commissioners of Sewers, as well as the common council, hold their meetings in public; they give every encouragement in their power to promote the publication of their proceedings, and afford the most ample and convenient accommodation to the reporters of the public press.

We desire emphatically to say that by thus setting forth in comparison the acts of the corporation in former days, and the acts of the corporation at the present time, we are but conducting to its legitimate conclusion an argument forced upon us by those who have impugned not alone the acts of the corporation, but the character and position of its members in the present day, as compared or rather contrasted with the corporators of former times. We confess that it had never entered into our minds to institute such a comparison, until it was presented to us by the observations of the witnesses who have been examined.

We have no desire to cast censure upon the members of the corporation who lived in evil times. In those times officers of every grade, judges, ministers of state, the Church, and the Crown itself, were wont to sell their patronage, and to dispose of places in their gift, as well in possession as reversion.

Reviewing, however, all that has been alleged before this Commission against the corporation, and the absence of all imputation of moral turpitude or personal corruption against any of its present members, and impressed with the contrast above drawn between the administration of its affairs in the last and the present centuries, we hope and believe that much of the obloquy to which our body has been exposed is attributable

to the tradition of ancient abuses for which the present generation are not responsible, and to the errors of our predecessors, which it has been our constant endeavour to correct. 11th Jan. 1854.

Under this belief, and strong in conscious rectitude of purpose in the performance of our duties, the corporation has courted inquiries, and relies with confidence on the result. They believe it will relieve them from a load of undeserved and unjust reproach. Having nothing to conceal, and acknowledging the weighty trust reposed in them, the corporation and all its members appeal, from prejudice and uninformed abuse, to the impartiality and judicial wisdom of you the Commissioners of Her Most Gracious Majesty, and while they seek the means of improved and more effective action in extending the basis of popular confidence, on which alone their institutions can safely stand, they challenge the severest scrutiny, and contending for the maintenance of their just rights, they trust to truth for their vindication.

By order of the committee,

HENRY ALWORTH MEREWETHER, Town Clerk.

Guildhall, 10th January 1854.

BENJAMIN SCOTT, Esquire, having been sworn, was examined as follows: *B. Scott, Esq.*

4430. What has been the nature of your connexion with the corporation of the City of London?—I have been connected with the chamberlain's office for rather more than twenty-four years. I have been for twelve years past the chief clerk in the chamberlain's office.

4431. In that situation have you necessarily become well acquainted with the finances of the City of London?—Yes; I have had good opportunities of making myself acquainted with their finances.

4432. When there was a vacancy in the office of City chamberlain recently, you were one of the candidates, were not you?—I was.

4433. What are the duties of the chief clerk in the chamberlain's office?—The duties of the chief clerk are principally to attend committees of the corporation, and afford them information upon the state of their accounts, and generally to superintend the accounts in the chamber.

4434. He is a sort of deputy to the chamberlain, is he not?—He has not been considered in the light of a deputy to the chamberlain. I think the title of chief clerk expresses what the duties of the office have been; he is in commission with the chamberlain, as it were, to sign cheques and to hold keys, in order that there may be an efficient check upon the funds in the chamber.

4435. By whom is the chief clerk appointed?—By the chamberlain.

4436. What is his salary?—£850 a year.

4437. Is he removable by the chamberlain?—He is; but since the year 1842 the corporation have had the right of approval of the appointment; that is, the chamberlain could not appoint any one to the office without the previous sanction of the corporation.

4438. Is the sum of 850*l.* a year the entire emolument of the office?—That is the whole of the amount of the emolument paid by the chamberlain out of the proceeds of his office. The clerks in the office receive from various committees, from time to time, what are called gratuities for any extra diligence shown, and upon the audit of their accounts.

4439. When you say committees, do you mean committees of the common council?—Committees of the common council.

4440. Have committees of the common council the discretion of ordering payments to officers of the corporation for extra service?—Yes; I speak of small sums of that kind.

4441. What is about the average amount received by the chief clerk in the chamberlain's office, in addition to his regular salary?—The gratuities probably amount to 50*l.* a year.

4442. Is that the whole of his additional receipts?—That is the whole of the profit connected with the chief clerk's department.

4443. The office may be said to be paid by about 900*l.* a year?—Yes. I should explain that. I have held an appointment under the corporation independently of the chief clerkship of the chamberlain, which office is termed, "Clerk to prepare accounts for the auditors," for which I have received 100*l.* a year from the corporation.

4444. Is that office connected with the chamberlain's department?—It is in some respects connected with the chamberlain's department. The duties consist in arranging the chamberlain's accounts in the form of charge and discharge previously to the accounts being submitted to the auditors.

4445. That appears to be a business closely connected with the duties of the chamberlain's office?—It has been considered the chamberlain's duty to keep all the books which a treasurer would of necessity keep; that is, cash books, and ledgers, and journals, which are usually kept by book-keepers; but it was not considered by the corporation as part of the duty of the chamberlain to arrange their accounts in that particular form over again, after he had already made his entries according to the usual practice in the office.

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Therefore a party was appointed about the middle of the last century to arrange the accounts in that particular fashion.

4446. Do you mean in the form in which they are submitted to the auditors?—In the form in which they are submitted to the auditors. That was very convenient to the auditors, and afforded a proof of the correctness of the accounts, which could not so well be obtained from the ordinary mode of book-keeping. An independent officer in the corporation exists, who is called the comptroller. The comptroller's account was abstracted from his books into this account, which the clerk to the auditors makes out, so that it could be compared item by item with the chamberlain's accounts.

4447. What are the functions of the comptroller?—The comptroller is the conveyancing officer to the corporation, and has the custody of all their leases; therefore he is possessed of information as to the revenue which ought to be charged against the chamberlain, for him to account for. It is the duty of the comptroller to furnish this charge annually to the chamberlain; and it is the duty of the clerk for preparing the accounts for the auditors to bring the two accounts into juxtaposition, and so to arrange them that the one account may form a check upon the other account.

4448. It has been represented to the Commissioners that the City accounts are kept in a cumbrous and confused manner. Do you conceive that statement to be well founded?—I do not think there is any foundation whatever for the statement. It has been made by persons who have never made themselves acquainted with the accounts, and have taken no pains whatever to acquaint themselves with the accounts. Some of the witnesses who have so spoken could have had the amplest opportunities of access to every account in Guildhall, so as to have acquainted themselves with them, if they had thought fit. The corporation have taken great pains, at various periods, by referring the matter to committees, to arrange the accounts in a way most intelligible to themselves and to those who are interested in them. The last occasion of that kind it will be my duty to bring before the Commissioners. A committee was appointed in the year 1839, and they brought up a report on the 26th of September 1839, upon that subject. I refer to this case because it is under those orders to which I am now about to refer that the accounts are kept in their present form. That committee was appointed upon the motion of Mr. Anderton, an active and intelligent member of the Court of Common Council, and they sat from the middle of 1839 till 1841 before the matter was finally decided upon. On the 26th of September 1839 they presented their report to the Court of Common Council, recommending that a net account should be made out; that is, that there should be, first, an account in which the gross proceeds of the revenue of the corporation should be set forth, and that then the expenses should be deducted, showing only the net account. That system is adopted in Liverpool. This is the report which I will put in, recommending the net system of keeping the accounts. (*The report was delivered in.*) The accounts were printed in a form which was much objected to by the members of the corporation. The system of deducting the expenses on the receipt side of the account caused great confusion, and was strongly objected to when it was printed and placed in the hands of the members. That system was abandoned. The matter was referred back again to the committee; and on the 27th of February 1840 they brought up a second report, which I would also desire to put in, for the information of the Commissioners. (*The same was delivered in.*) That report was sent back again to the committee, that they might avail themselves of the advice of all those members of the corporation who had acted in the capacity of auditors of the accounts, either as auditors appointed by the livery, or as auditors appointed by the City lands committee. The next report brought up, as will be seen (*report, 17th December 1840, put in*), recommends the continuance of the system of charge and discharge, which had been introduced about a century before as the system of arranging the accounts, and which system I had always understood from my predecessor was recommended to the corporation by a committee consisting of twelve merchants of London, who were appointed, at the request of the corporation, to advise with them on the subject.

4,449. Do you mean twelve merchants, independent of the corporation?—Yes; twelve merchants, independent of the corporation, were requested to meet as a committee, to advise them as to the best system for the public accounts of the corporation.

4,450. Do you remember the date of that investigation?—I have understood from my father, who preceded me in the service of the corporation, that it was about the middle of the eighteenth century that the system was introduced upon such recommendation. On the 17th of December 1840 a further report was brought from this committee, which ultimately fixed the arrangement of the accounts as they now stand and are now printed. I put in this report because it contains the balance sheet, which agrees with the balance sheet in the printed accounts which are before the Commission. It is under that report that the accounts are arranged in the form in which they are now brought before you. On the 28th of January 1841 that report was agreed to by the Court of Common Council. Perhaps the Commissioners will now permit me to offer a few words in explanation of the evidence which has been given, alleging that the comptroller's charge and the chamberlain's discharge do not agree? I refer particularly to Mr. Acland's evidence, at page 62, No. 564, and also to the statement of figures put in by that witness at page 65 of the evidence. This is a point of some importance to have cleared up, because if there are discrepancies between the accounts of the two officers, as alleged to the extent of 9,000*l.*, it throws discredit upon the whole accounts of the corporation. Perhaps I may be permitted to read part of the evidence given by Mr. Acland?

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"There is another officer of the corporation called the comptroller, and at the close of "the account of the chamberlain you will find the account of the comptroller, in which he "debits the chamberlain for the receipts under the head of 'City income.' Now it occurred "to me that the comptroller's account debiting the chamberlain should be a check on the "chamberlain's account debiting himself. Of the thirteen items of which it is composed, I "find but one item that agrees in amount. The first item at page 1 is 'By general rents "within the City of London and liberties thereof.' The chamberlain debits himself with "43,415*l.* 7*s.* 5½*d.* At page 69 the comptroller debits the chamberlain for the same "item 44,455*l.* 11*s.* 1*d.*, being a difference which should leave the chamberlain debtor to "the corporation beyond his account stated 1,040*l.* 3*s.* 7½*d.*" Passing through other items, the answer concludes, "The office of the comptroller I need scarcely state is to check "the accounts between the chamberlain and the corporation of London, and there is only "one item in the account in which they agree. The total difference between the two "accounts is upwards of 9,000*l.*"

If the Commissioners will refer to page 65 they will see the figures put in by the witness, in which this statement is in substance repeated. Now to that I would reply, that the comptroller's charge and the chamberlain's statement of cash received, being two different things, it is not at all likely, in the nature of things, that they ever should agree; indeed if they should agree on any head it would afford an assumption rather that there had been collusion, and that the accounts were incorrect. The comptroller's charge is a statement made out, independently of the chamberlain, of the revenue which ought to be received in the chamber during the year.

4,451. It is an estimate, is not it?—I do not so regard it. I consider an estimate to convey the idea of an account loosely made out. The chamberlain's account is a statement of what he does actually receive in the course of the year, the difference between the two accounts being the arrear at the commencement of the former year and the arrears at the close, which are carried to the next year's account. Here are the books, which I would beg to lay before the Commissioners (*producing the same*). By reference to those books (*producing the comptroller's charge*) you will see the entry, "Henry Warburton, two houses, east side of James Street, let to William Matthews, commencement of lease, Christmas 1824, term 42 years, which expires in 1866, annual rent 89*l.*, and period charged for one year to Christmas 1852, 19*l.*" The same process is gone through with about 4,000 rents, and all the other revenue of the corporation. The chamberlain is charged with 19*l.* on that one item. If he receives that 19*l.* in the year, the charge and discharge would be the same. If Mr. Warburton pays anything in advance, the chamberlain's account would be in excess; if he fell into arrear it would be, say, a quarter in arrear; therefore it is impossible that the two accounts should agree. I would just notice, in addition, on this subject, that the chamberlain has thought it right to place among the accounts returned a sheet showing the charge and discharge upon every head of account for the year 1852; so that upon comparing the accounts you will see that every item which the witnesses have referred to is perfectly correct. It is now my duty to place before you the chamberlain's account for 1852. This account is made out similar to the comptroller's charge under each head, each tenant being posted separately. The account is kept in four columns. He, the chamberlain, brings forward against every tenant from the former audited account the arrears of the former year; he charges himself from the comptroller's books with the money to be received; he then acknowledges the receipt in the third column, and carries forward the arrears in the fourth column. Upon that system the first two columns must agree in every case with the last two columns; so that the whole revenue of the corporation is brought into charge and discharge in that way, and worked through, as far as the revenue is concerned. Then, as to expenditure, the sum which the chamberlain admits to have received is disbursed, and vouchers in every case are produced to justify the disbursement.

4,452. What is your warrant for a payment out of the City funds?—The different courts and committees have different powers accorded to them of drawing. The usual mode of drawing is by the signatures of seven members. All committees of the corporation draw their warrants upon the chamberlain, signed by seven members of the corporation. The Courts of Aldermen and Common Council draw by the town clerk, who signs, and is their officer.

4,453. At present, the Court of Aldermen and the Court of Common Council have both separately a power of drawing upon the City funds?—They have; but virtually the Court of Aldermen only draw under certain heads; that has been the practice for many years past. They are understood to have each of them unlimited powers of drawing upon the City's cash; but, in practice, the Court of Aldermen have limited themselves to drawing for the purposes of prisons and conservancy, and matters specially connected with their own court for the administration of justice in the City.

4,454. For pensions, for example; do not the Court of Aldermen possess, and have not they exercised, the power of drawing upon the City cash?—Pensions connected with their own court.

4,455. Is there any limit, either by law or practice, to the amount to which those pensions are granted by the Court of Aldermen?—No; there has been no limit, beyond what they have themselves imposed in making the drafts.

4,456. What, upon the average, is the ordinary annual amount of money drawn by the

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Court of Aldermen in that way?—It appears in the printed accounts which have been laid before you in full detail.

4,457. Is there an account of the pensions granted each year?—Yes; they are stated in full detail, with a star against the item if it is paid drawn by the Court of Aldermen. With respect to the audit, the witnesses have stated that the auditors do not perform the duty themselves, but it is devolved upon the officers. It is my duty to contradict that statement. The officers take no part whatever in the audit, except laying the books before the auditors, and furnishing them with the vouchers and books necessary for the verification of the accounts. The audit is performed by the auditors themselves, and they have for every payment a legal order laid before them.

4,458. How are the auditors chosen?—The auditors of the City and bridge-house accounts are chosen by the livery in common hall.

4,459. Do you think there would be any advantage in having a system of audit entirely unconnected with the corporation?—The system of appointing auditors in common hall has not always worked well. There have been very often differences of opinion between the common hall and the corporation as to what amount of power each body possessed. That is the question referred to by Mr. Williams in his evidence. In the year 1829 he was an auditor, in common with Mr. Henry Hunt, of political celebrity. They then claimed the power of controlling the expenditure of the corporation, as well as auditing the chamberlain's account. They had legal vouchers placed before them for every thing; but in some cases they demanded to exercise a control over the expenditure, and to constitute themselves judges of the price of the articles supplied. I recollect a circumstance, I being at that time in office, that a Mr. Barrett was one of the auditors, who had been a wholesale grocer, and seeing that the prisons were supplied with the article of pepper at a price higher than he thought he could supply it at wholesale, he raised the question, and demanded of the chamberlain that he should not pay any item of that kind without inspecting the bill. In point of fact he endeavoured to make the chamberlain answerable for the price of pepper contracted for by the Court of Aldermen.

4,460. Are you acquainted with the system of audit pursued in the Audit Office at Somerset House of the Government accounts?—The "Orphans' Fund," which was one of the largest accounts we have had in our office, was audited in that department till about the year 1834. I am of course acquainted with the system, so far as the Orphans' Fund is concerned.

4,461. They examine into the appropriation very strictly, do not they, and guard against any possible misapplication of the fund?—I believe a very strict audit took place under those commissioners. We had never, in my recollection, any serious question with them; but they were very particular.

4,462. Do you believe the system of auditing the City accounts as it now exists sufficiently guards against misappropriation?—I think it is just possible, if the officers of the chamber were not what I believe they have been for very many years past, persons of the highest integrity, that occasionally the livery do not send auditors who would be an efficient check.

4,463. Is not it right, in establishing a proper system of audit, without making any imputation upon any individuals, to guard as far as possible against all misappropriation of any kind on the part of the officers whose accounts are audited?—I think nothing can be more desirable. I do not think there is any thing the corporation would desire more than to have an efficient check upon all their accounts. They have taken the greatest pains themselves, as auditors, to investigate and test the accounts which come before them; and where the Acts of Parliament have left it optional with them either to have additional auditors or not, they have invariably availed themselves of the option. For instance, the Commissioners of Sewers under the Act of Parliament are at liberty to audit their own accounts, and to pass them. They have a clause which gives to the common council the option of appointing additional auditors. The Act says they may do so if they think fit. The corporation have invariably appointed those auditors, showing that they have every desire to submit everything to the proper test.

4,464. You have stated that in your opinion the present system of audit of the City accounts is not altogether satisfactory; you said you thought that more efficient persons might sometimes be appointed as auditors; do you think, independently of that, there is anything in the present system of audit which might be improved?—I think the principal objection is, that the auditors are appointed by a very numerous body. The office is so inconsiderable in point of value that it is not likely to be sought after, and therefore the power to return auditors is in the hands of persons who may not be interested in sending in all cases the best men.

4,465. Do you think one of the best professional accountants who could be found in London would be the proper auditor?—In some respects a professional accountant would form a good auditor; in some other respects a professional accountant would not form a good auditor. My experience of public accountants has been, that they have each of them some particular crochet as to the form of the account; they do not look, in my opinion, sufficiently into the question of whether an account is just and right, but whether it is in the particular shape in which they from their education has been accustomed to. That has been my experience.

4,466. Do you think a public accountant a bad judge of what is the clearest and most

intelligible form in which an account can be rendered?—I have always ound that a professional accountant has had his particular hobby, if I may so call it, as to the form of the account; and the effect of placing it in the hands of a public accountant, unless the office were made permanent, would be, that the whole system of keeping the books would be thrown out of shape every two or three years, to meet the views of the parties elected. It would be a great evil, in a large office, where public accounts are kept, that the order should be disturbed; it prevents the rendering of accounts, and causes great hindrance to business. I am not placed forward by the corporation with a view of suggesting alterations, or I should be able, perhaps, to speak more freely upon this as upon other subjects. The corporation will be prepared, doubtless, to make suggestions, at some future period of the proceedings of the Commission; but if I might express my own opinion upon the subject, I conceive that if the corporation were under such a board as the Commissioners for auditing Public Accounts it would remove from them a weight of suspicion which now attaches to them most unjustly. I have always found, with respect to the Orphans' Fund, all public bodies, committees of the House of Commons and others, were perfectly satisfied with the accounts as rendered to that board, and that a fair and just audit was obtained by that method. I merely give it as my own opinion, that if it were my own case I would rather submit myself to a public audit of that kind than be under the imputation that the accounts are not what they ought to be.

4,467. You think it would be a satisfaction to any body holding the office of chamberlain that his accounts should be examined by auditors perfectly independent of the corporation, and who were obviously competent to discharge those duties?—I think it would be very satisfactory to the chamberlain, and very satisfactory and beneficial to the corporation.

4,468. Is there any suggestion which you can make to us as to the manner in which you think it would be, upon the whole, most expedient to provide for the audit of the City accounts?—I think I have already given my own private opinion upon the subject, that some such public board as the Commissioners for auditing the Public Accounts should be fixed on, who would not be actuated by motives which might sway individuals, and would not be likely to change the system when it was once adopted. With respect to the accounts, it is my duty, as representing that department, to state, that on very many occasions they have been very highly spoken of by those who have taken great pains to look into them, and in proportion as they have been looked into so far has the testimony been favourable to the corporation and the management department. I might say, since I have held the office of clerk for preparing the accounts for the auditors, some of the most respectable men in the City of London in point of character and standing have been appointed auditors. The class of auditors has varied, as it would be likely to do, the appointment being made in common hall by a large body of men. I am informed that some of those gentlemen have transmitted to the Commissioners a statement of their satisfaction with the accounts; among them the accountant to the skinners' company, and to one of the fire and life offices. I am told that several other parties in the City of great respectability, observing that evidence had been given to the effect that the accounts had not been audited by the auditors as they should be, have transmitted to this Commission a statement of their satisfaction with the accounts. I may state that during the last twelve years the reports rendered by the auditors have contained a statement to the effect that they were highly satisfied with the system, as well as with the mode in which the accounts were laid before them. The whole of this subject was investigated at very great length by the Government and a committee of the House of Lords, in the year 1829. The corporation at that time were soliciting a bill which gave them a milllion of money to expend upon public improvements. The Duke of Wellington required that before so large a trust was imposed upon them they should produce their accounts, and submit them to examination. During several weeks the accounts of the corporation were produced and examined in a committee of the House of Lords. At the close of that period the Duke of Wellington, not only in the committee but in the House of Lords, expressed his high satisfaction at the mode in which they had been kept. I may perhaps be permitted to state, that immediately after that examination the Duke of Wellington, on two or three occasions, made an offer to my father, who was then in the position which I have lately held, to place him in any position in the Treasury he might wish to assume under the Government, being desirous that he should accept some appointment under the Government with reference to their accounts. I mention that fact because it is gratifying to myself, as his son, to mention the circumstance, and it shows that the accounts were not unworthy the notice of a most distinguished individual, who was quite competent to form an opinion upon these subjects.

4,469. You have recently relinquished your situation connected with the corporation, have not you?—I have. I also desire to read and put in an extract from the report of the select committee of the House of Commons on the Orphans' Fund on the 11th of June 1812, as bearing upon this subject. "The committee were nevertheless satisfied, from the "documents laid before them, that every judicious attention and every principle of economy "had been applied by the corporation of London that was consistent with the attainment "of the great public objects with the execution of which they were intrusted. They also "think it incumbent upon them to declare, that having had occasion to inspect the various "and complicated accounts which the management of so extensive a concern indispensibly

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"requires, and which were produced with a laudable readiness, it appears, after full investi-"gation, that all the details, both of the receipt and of the expenditure, are kept with an "accuracy and checked with a vigilance which reflects honour upon all who have any part "in the superintendence of this fund." If the Commissioners think proper, I will put in the reports which were made to the corporation by the committees who inquired into the statement which Mr. Williams referred to in 1829, that vouchers were refused, the fact being, that items of particulars were declined to be laid before the auditors in some instances, and the reasons are stated in the reports from the committees to the Court of Common Council in the years 1830 and 1834. Those reports, with the passages marked which bear upon the question, I wish to put in, the reason assigned being that the auditors were auditors of the accuracy of the chamberlain's accounts, and that, as elected by the livery, it would not be reasonable that they should be comptrollers of the corporation expenditure. The corporation being elected by the body of citizens, and the livery being only a portion of that body, it was not reasonable that four members elected by a portion of the body should be comptrollers of the accounts of 260 members elected by the citizens at large.

4,470. You considered that they were not judges of the propriety of the expenditure, but of the accuracy of the account?—Precisely so.

4,471. There is a certain sum of money put at the disposal of the consolidated committee. It has been stated to us that you are cognizant of the expenditure of that money, and can give us any information with regard to it which we may desire?—There is no specific sum placed at the disposal of the consolidated committee for any such purpose as has been mentioned. The circumstances are briefly these:—The corporation, some few years back, were dissatisfied with the reports of their proceedings which appeared in the public papers. The reason why their proceedings were not so fully reported as might be was twofold. In the first place, there is no local press in London, as there is in country towns, where there are corporations, and therefore local matters are not very fully reported in the London papers, which are published, as we all know, for the general information of the world. In the next place, such reports as were given were occasionally inaccurate. As one illustration of that I will mention to the Commissioners that at the time that great sanitary powers were intrusted to the corporation, about four years back, they had the appointment of an officer of health. They appointed Mr. Simon to that position, and they appropriated a salary of 500*l.* or 600*l.* a year for the execution of the duties of the office. From some accident, one of the noughts was dropped in the report by the newspaper press, and the next morning it appeared in the paper that 50*l.* or 60*l.* was set aside by the corporation for an officer of health whose duties were most important. Very great objection was taken to this; in fact articles appeared in the papers animadverting upon the act of the corporation in affording so small a sum to an office of such importance. This drew their attention more particularly to the deficiency of the reports. The subject was taken up by the consolidated committee, and there were several plans before them as to how some more ample and correct report of their proceedings might be obtained. There were three remedies proposed at the time; one of them was having official reporters at the table, employing a short-hand writer, such as Messrs. Gurney, to take full and ample reports of the proceedings; and I was myself engaged in making inquiries of Messrs. Gurney upon that subject, as to the terms upon which they would make a full report of the debates which took place in the courts of the corporation. I have not been able to lay my hand upon the correspondence; but the amount of expense which that plan would involve was very considerable indeed. It is not the practice of such short-hand writers, as the Commissioners may be aware, to condense accounts, but rather to give a transcript in full of what passes. That was not precisely what the corporation wanted; it would have been too voluminous. Another plan suggested was, encouraging the attendance of the reporters more generally at the table of the court, by circulating a certain number of papers if a good report was inserted. And the third plan suggested was, that a weekly organ, containing a full report of the proceedings of the corporation, should be encouraged, and the paper circulated, so that all the members of the corporation and the constituency might have an opportunity of reading at greater length the debates which took place in the corporation. It was considered that such a publication of their proceedings would prevent the misrepresentation and misapprehension which very frequently interfered with the discharge of the duties of the corporation. It was in consequence of these matters being before the consolidated committee that the expenditure took place which has been referred to by the witnesses. In the first place, it was considered desirable that some weekly organ should be encouraged, which organ would contain ample reports of the proceedings of the corporation. A paper of that class was commenced to be published in the month of January 1849, called the Citizen, which has been referred to in evidence. The undertaking commenced quite irrespective of the corporation or their officers; it was commenced by a stranger by the name of Peet. Very shortly after that commencement, some difficulties arose in the management of the paper, and Mr. Toulmin Smith became the sole proprietor and editor of that paper. I should not have felt myself justified in giving evidence upon that subject had it not been that Mr. Toulmin Smith's solicitor has been before you, and has given you evidence as to his proprietorship of that paper. The evidence upon that point is not strictly correct, that I was joint proprietor with Mr. Toulmin Smith. I advanced a sum of money to assist Mr. Smith in the object.

4472. Do you mean out of your own private funds?—Yes; out of my own pocket. My views and those of Mr. Toulmin Smith coincided very much upon these subjects, and it was matter of arrangement between ourselves as mutual friends. The paper became the sole property and was conducted under the sole editorship of Mr. Toulmin Smith. After some little time, the matter was brought under the consideration of the consolidated committee of the corporation. It was suggested by myself and others as a convenient organ for reporting their proceedings, if it could be so arranged.

4473. You were not, you say, a joint proprietor of the paper at this time?—No. I had advanced a sum of money, which gave me privity to the proceedings of the paper, but I carefully abstained, as an officer of the corporation, from being a proprietor in that paper.

4474. You advanced a sum of money out of friendship to Mr. Toulmin Smith?—Yes; and from my interest in the object which he had in view, connected with local self-government.

4475. Did not that make you a joint proprietor of the paper?—I had a claim for a part of the sum which was advanced upon the paper, but I did not think I was in any way a proprietor. I have the agreement here, and it was certainly never my intention to be a proprietor; and I believe, in fact, I was not one. The paper was sold, without my concurrence and without my knowledge. The consolidated committee had this matter brought under their attention, and received full power from the corporation to deal with any such project at the time. While the matter was in suspense, certain officers of the corporation advanced sums of money to keep it afloat till a determination could be come to by the corporation.

4476. Out of their private funds?—Yes. At the same time I should mention, that the members of the consolidated committee did express what the officers considered to be a justification of their keeping the paper afloat till some determination should be come to upon the subject. I am not aware whether they placed such an expression on the minutes; but myself and other officers of the corporation, from time to time, for four weeks, kept the paper afloat in order that it might be in existence to carry out the object of the corporation, if it should be found desirable to do so, at a future period.

4477. Do you mean that you were under the expectation that ultimately the paper would be taken up by the consolidated committee, and the officers of the corporation would be repaid those advances so made out of their private funds?—It was my impression that if the corporation approved of it we should be repaid out of the corporate funds the advances we had made for the purpose of keeping the paper in suspense till the opinion of the corporation had been obtained.

4478. Was any portion of the expenses of that newspaper defrayed out of the corporate funds?—I will proceed to make a statement upon that subject. For four weeks the officers sustained the paper, while the matter was under discussion. A difference of opinion arose between certain officers and Mr. Toulmin Smith, and difficulties of various kinds interposed, and the paper was sold by him for a nominal consideration, pending those discussions. The corporation ultimately repaid the officers the amount which they had advanced. Mr. Toulmin Smith raised a claim against the corporation for the amount which he had advanced in the matter. His petition was brought before the Court of Common Council. It was referred to the consolidated committee to inquire into the circumstances; but when that committee met upon that subject, Mr. Toulmin Smith did not attend before them; therefore the matter dropped. The sums advanced by the officers were repaid by the corporation; and at the end of more than twelve months after the transaction had taken place the consolidated committee, feeling that I had made the advance from a desire to promote the interests of the corporation and the objects which they had at heart, volunteered to pay me the amount. I made no claim, but it was paid as an act of grace to me, and as a recognition that I had put my money in jeopardy with a view to serving them.

4479. Out of what funds was all this done?—The money was paid out of the corporation funds. The matter having been referred, in the interim, to the consolidated committee, they drew upon the chamber for such sums as were necessary for making those payments.

4480. Do you remember what was the total sum paid under this head?—Yes; I have the full particulars before me. The total sum—including a bill of costs to Mr. Toulmin Smith's solicitor, Mr. Richardson, who has been examined before you, who raised a claim, first against the officers, and then against the corporation, which bill was paid without prejudice, under the advice of the law officers—was 280*l.* 1*s.* 9*d.* 250*l.* was subsequently repaid to myself, as I have stated.

4481. Was this transaction avowed and open? Did it appear upon the face of any accounts which were afterwards published?—It was considered certainly as a confidential matter by the consolidated committee, as all matters of that kind must be. It appears upon the accounts.

4482. In what form does it appear upon the accounts?—It appears upon the accounts as "Disbursements of the consolidated committee." The 280*l.* was paid by various officers for keeping the paper afloat, and the expenses of the paper. The 250*l.* which I had advanced was repaid to me, in addition; and that appears in the accounts.

4483. Will you refer to the item in which it appears?—In the accounts of 1850, at page 55, there is a payment of 250*l.* to myself under the head of miscellaneous expenditure.

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4484. Was this particular sum of money given to the consolidated committee for this especial purpose, or is there a fund generally intrusted to them of the same description, to be disposed of, at their discretion, for objects which they think useful?—There was in this instance a reference to them, arising out of the deficiency of reports, to make temporary arrangements, and they have drawn upon the funds from time to time for such purposes, as they have thought fit. A witness has already stated that newspapers were circulated containing the reports of the proceedings of the corporation. In 1849, at page 52 of the account, there is a sum of 44*l.* 4*s.* 6*d.* charged under the name of Gravatt, who is the corporation news agent. In 1850, at page 55, there is the sum of 195*l.* 11*s.* 3*d.* charged. In 1851, page 57, there is 346*l.* 0*s.* 7*d.* charged. In 1852, at page 56, there is 156*l.* 15*s.* charged. Those sums show an average expenditure per annum of 185*l.* 12*s.* 10*d.* for circulating reports of the proceedings of the Court of Common Council and other courts. This statement I make in abatement of the statement which was made by another witness, that 1,000*l.* a year had been expended. No such sum as 1,000*l.* a year has been set apart; but I think I can explain the origin of the impression. I think the statement was made by both witnesses probably from honest motives, and with the real belief that there was such a sum set apart. At the time these matters were under discussion it was in contemplation to abolish the payment of 800*l.* a year for the Old Bailey reports, which were not considered very useful, and to add the sum of 200*l.* a year to that 800*l.* a year; it being thought that 20*l.* a week would be an ample sum to report, and to set up a sufficient account of the proceedings of the corporation. 20*l.* a week would be about 1,000*l.* a year; and I have reason to know that both the witnesses who spoke of this 1,000*l.* a year were anxious to open negotiation at various times with the corporation, with a view of obtaining the 20*l.* a week for reporting their proceedings in a paper to be conducted in connexion with themselves. That I have no doubt is the reason why 1,000*l.* a year is mentioned as expended by the corporation. The sum has been on the average 185*l.* 12*s.* 10*d.* per annum.

4485. How has that sum been expended?—In circulating the papers which contained the best reports of the proceedings of the corporation, both of the Court of Aldermen and of the Court of Common Council, and occasionally the Commissioners of Sewers.

4486. Is there any fund at all in the nature of a secret service fund which is used by the corporation of the City of London?—There is no fund under that name.

4487. Is there any fund at all of the same description?—There is no fund which approximates to the secret service fund which is voted annually by Parliament. There are matters of this kind which are occasionally considered confidential, in which the object would be defeated if the public were made aware of all the circumstances, and they are intrusted to a select committee.

4488. What is the class of subjects which a municipal corporation can have occasion to spend money on which may not be avowed, and ought not to be published?—It was considered at the time that matters connected with the establishment of a newspaper should be treated as confidential.

4489. Is there any subject or class of subjects which can be supposed upon which a corporation dealing with public money ought to spend that money which they ought not to inform their constituents of in all possible detail?—I am not aware of any fund of the kind, except with respect to matters which have been considered confidential.

4490. What case can you mention in which a confidential expenditure of this sort has taken place?—I am aware of none, except the expenditure occasionally made by the legal officers where matters are in their legal confidence, and it has been thought right so to consider them.

4491. Has there been any such expenditure connected with Parliamentary proceedings?—Parliamentary proceedings would be of that character. Opposition to Bills in Parliament has frequently involved a considerable expenditure.

4492. Bills of a private nature?—I am not aware whether they were strictly private Bills.

4493. In conducting opposition to or promoting any Parliamentary business, has there been any expenditure at any time incurred which could not be fully stated?—I have no knowledge of anything of any expenditure which could not be fully stated and fully justified.

4494. Do you believe, in point of fact, that that there has been any money spent in that or any other way by the City of London, with the exception of the transaction you have referred to, which may be called of a confidential nature, of which a full account has not been given?—I am not aware of any sums of money respecting which a perfect knowledge has not existed in the minds of those who were administering the funds. There have been matters which have been considered sufficiently confidential to be referred to what is called a select or sub-committee to manage them, for the purpose of their being in the hands rather of a few members than of the general body of the committee.

4495. Are the Commissioners to understand that there has been money expended of which no account has been given to the public or to the constituency?—There has been no money expended of which an account has not been kept and given in the accounts.

4496. I refer to a detailed account of the expenditure. I suppose no such expenditure could take place without your knowledge?—I do not think it is likely that it should do so.

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4497. Will you state whether there has been any practice of expending money for what you call private and confidential purposes, of which no detailed account has been rendered?—There are very many entries in the accounts where the totals are stated and no detail is rendered.

4498. Is that done because it is not thought necessary to go into details, or because concealment is for some reason or other thought justifiable and proper?—The details of an expenditure, such as was referred to just now, with reference to Parliamentary proceedings, would not be published; the amount would be stated in the accounts.

4499. Is that because there is anything in the nature of the expenditure which requires to be kept secret, or only because it is not thought necessary to go into details?—It is not desirable in matters of that kind to publish to the world the precise nature of the expenditure.

4500. Why not?—It has been so considered.

4501. Why has it been so considered?—It may have been so considered because it was thought probable that the opposition would be more effectual by not publishing to the world the precise modes or means by which the Bill was opposed or public opinion elicited with respect to it. I am requested by a brother officer in the chamber, to correct a statement respecting him which will be found at page 14 of the evidence; the questions are Nos. 114 and 115. The statement is with regard to proceedings against parties for taking up their freedom. The witness says, "The clerk does not state that for that accommodation he charged the poor creatures half-a-crown apiece, which is insurance money "for those two weeks. Here is one of the declarations allowing two months in one case, "and here is another in another case where the half-crown was paid. 764 half-crowns "brought 76*l.* 8*s.* 0*d.* in fees to the clerk of the chamber because they were poor." The gravamen of the charge consists in its being stated that they were fees "taken behind "the back." I am requested by Mr. Sewell, the clerk of the chamber, to say that that is not the truth; that no person was charged half-a-crown at all; but that in a case of that kind, where time was granted, he took the usual fee of 1*s.*, which is in his printed list of fees allowed by the corporation. Further, it was two months that was granted, and not two weeks. With respect to the expenses of the mayoralty, there is a statement at page 65 which it will be necessary for me to explain. Under the head of "Charges connected "with the office of Lord Mayor" the Lord Mayor is debited with 7,151*l.* 1*s.* 9*d.* as his emolument derived from the metage of coals. The sum should be 500*l.*, which is the only sum which goes to the Lord Mayor, and not 7,151*l.* 1*s.* 9*d.* The item is incorporated into the account as charged to the coal duty, in consequence of those pensions being charged against the 4*d.* coal duty at the time when the office of meter was abolished. The Lord Mayor received at that time the fees, which were commuted at 500*l.* With respect to the statement of Mr. Williams as to the mayoralty expenses, which he puts down at 25,034*l.* 7*s.* 1*d.*, in answer to question 2,800, I put in a report of the proceedings of the Court of Common Council of the 23d of March 1836, where the following abatements were made from that account:—Under item No. 1, 3,197*l.* 0*s.* 7*d.* was abated; under item No. 2, 954*l.* was abated; the whole of item No. 3, 1,141*l.* 4*s.* 2*d.*, was abated; under item No. 5, 370*l.* was abated; under item No. 9, 198*l.* 12*s.* 4*d.* was abated; under item No. 11, 1,224*l.* 5*s.* 9*d.* was abated; under item No. 12, 3,697*l.* was abated; making a total deduction from the statement of the committee of 10,782*l* 2*s.* 3*d.*

4,502. According to that alteration the annual expenses of the office of Lord Mayor would be about 14,000*l.*?—Several items were then adjourned for further consideration and for separation. The report was sent back to the committee to amend, but was not again brought up by that committee; therefore the expenses of the Mayoralty are not very clearly ascertained; but assuming that those were the only proper abatements, the expense would have stood at that time at 14,252*l.* 4*s.* 10*d.* The real statement of the case appears to be that the Lord Mayor receives—as far as I can ascertain, not having the whole of the particulars, some of them being only known to the Lord Mayor himself—8,319*l.* 18*s.* 2*d.* Besides that, the expense of the Mansion House was, in 1836, estimated at 2,125*l.* a year; the building was put down at that rental. The expenses of the mayoralty have been very considerably reduced since that period, by the reduction of the salaries of officers, who were then officers of the household, and by the abolition entirely of some of the offices. I make this statement because the corporation at that time disputed the account; and Mr. Williams having placed it before you as a report from the committee of the corporation, in justice to them I state that the account was not admitted by the corporation at the time. The whole of the items were questioned, many of them were reduced, and no amended account was made out by the committee. I should also say that the corporation refused to print the account in that shape, and it was printed privately by the committee. I have a statement to make also with respect to the evidence of Mr. Williams, who put in the report of the revenue committee upon the subject of the salaries to the officers. The report of the revenue committee upon the salaries of the officers was brought up to the common council on the 24th of February 1836. There was a motion made to print the report; when this amendment was carried, "That by an order of this court of the 17th day of October 1834 it was "referred to a committee to inquire into the duties, salaries, and emoluments of the "clerks and officers of this corporation, and into the revenue and expenditure of this City, "and the said order contained an express instruction to the committee to report to this

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" court whether any, and if any, what reduction could be made in the several items of " such expenditure. That in the report this day presented, the committee, in stating an " account of the salaries of the officers, has set forth the gross amount of the receipts of " office, without deducting monied charges and other disbursements payable thereout, " whereby an inaccurate impression is calculated to be made as to the actual amount of the " emoluments derived by the corporate officers from their various appointments. That in " the said report a statement of the duties of the several officers, as required by the order " of reference, is omitted, whereby the court is deprived of the standard by which the " sufficiency or exorbitancy of their salaries might be justly measured. That the com- " mittee has omitted to comply with the direct instruction of this court, by setting forth " in its report whether any, and if any, what reductions can be made in the salaries of any " one of the officers upon whose emoluments it has reported; in consequence of which " omission the only practicable beneficial object of the appointment of the committee is " frustrated or delayed. That the report be referred back to the said committee, to amend " the same by setting forth and adding up in separate columns both the gross and the net " receipts and emoluments of the several officers, and by setting forth their respective " duties. And that the said committee do with all practicable expedition report their " opinion to this court, whether any, and if any, what reduction can be made in the " several items of expenditure, both as regards the allowances to the various committees " of the corporation, and the salaries and emoluments of its officers, it being the firm " determination of this court to institute the most searching inquiry into all these " subjects, and to effect every retrenchment in the corporate expenditure which may be " proposed, provided such retrenchment is compatible with the efficient discharge of the " duties committed to its care, and is not inconsistent with a due regard to the just rights " of the various persons employed in its service." That amendment was carried. I mention this circumstance because it will account for a great many allegations which have been made, which it would be tedious to detail to the Commissioners, that the officers have made statements in one instance differing from statements made on another occasion, it being made to appear that the chamberlain's books do not agree with the officer's returns. In almost every instance the explanation I have given will account for that amount of difference. The chamberlain states in his account the actual amount paid to the officer; but the officer returns to the committee the amount which he has received, less the expenses of his office for clerks, stationery, and other necessary expenses. At the time to which I now refer, Mr. Williams brought up an account of the gross amount payable to the officers, and did not set forth sufficiently the details of their offices, so that an exaggerated idea was conveyed to the public and the court to the amount of salaries received. That is the account which he has brought before this Commission, which was never acceded to by the court. The matter stands as it did when the report was brought to the Court of Common Council. There is a class of statements which will have to be answered either by myself or by other officers of the corporation, in which comparisons have been instituted between the corporation and the borough of Marylebone, the borough of Leeds, and other places, contrasting the area of the City with the area of those places, and contrasting the population of the City with the population of those places, and the revenue of the corporation and the amount raised by taxes in the City with the revenue and taxation in those places. There are some very important matters to be pointed out in reference to that evidence; but I am not prepared to detain the Commissioners upon the subject to-day. Explanations may be hereafter put before them briefly, perhaps, in a tabulated form, to show that there are some inaccuracies in stating those matters which most materially affect the result. A statement has been made that the Borough Compter had been sold, and the proceeds had not appeared in the City accounts. The Borough Compter belongs to the Bridge House trust, and has not been sold to this day; it is an inaccurate statement altogether. I believe it was in contemplation to sell the Borough Compter, but it was considered that there was some doubt as to whether the jurisdiction of the magistrates in Southwark was at an end, so that the compter might be sold. There is a statement made at page 204 of the evidence by Mr. Bennoch, that the corporation, though they have made a charge in their accounts for lodging-houses erected for the labouring poor, have not taken any steps whatever to provide those lodgings. Mr. Bennoch states, " In connexion with this expenditure, as shown in their blue book, page " 61, I find put down the sum of 19,625*l.* under the head of Lodging-houses for the " labouring poor. Now, anybody looking at this account would naturally believe that this " money had been expended in the construction of lodging-houses for the labouring poor. " It is, however, merely a balance of the proceeds of a part of the Finsbury estate, which is " an estate held in trust, and being held in trust they virtuously consider that they should " not allow it to merge into the general funds of the corporation, but they set it aside for " a specific purpose, which purpose professedly was that of building lodging-houses for the " laboring poor. The foundations of those houses, however, are not laid, though it appears " here in the account of payments; but I suppose those houses will appear in due course of " time." In answer to question 2053, " Have they paid attention to the building of an " improved class of dwellings for the labouring poor?" the answer is, " By no means, and " that is one of the strong arguments against the past conduct of the corporation." In answer to that statement, I wish to say that the corporation obtained power, which they did not possess before, under the Clerkenwell Improvement Act, to purchase land, and to

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erect upon it convenient lodging-houses for the labouring poor. The account which is now upon your table shows the receipt and expenditure under that head. Immediately after the passing of that Act the improvement committee commenced negotiating for the purchase of ground; they had placed at their disposal the sum of about 43,000*l.* stock for that purpose. They obtained and purchased ground at a cost, as will appear in that account, of 19,480*l.*, which was covered with knackers' yards and other nuisances in the neighbourhood of Cow Cross. They proceeded to clear the ground, when they were served with notices by a projected railway company, which notices have been renewed from session to session. It would have been of course inexpedient for the improvement committee to commence erecting lodging-houses for the poor when they received notice that the ground might probably be required for the purposes of a railway company; they could therefore proceed no further in the matter. They then cleared some of the property which could not be allowed to stand, being a nuisance; the other portion has been let, and the matter remains in abeyance till Parliament has determined whether the railway company shall acquire the land in question. They would have proceeded further, but the powers of the Act of Parliament limited them to the neighbourhood of the street projected from the City to Clerkenwell; they had no power to purchase land in other places for that purpose. I am not aware that there is any other subject on which I have to speak, except to put in some statements relative to the expenses of committees. The corporation have referred to that subject in the statement which has been read before the Commissioners this morning. A very considerable reduction has been made, even in my recollection, in those matters. I will put in a statement of the amount paid to five committees, between 1802 and 1808, from which it will appear that they received 4,486*l.* 19*s.* on the average of those seven years.

The witness delivered in the following paper:—

EXPENSES OF COMMITTEES,—1802–1808.

	City Lands.			Bridge House.			Navigation.			Coal and Corn.	General Purposes.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	£	s.	d.
1802	1,179	13	0	931	15	9	692	6	7½	50	410	11	4
1803	1,180	0	3	1,143	11	6	857	3	7½	50	530	10	6
1804	1,243	8	2	1,176	9	10	1,048	15	1½	100	546	17	3
1805	1,284	4	10	1,069	19	3	913	2	4	100	716	11	4
1806	1,074	14	11	1,285	16	5	1,180	18	2	250	1,034	6	3
1807	1,306	0	0	1,900	11	6	1,160	2	10	250	1,045	15	7½
1808	1,417	17	1	1,505	13	4	1,321	13	9	250	1,200	3	0
	8,685	18	3	9,013	17	7	7,174	2	5½	1,050	5,484	15	3½
Average 7 years.	1,240	16	10	1,287	13	11	1,024	17	6	150	783	10	9

	£.	s.	d.
City Lands	1,240	16	10
Bridge House	1,287	13	11
Navigation	1,024	17	6
Coal and Corn	150	0	0
General Purposes	783	10	9
Total Five Committees	£4,486	19	0

The corporation in 1836 printed a statement of the whole of the allowances to committees for the years 1833, 1834, and 1835; that is the next period at which this subject was investigated. There were then thirteen committees instead of five. The revenues had very considerably increased, and also the duties which were performed by those committees; but the average for those three years was only £4,662 for the thirteen committees. By the report which I now put in upon that subject you will see a very important alteration was made, which has not been referred to in the corporation statement. At that period the corporation drew upon certain Parliamentary trust funds, such as the trust fund for managing the river, for the improvement of the approaches to London Bridge, and the repair of Blackfriars Bridge, for their committees' allowances. Since the period of 1836 that practice has been discontinued, under an order of this committee, and the amount is paid out of the corporate funds. The next account which I will refer to of allowances to committees is that which is already before the Commission in evidence, at page 66, which is for the year 1852, from which it appears that a very considerable reduction has been made since 1836. Omitting the Irish Society, which is not contained in either of the former statements, what was in the year 1836 4,662*l.* 19*s.* 6*d.* is now reduced to little more than half that sum, about 2,750*l.*

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4503. What are the duties of the office of chamberlain?—The principal duty of the chamberlain is to act as treasurer or banker to a great variety of public trust funds, the corporation fund being one of those funds.

4504. Is he in the habit of attending at the office?—The present chamberlain has attended daily since his election, every day and all day.

4505. You stated that you had been for some years first clerk in the office; has it been the habit for the chamberlain to perform his duties in person?—Yes; it has generally been the habit for the chamberlain to perform his duties in person, and to give a considerable amount of attendance to those duties.

4506. At present it is the habit of the office for the chamberlain to execute his duties in person, and not by deputy?—I conceive that the duties of the chamberlain and the duties of the chief clerk differ. The chamberlain is the responsible officer; he gives a large amount of security, and has, I may say, a moral oversight over the office; that is, he is responsible for the clerks being there, and performing their duties. His attendance is important, as head of the department. He acts in the outer chamber in hearing complaints against apprentices, as a judge. He admits to the freedom of the City, swearing in the party, and superintending that department; and he exercises just as much control and interference in all matters of account as he thinks fit, having the superintendence of the whole department.

4507. What is practically the extent of his interference with the accounts?—It is just what the individual may think proper to make it. Sir James Shaw, who was a mercantile man, gave his constant daily attendance to the duties of the office. The same may be said about Mr. Anthony Brown, who was a solicitor by profession, and gave a great deal of valuable superintendence in the department over which I was placed as chief clerk. I may say the same with respect to the present chamberlain, who has daily attended at the office, and has given, and is giving, a great deal of his attention, and qualifying himself by making himself acquainted with the details and the history of the accounts, and the Acts of Parliament which regulate them, to exercise an efficient control over the parties in his department.

4508. What is the jurisdiction of the chamberlain over apprentices? Does that occupy much time?—Yes, it does. It is not in my department; but I believe hardly a day passes on which complaints are not made, either by masters or apprentices; and the chamberlain has authority to adjudicate between them, his office being a court in that respect. He has power to commit them to the Bridewell, and to effect a separation if they do not agree; or, if there is misconduct on either side, to deprive the apprentice of his freedom, or to deprive the master of the services of the apprentice if he does not perform his duties towards him.

4509. Are the accounts of all the funds belonging to the corporation kept in the chamberlain's office?—The chamberlain is only bound to keep account of those funds of which he is treasurer; there are funds connected with the corporation which are not kept in his office, which are returned signed by other parties.

4510. Which are they?—In the first place, the Bridge House accounts are not kept in his office; they are kept by the bridge masters, two officers elected by the common hall. They are the treasurers of the Bridge House estates; they receive the rents, and account for the expenditure. The Irish Society keep their own accounts independently of the chamberlain.

4511. The rents of the Irish Society are not the property of the corporation?—They are not.

4512. Are there any other corporation funds of which the accouuts are not kept in the chamber?—I do not recollect any at this moment.

4513. What is the advantage of having a separate office for the Bridge House accounts?—I am not aware of any particular advantage.

4514. Then would it not be more economical and better, and tend more to uniformity, that they should be consolidated?—There would be no practical difficulty in taking the Bridge House rents at the chamber, provided Parliamentary powers were obtained for the purpose; it could not be done without, as all the leases make the rents payable to the bridge masters.

4515. Is there any other office besides that of the bridge masters at which accounts are kept, except at the chamber?—Not accounts of money received and paid. I believe, with that exception, the cash accounts of money received and paid are all kept in the chamber.

4516. The comptroller's account is merely an account of monies due, and not of monies received?—Monies due. He is the conveyancing officer, and makes out the leases.

4517. He renders an account of the monies due, and which ought to be paid to the City under the leases?—Yes.

4518. But no other account?—Everything which is a matter of revenue belonging to the corporation, whether arising from rent or otherwise, he is bound to acquaint himself with, and charge against the chamberlain. He charges the tolls, markets, metage dues and corn dues, and every item which belongs to the corporation as their property.

4519. In making out the account in the chamber, is it the practice to enter the revenue in its gross amount, or as the net amount; that is to say, are the officers who collect the revenue allowed to stop their own salaries and other expenses before they pay the money

into the chamber?—That used to be very much the case in past years,—in the last century more particularly; but from time to time an opposite course has been pursued and there is hardly any item now which I could put my hand on in the City's account which is not the gross amount. The gross revenue is paid in, and the officers are paid out by warrants drawn upon the chamberlain. Without saying that there are not some trifling exceptions to that rule, the rule is, that the account shows the gross amount, and not the net amount. In that respect the corporation have been gradually approximating to what I conceive to be the proper system of accounts, such as the Government have now determined, by the vote of Parliament, shall be introduced into the Government departments.

4520. Is there any large amount of fees received by any City officer which does not appear in the chamberlain's account?—There are no doubt many fees received by officers, which do not belong to the corporation, and do not pass through the chamberlain's account.

4521. Are those fees received by the officers as officers of the corporation?—Yes, in most cases.

4522. Are they regulated by the authority of the corporation?—They have been regulated, from time to time by the corporation when the office has come before its committee.

4523. The corporation regulates the amount of the fee, and the officer receives the fee as being an officer of the corporation?—Yes.

4524. You say there are many cases in which the amount of those fees is not returned to the corporation?—It is looked upon as the property of the officer, and not as the property of the corporation; he is authorized for the time being to take the fee. Either the fee is authorized by Parliament, or by custom, or by a regulation of the corporation, and it is looked upon as his property, and he accounts for it when he is asked to make a return of what he receives.

4525. Does the chamberlain know the amount of the fees received in this manner by the several officers?—Certainly not; he has no knowledge of anything of the kind, unless it comes into his department.

4526. Is there any office belonging to the corporation in which that information exists?—No; unless the officer returns the information himself.

4527. A report of a committee of the common council was given to the Commissioners by Mr. Williams, in which it was stated that the amount of the fees received by the officers of the corporation, in addition to their salaries, exceeded 70,000*l.* a year; do you think that can be a correct statement?—I should receive anything contained in that report with a great deal of caution, because wherever the report was tested it was found to be very much exaggerated in every respect; and I know my father, who was engaged with Mr. Williams in preparing those accounts, repeatedly refused to sign some of the accounts.

4528. It was stated to us that in every instance the amount of fees was obtained from the officer himself, and was entered from his statement in the report?—I think under the word "fees" many things must have been included which are not fees. If any such statement was made at that time, I conceive nothing of the kind could exist at the present day, because the operation of all the alterations which the corporation have made in this respect has been to get rid of fees and uncertain sources of emolument, and give their officers fixed salaries instead.

4529. Could it be ascertained, from any document in the possession of the corporation, what is the annual amount of fees now received by the officers not brought into the chamberlain's account?—A return has been called for by the Commission, which is now in course of being made up; the officers are making their returns, in obedience to that order.

4530. How soon will that return be ready?—I have every reason to believe that it is now before the committee. I am not now actively engaged with the corporation.

4531. You are not able to state what the amount is?—I have not the least idea myself. The individual officers know what their fees are, but I have not the means of knowing, but I am clearly convinced that it cannot even approximate to the amount stated by Mr. Williams.

4532. Has it been the practice of late years to diminish the number of fees, and to increase the system of payment by salary?—That has been the universal rule, I believe.

4533. Has that been uniformly done, upon any office becoming vacant?—I may say, upon every office becoming vacant, it is the rule to refer the office to the officers' and clerks' committee, who sit specifically for that purpose, who call for an account of the emoluments and a statement of the duties. They revise the office, and make alterations as they think fit, from time to time reporting to the Court of Common Council for their sanction.

4534. It has been the practice, upon an office becoming vacant, to regulate the office that each officer shall be paid by salary, and not by fees?—It has been the rule. There may have been exceptions, but I do not recollect any.

4535. Have the fees been collected by the officers, and paid into the chamber, or have they been abolished?—Where fees have been retained, and that arrangement has been ordered by the committee, they have been paid into the Chamber. For instance, in remodelling the comptroller's office, a few years back, the officer's salary was limited to 1,500*l.* a-year. If he at any time made anything over that amount he was to pay it into

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the chamber. A few years ago, at the renewal of the Conduit Mead leases, which are very numerous, the profits of the office were considerably augmented, and 2,400*l.* was paid to the chamber as the surplus profits of that office. With respect to the office to which I have belonged, which is, strictly speaking, the only office upon which I ought to speak about these matters, there have been very important reforms effected. Before the year 1842 the chamberlain received the whole of the profits of his office, arising in a large degree from the interest of monies left unavoidably in his hands as treasurer, and the emoluments of the office were very considerable. It appeared from a return in 1842 that Sir James Shaw had received 3,600*l.* a year upon an average during the whole of the time he had been in office. That was considered an excessive amount of salary, and a scheme was agreed on according to which the office was dealt with. The interest of monies or of balances could not be used by the corporation; it would have been inconsistent with their office as trustees to have taken any share of the profits arising from monies in the hand of their treasurer; therefore they made an arrangement by which the treasurer pledged himself, before his election, to return to the trust funds anything which should exceed 2,500*l.* when he had made 2,500*l.*, anything beyond that sum was to be returned, for the relief of the trust funds out of whose balances the profits had been made. A reduction from 3,600*l.* to 2,500*l.* a year was thus effected. Beyond that reduction there has been a considerable saving every year, because the proceeds of the office have been more than sufficient to pay the chamberlain and his establishment of clerks. The sum of 20,000*l.* has been invested in Consols, and is in the Bank of England, for the relief of those trust funds. During the current year relief to the extent of 1,700*l.* will be afforded to those funds. Thus, the Commissioners of Sewers pay 200*l.* for the management of their accounts in our office; that 200*l.* will be now returned to them out of the profits of the past year. The police rate is managed in our office; 150*l.* will be returned which they have paid to the chamberlain for managing those accounts; and so on. A sum amounting to 1,700*l.* or thereabouts, will be returned to those trust funds this year out of the profits of the office in the past year, and there is no doubt whatever that with judicious management the whole of those trust funds will be relieved in future from any charges of management whatever.

4536. The entire emolument of the office of chamberlain now consists in that 2,500*l.* a-year?—That is the chamberlain's individual emolument. There is an establishment of clerks kept, which costs over 2,000*l.* a year.

4537. The chamberlain derives no profit from the balances?—Nothing beyond the 2,500*l.* If he has injudiciously managed the banking business, or if the balances should be insufficient, the corporation do not guarantee him 2,500*l.* a year.

4538. What discretion has he still in disposing of the balances?—He has a discretion in law with which the corporation cannot interfere; he is a public treasurer; he manages many trust funds which have not been placed in his hands by the corporation. In fact, the great bulk of the monies in his hands is not at the corporate disposal, except for purposes for which they can draw upon it.

4539. With respect to the money which, strictly speaking, belongs to the corporation, is there any limit imposed upon the discretion of the chamberlain as to what use he shall make of the balances?—He is bound to lay the books containing his banking transactions before the committee monthly.

4540. What committee is that?—The committee called the coal, corn, and finance committee. He lays his books before them monthly. If they see any reason to object to the class of securities he holds,—if they think that he is making a use of the money which they consider impolitic, or placing it in risk,—he submits, under deed, to sell out those securities, and invest them in something else which will be approved by the corporation.

4541. You mean that this committee has an effective control over his management of the balances?—They have as good a control as can be obtained without Parliamentary interference. The corporation have made this arrangement with him that he will limit himself as to his profits, and submit to restrictions which could not be imposed upon him legally by the corporation, and that he will not invest his money in a way which would be displeasing to them, or, in their opinion, hazardous.

4542. He enters into this engagement upon taking the office, does he?—Yes, he does; he enters into a deed between himself and the corporation to that effect.

4543. And the control of this committee, you say, is prospective as well as retrospective?—It is prospective in this respect:—that if the committee, at any time, objected to any class of securities, the officer would understand that he must not again bring that class of securities before them for their approval.

4544. Speaking of it as a system, do you think the present system under which the balances are managed, and the control exercised over the Chamberlain, all that could be desired, and that it is susceptible of no amendment?—I think the system is very much improved from what it used to be. Considerable risks were run; and I can give no other evidence, because it was upon my report, jointly with the City solicitor, twelve years ago, that the present system was adopted. We both of us felt that there were considerable risks. The money was in the hands of one person. That person was at the time confined to his bed. He was, therefore, obliged to entrust the custody of the money to one person in his office, myself. I felt that that was not a responsibility which should be placed in one person's hands; and I felt if it should ever get into the hands of a person who would

be disposed to make an improper use of it, the whole sum might be dissipated. I mentioned my feelings to others, and the result was, that the matter was so arranged as that the chamberlain and his two senior officers should be placed in a drawing account, to sign cheques, so that they should be a mutual check upon each other. At the same time, the system was introduced of placing the securities in a strong room, with three doors, and three separate keys. I believe the corporation made every regulation for the security of the money in the chamber which could be then made, and, without going to Parliament, they could not have done more than they did. Still, with all that, there is no doubt that the system is susceptible of amendment, and might be amended at any opportunity, when there should be Parliamentary powers obtained.

4545. Would you object to suggest to us what additional securities you think it would be desirable to introduce for the proper conduct of the present system?—I think it would be much more desirable for the chamberlain, and better for the corporation, if he were paid a fixed salary, and had not to run any chances of making emoluments, by dealing with monies which had better be placed in a position of perfect security. I believe that that arrangement would be more satisfactory to the officer, who is now placed in a position of considerable risk and doubt, as to whether he will make his emoluments, and it would conduce to the security of the public funds in his hands. I am giving this, however, as the result of my own individual feeling in the matter.

4546. Is the whole of what may be called the chamberlain's fund derived from the profits upon balances?—No. There are contributions paid by the City for the management of their accounts, and contributions paid out of certain trust funds for the management of those accounts, that is, for keeping accounts which, as a simple banker, he would not be required tokeep.

4547. What is the amount of profit made upon the balances?—Of course it fluctuates very much with the rate of interest, and the rise and fall of securities. It has fluctuated, in my knowledge, in twelve years, between something like 3,000*l.* a year and something like 6,000*l.* a year.

4548. In the year when it was 6,000*l.* it would more than defray the whole of the expenses of the establishment?—It would.

4549. When that is the case, is the balance invested?—The balance is invested, and has been invested, with the view of applying it, as soon as the committee thought it discreet, in relieving the trust funds in the chamber, as I have explained; and they have now come to a resolution that the amount is a sufficient amount to authorize the chamberlain to take off the whole of those charges off the trust funds.

4550. In whose name are those invested?—In the names of three parties, who draw upon the account, and hold the keys; the chamberlain, the chief clerk, and his cashier.

4551. Then it is not considered a fund belonging to the corporation?—It is expressly provided in the deed that the corporation shall not have any benefit from it; they are specially deprived of it, on the ground that trustees ought not to benefit themselves from the proceeds arising from their trust funds.

4552. Who has power over the funds?—The coal and corn committee can direct the chamberlain to relieve the trust funds in his office.

4553. Suppose it were thought desirable to appropriate 20,000*l.* to a public building, or some permanent object of that kind, would there be a power of so appropriating it?—Certainly not.

4554. Is it to be considered as invested in perpetuity?—It is invested, and can only be applied to relieving the public funds in the chamber.

4555. This is a fund created out of the profits upon the balances of the monies of the corporation, is it not?—Not of the corporation, strictly. The corporation account forms one account out of very many which are kept in the chamber; and where the money is directed to be paid by the collector to the chamberlain of London, he holds the money till a legal authority draws upon him; he is therefore a public banker.

4556. I suppose a large portion of the money from which profit is made is lent on the City estates, is it not?—The balance in the City's cash is very inconsiderable, generally; it has frequently been overdrawn during the present year.

4557. What is the fund upon which the balance is the largest?—One of the largest funds has been, but it is not so at present, nor is it likely to be so in futnre, what is called the London Bridge Approaches fund.

4558. Is that fund in the chamberlain's office?—Yes. The money is paid into the chamberlain's office, and once a quarter the money is handed over to Her Majesty's Board of Works, as soon as the accounts for the quarter are passed and examined; the 8*d.* coal duty, the 1*d.* duty, and other sources of revenue forming that fund. The chamberlain, in the meantime, has the money lying on account, from day to day, as it comes in; and he is, in that respect, a banker, and deals with that fund in the aggregate with other funds in the office.

4559. Is not that fund a corporation fund?—No. It is a trust created by Act of Parliament for a public purpose, the proceeds being exclusively applicable to public works under the Board of Works; the whole of it is now paid to the Board of Works. That is an illustration of a public trust fund which the corporation have no control over, further than to say to the officer, before he is elected,—"Will you submit to restrictions, and "not make an improper use of that fund which the law has placed for a ime at "your disposal?"

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4560. Though this fund is applicable to public objects, the City make a profit of it while it passes through their hands?—The Chamberlain makes a profit, and, after paying himself, he carries the balance of the profit to that fund, which will be relieved this year of all the charges which were formerly made against the fund.

4561. The profit so made upon that fund does not go into the City chest, but it goes to the fund itself?—It is most studiously kept separate, because the deed provides that the City shall get no profit out of it.

4562. Is no profit ever made upon any purely City fund?—The corporation pay something like 1,200*l.* a year to the chamberlain's fund for what they conceive to be their share for managing the accounts which belong to themselves.

4563. You state that certain profits are made from balances lying in the chamberlain's hands. Is any profit made upon any balance upon a purely corporation fund?—If any committees of the corporation, or the corporation itself, have power to invest any balance upon their funds, they make a special order upon the chamberlain for that purpose. In that case it is not his profit; it is their profit, if they order him to buy, say 10,000*l.* of stock, out of any fund; they take the risk of that transaction, and it is carried through their books. I was speaking of the chamberlain's balance being made from the aggregates, just as a banker makes his profit out of the aggregate of all the accounts within his keeping.

4564. You stated that in some years the profit upon the balances has been 2,000*l.* or 3,000*l.* a year, and that in some years it is as much as 6,000*l.* Will you describe by what process these profits are made; what are the operations by which the chamberlain is able to realize those profits?—The chamberlain consults with his chief clerk, and looks forward from day to day, and from week to week, as to what future balance there will be in the office available for a temporary investment. He purchases, perhaps, Government securities; such as Exchequer bills, or India bonds, or City bonds; some security of a perfectly safe character; and he sells them when the monies are wanted again, from time to time. If there is likely to be 100,000*l.* or 150,000*l.* for the next two or three weeks in the chamber, he can invest it in any good securities, or place it out with joint stock bankers or bill brokers, upon the deposit of those securities. He does not deal in bills.

4,565. Supposing it were to happen that the operations were so unfortunate as that there was an actual loss, what would be the consequence?—The consequences would fall upon the chamberlain and his sureties.

4,566. If there were a loss upon some transactions, and a gain upon others, he would set off the loss against the gain?—All stock transactions are in the nature of profit and loss. If there is a fall in the funds while the operation is going on, there is a loss. The profit is the balance of profit and loss.

4,567. In fact the chamberlain carries on the business of a banker, to a certain extent?—He does. The only difference has been, that the corporation have limited the risks, and reduced, as far as they could, the emoluments of the office, and they can proceed no further in doing so without Parliamentary aid.

4,568. You have stated that you thought it would be better if the money were invested in a more permanent manner. How could that be managed?—I think it could be managed by making the balance in the office the property of the corporation; that is, recognizing it as City funds, and putting it under the control of a committee or some competent authority to make use of the money, and not leaving it in the hands and at the risk of an individual. I think the individual would feel more comfortable, and the money might be dealt with more advantageously.

4,569. When the chamberlain is newly elected he must suddenly find himself in the position of being called on to deal with a very large sum of money after the manner of a banker. Upon whose advice would he act?—He would naturally act upon the advice of those in the office who are best acquainted with the transactions in the chamber.

4,570. Who would advise the chamberlain upon such an important matter as that?—Under the regulations of the deed, he would advise with the chief clerk, who is supposed to know most of the transactions, and what demands are likely to come upon the chamber from time to time.

4,571. Have you in fact conducted by your advice what may be called the banking business of the chamberlain's department?—That has been one branch of my duties, to co-operate with him in such matters. I have in fact performed three duties. I have been the City actuary; I have been, so far as the accounts are kept in the chamber, an accountant; and I have also been bank manager, and have co-operated with the chamberlain and other parties in the office. The weight of the responsibility of those three departments has rested upon myself.

4,572. Supposing that there was an important decision to be made as to some large investment, involving the possibility of some considerable loss, as well as the possibility of a gain, would you have been the person upon whose judgment the decision would have been made?—The corporation have generally consulted me in matters of that kind.

4,573. Would not such a question be decided by the chamberlain, without the interference of the corporation?—It has been the practice for the chief clerk to advise with the chamberlain.

4,574. Does the chamberlain exercise any real discretion in the matter, or does he rely upon the advice of his chief clerk?—The Chamberlain has always been able to give very

good advice upon those points, being himself the party responsible, and I have always found him very willing to look into the points of the case, and give his advice.

4575. Do you not consult some broker generally?—We occasionally consult a broker, but the business of the office has so much come into a course of routine, that it is not frequently necessary. We confine ourselves to transactions where the risk is exceedingly small; we do not touch the public funds at all. We confine ourselves to transactions in India bonds, Exchequer bills, Canada guaranteed debentures, and City bonds, which are not liable to very great fluctuations.

4576. You look to the security rather than to the chance of profit?—Yes; and we endeavour not to lock up more money than can be conveniently set aside. My experience has been, that in the last twenty-four or twenty-five years the matter has been managed with the greatest prudence in the office; the chamberlain affording all the assistance he could to myself and my predecessor. I am speaking of the administration of the system, rather than of the system itself. I believe it is administered most purely with a most conscientious desire not to speculate, but to make a small and safe profit, rather than to attempt anything great, and so increase the risk.

4577. Do you keep any bullion or money in the chamber?—The securities which are deposited and bought are placed in a strong room in the chamber, under three keys. A sum of money is allowed to remain in the hands of the cashier at the close of the day's business in the chamber, which is not to exceed 1,000*l.* at any time, to enable him to commence paying business in the morning.

4578. Has it ever occurred to the corporation to consider whether it might not be desirable to employ a banker for those operations?—That was considered in the year 1842, and some inquiries were made at the Bank of England as to the terms on which they would act; but as it is against their system to allow any interest whatever upon balances, and as it was found that very large balances must necessarily lie there which the corporation could not limit, it would be a very considerable loss of income to the chamberlain and his establishment if the money were taken to the Bank of England, so that the system was rather reformed upon the principle of the old plan than that of instituting an entirely new system.

4579. Has any attempt been made to find a private bank which would allow interest upon balances?—I think not. Private bankers have repeatedly and extensively taken our money, and deposited securities with us; that is, they have allowed us, as bill brokers would allow us, the current interest of the day, depositing for the money they received from us adequate securities for the amount.

4580. You are aware that the Government pursues a system not at all resembling that of the City of London; they do not keep their own securities and monies in a chamber, but they employ the Bank of England?—The resemblance is somewhat close, but not in all respects. The Bank of England represents the chamber; the different branches of revenue are lodged with the Bank of England, and the Bank of England hold the money, and make use of it. In the case of the corporation, it is an individual who holds the money; in the other case it is a banking establishment which holds the money, both of them making their profit out of the monies lying in their hands.

4581. Would it be impossible to transact this business through a private bank in a manner that would give equal security combined with more economy?—I am sure no private bank could keep the accounts which are necessary for the information of the corporation and other public bodies; you must have an establishment for keeping all the accounts.

4582. The Government keeps its accounts in the Treasury and Exchequer, but deposits its money in the Bank of England?—The system might be amended in those respects, no doubt, if there were power to do so.

4583. It is clearly desirable to avoid the handling of the money on the part of such a body as the corporation, is not it?—I think a very large amount of revenue would be sacrificed if the corporation did not make use of the balance in some way.

4584. You think no private bank would give the City so large a profit as they are able to make themselves?—I do not think it would.

4585. Is not a considerable part of the profit now absorbed in the expense of management, which in that case would be saved?—The banking expenses are very inconsiderable indeed.

4586. The system is very anomalous, and very unlike that by which any other corporation manages its money affairs, is it not?—I find, from looking at the accounts of various corporations which I have obtained, that a great diversity of practice exists. One of the difficulties we have to contend with is, that we have nothing like a model system before us which has been approved by Parliament or the Government. Some corporations have their money in the hands of a private banker in a provincial town. I think money so invested must be at more hazard than it is in the hands of the chamberlain, invested in Government securities and under the inspection of a committee. I find that to be the case in several corporations, and they do not appear to render to the account any interest for the large amount of money lying in their hands.

4587. Do you know what is the case with such corporations as those of Manchester and Liverpool?—I noticed, I think, at Manchester, there is a sum of 36,000*l.* lying to the

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account of the corporation at a private banker's. At Liverpool they appear to have a very large balance at a private banker's, besides an amount in the hands of the treasurer.

4588. Do they obtain no payment from the banker in respect to the balance in his hands?—I do not not notice anything of that kind. I am speaking of their accounts rather from memory. I am convinced that by placing money in the hands of a private banker you would rather lose than gain in point of security.

4589. Do you know whether any other corporation follows the practice of the corporation of London in keeping their own money in their own custody?—I have endeavoured to look to that point. Part of the money appears to be in the hands of a private banker, and part of it in the hands of treasurer.

4590. Do you know any case in which the whole of the money is kept in the hands of the treasurer of the corporation?—I am not aware of any such case. I believe in some respects the office of chamberlain is a very peculiar and anomalous office; it has been an office of that kind for something like seven centuries; it appears to have been the office into which the King's taxes were formerly paid.

4591. Substantially has the system of the chamber of London remained unaltered for any large number of years?—It has remained unaltered for something like five or six centuries; no material alteration was made in the conduct of the business till the year 1842, when the scheme I have referred to was adopted, for the purpose of increasing the security, and limiting the amounts of the emoluments.

4592. Was there any charge made in that year in respect to the custody of the money, or its investment, or the profits derived from the use of it?—I have already explained that the power of investment, which had been hitherto made by the chamberlain, and the custody of the money, which had hitherto been in his hands, were placed in the hands of himself jointly with his chief clerk and his cashier. The emoluments were limited by an arrangement to the effect that when they reached 2,500*l.* the surplus should be placed aside, and not taken by him to his own profit.

4593. What you have stated is the extent of the changes which were made, is it?—There was no change, further than I have stated, which was of any importance.

4594. It was mentioned in the paper which the recorder read to the Commmissioners, that there had been a great increase in the revenue and expenditure of the City of London of late years; is that a point to which your attention has ever been turned?—Those figures are approximately correct. There has been a considerable increase in the rental of the City and in the proceeds of their several tolls and dues.

4595. Has there been an increase under any other head of revenue?—In some cases the revenue has decreased. The amount derived from freedom has fallen off very much, the fine having been reduced, and the numbers being diminished also. The coal dues, the proceeds of the markets, and the rental of the City have all of them increased with the increasing activity in trade and commerce and the value of land in London.

4596. Can you explain the nature of the accounts of the Irish Society?—It is not at all a matter which is within my department.

4597. How is the account of the proceeds of the coal duty kept?—The coal duties are three in number; they are all received at one office in the coal market, and paid every day into the chamber in three sums, which are carried to the respective accounts; the 8*d.* goes to the London Bridge Approaches fund for metropolitan improvements; the 1*d.* goes to the Metropolis Improvement fund, as it is called, by the Act of Parliament for Metropolis Improvements; and the 4*d.* goes to the credit of the City's cash.

4598. The whole of those sums are levied together, are not they, making 1*s.* 1*d.* upon every ton of coal?—They are all received together at the Coal Market, for the purpose of economy, one officer's salary covering the whole expense of collection; he accounts to the chamberlain, who is bound to distribute it to the fund to which it belongs.

4599. Are the gross receipts paid into the chamber?—They are.

4600. And the salaries of the officers and the expenses of collection are paid out of it?—Yes; they are paid proportionably; eight thirteenths are paid out of one fund, four thirteenths out of another fund, and one thirteenth out of the third fund.

4601. The City keeps the produce of the 4*d.* duty for itself, and pays over the produce of the 9*d.* duty to the Government?—To those accounts, and ultimately to the Government.

4602. How is the payment made to the Government?—By an arrangement with the Board of Works, we account to them once a quarter. The chamberlain receives the amount, makes all proper and legal payments during the quarter out of the amount, and at the end of the quarter, when the drawbacks have been settled by the committee, he returns the account under his hand to the Board of Works, upon which they send a receivable order to the chamberlain, who takes the receivable order to the Bank of England, and pays it in to the account of the Woods and Forests there.

4603. The payment made to the Government is a net payment, any expenses and outgoings being deducted?—Yes. In the case of the London Bridge Approaches fund the chamberlain pays the interest upon the loans which they have raised, and any legal payment which is payable out of the amount, and the balance handed over to them.

4604. Do all those duties rest upon the same footing; have they the same duration?—They have not the same duration; they are received under different titles and different circumstances. The 4*d.* coal duty, which belongs to the City, is a perpetual duty, strictly

speaking, by prescription and charter; it is 4*d.* a chaldron. Till the year 1862 it is commuted for 4*d.* a ton; after that it reverts to 4*d.* a chaldron again, there being a provision in the Act that if it shall not cease or be repealed it shall revert to the ancient charge of 4*d.* a chaldron.

4605. What is the legal title by which that payment exists?—It is by prescription, confirmed by the charter of James the 1st and subsequent charters, and recognised by the Act of Parliament, the 1st and 2d of William the 4th, chapter 76, which has commuted it.

4606. Is the produce of the 4*d.* duty applied to any particular purpose?—It is carried to the credit of the City's cash, and it is mortgaged for a certain period, for the making of the Cannon Street improvement. The corporation set aside 20,000*l.* out of it, which has been sufficient hitherto to pay the interest of those mortgages, and it is mortgaged for the repayment of the sums which are stated in the accounts, amounting now to about 580,000*l.*

4607. Is it the produce of the 4*d.* duty which is charged with that sum?—It is.

4608. Is there any legal application of that fund, with the exception of the payment of that interest?—I do not know of any other legal application of it. Under existing circumstances, the corporation are released from the duty of measuring. There are charges which the corporation have considered as attaching to it; they undertook to pay the whole of the coal meters' pensions when the commutation took place; they were officers employed in measuring the coal; it was necessary to provide pensions as the offices were abolished, and the corporation took upon themselves the expense of paying those meters. That was originally 21,000*l.* a year, or thereabouts. It is now about 7,000*l.*

4609. What is about the annual produce of the 4*d.* duty?—It is rather better than 60,000*l.*, after allowing the drawbacks.

4610. What is the annual interest of the debt chargeable upon that fund?—It is about 20,000*l.* a year.

4611. Is there a sinking fund provided in order to pay off a portion of the principal annually?—No; there is none at present,

4612. Does that sum of about half a million go on in perpetuity, without any provision being made for its gradual extinction?—Part of it, 40,000*l.*, is due in February next, and there is a sufficient balance on the account to pay off that amount; there is no provision beyond that for discharging any portion of the principal fund. 10,000*l.* of the first loan of 59,000*l.* has been paid off, and 40,000*l.* is due next month. Beyond that there has been no provision to pay off the capital. It has been looked on, at any rate for some years to come, as a permanent mortgage.

4613. The fund seems large enough to provide for a small annual sinking fund—If the whole of the duties were applied to that purpose it would be so; but the corporation have at present limited themselves to appropriating 20,000*l.* a year out of the coal duties towards that fund. The remainder of the coal duties is carried to the City's cash.

4614. What is the duration of the 8*d.* duty?—There appears to have been some difference of opinion upon that subject. My own opinion is, that four tenths is continued in perpetuity after the year 1862,; that the remainder of it expires in 1862.

4615. Six tenths therefore will expire?—Yes.

4614. What are the charges upon the fund?—The charges are stated in these accounts under the head of London Bridge Approaches fund. The balance against the fund at the close of 1852 was 961,927*l.* 7*s.* 11*d.* due at that time to the Board of Works. At the same time there was a charge of 88,000*l.* effected by the corporation for making improvements at Clerkenwell, which is to come in after the Board of Works' charges have been satisfied. Those two sums together make a total of 1,049,927*l.* 7*s.* 11*d.*

4617. Had the City the prospective power of charging after the Government loan had been paid off?—The Clerkenwell commissioners, who were a separate body from the City, failed in making that improvement; they became in fact bankrupt; they offered to the Government to throw it into their hands. The Board of Works declined it; but the corporation ultimately undertook to finish the street if they were permitted to raise 88,000*l.* upon the fund. They raised that 88,000*l.* upon the fund, and that comes in as a second mortgage after the Woods and Forests are paid their 960,000*l.*

4618. Is any provision made for a sinking fund for that charge?—There is no occasion for it. The proceeds of the London Bridge Approaches duties fund are considered to be sufficient to pay off the whole of those charges by the time that the duties cease in 1862. That is the fund to which the 8*d.* duty is carried, the wine duties, and 11,500*l.* a year contributed by the corporation, and some smaller heads of revenue.

4619. What I desire to know is, whether any means exist for defraying the charge upon the 8*d.* coal duty. You say another fund exists to which the 8*d.* duty contributes?—The 8*d.* coal duty is carried to a fund which possesses other revenues, and arises from other sources. The London Bridge Approaches duties fund, as it has been termed, consists of the coal duties, the wine duties, and a contribution from the City of 11,500*l.*, also fees on the admission of freemen and binding apprentices, and the rentals of waterworks. The revenue is about 140,000*l.* per annum.

4620. There is no separate charge upon the 8*d.* coal duty, but the charges are all made upon this fund?—Quite so.

4621. Is there a sufficient sinking fund provided to pay off the principal of the

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debt you have been speaking of, when the 8*d.* coal duty expires?—The fund is of itself a sinking fund, because the duty, as it comes in quarterly, is handed over to the Government, who pay off the charges.

4622. The whole of the principal and the interest of the debt will be extinguished in 1862?—There is no doubt about it.

4623. How much does the 8*d.* coal duty produce annually?—It produced last year 113,600*l.* net.

4624. How much does the 1*d.* duty produce?—About 13,000*l.* net.

4625. Is there any charge upon that fund?—The Board of Works have effected various charges upon that fund; but upon that point I cannot speak, because the accounts are not required to be kept in our department; they are kept entirely with the Woods and Forests.

4626. What is the duration of that 1*d.* duty?—That is a question which I have some difficulty in answering. I am not quite satisfied whether the duty ceases or not in 1862. My impression is that it does. I know there is a difference of opinion upon that subject with the officers of the Board of Works.

4627. In fact, the City have no interest in 9*d.* out of the 1*s.* 1*d.* paid for the coal duty?—They have no interest beyond the charge of 88,000*l.*, which will come upon the London Bridge Approaches fund, for which they have issued bonds, to be met by the proceeds of that fund in 1862.

4628. That 88,000*l.* is not a charge which they have themselves effected, is it?—They undertook the improvement; they raised the money by bonds upon that fund, and they were authorized by the Act to charge it upon that fund; the improvement is beyond their limits, and therefore it was charged upon the London Bridge Approaches fund.

4629. Were the Clerkenwell commissioners independent of the corporation?—Quite so.

4630. Those commissioners, as I understand you, became insolvent, and the corporation undertook their obligations?—Yes; upon the understanding that 88,000*l.* was provided out of some public monies, to complete the improvement; an Act of Parliament was passed for that purpose.

4631. With respect to the 4*d.* coal duty, there is a charge upon the proceeds to the extent of more than half a million?—Yes.

4632. The City pay the annual interest of that sum out of the produce of the 4*d.* coal duty. They provide no sinking fund. They will pay off 40,000*l.* next month, and they apply the rest of the produce of their 4*d.* duty to the general purposes of the corporation. Is that a correct statement?—It is, and they have admitted in those accounts that they conceive it to be a liability upon their revenues. They have raised that money, and made it a liability upon their revenues. They carry the 4*d.* duty to their credit.

4633. Can you state how much of the produce of the coal duty has been expended beyond the limits of the City?—There is a very full return of it in the report made to the committee on the coal duties of last session; and a map has been prepared, which, if it is thought desirable, can be put in, showing the localities within which the improvements are made. Up to the close of the year 1852, when this account was made out, there appears to have been raised upon the coal duty, and expended within the City of London, 1,190,821*l.* 13*s.* 1½*d.*; [there has been a larger amount expended than is raised from the coal duty, because the property on the sides of the streets is sold and carried to the account ultimately;] without the City, 987,500*l.*; of a mixed character, being for the benefit of the City as well as the adjoining districts, 1,818,221*l.* 18*s.* 1½*d.*; making a total of 3,996,543*l.* 11*s.* 3*d.* There is a note, however, appended to these statements, showing that it is perfectly impossible to separate items of that kind, and say how much is for the benefit of the City, and how much is not for the benefit of the City, because the City is the heart of the metropolis, and whatever relieves the circulation there will relieve the circulation in the extremities, and whatever relief is afforded in the extremities will be beneficial in the centre. I have brought with me the case and opinion of counsel upon the question, which has been so often discussed in public, as to whether the City had extended the area of their jurisdiction over coals in the year 1851. Perhaps the opinion of the law officers may be given in evidence. "We are of opinion that under each of the statutes referred to the duty upon coals is payable upon coals brought by rail, canal, or road within twenty miles of the Post Office, in a direct line, or, in common parlance, as the crow flies. (Signed) A. E. Cockburn; W. P. Wood; J. A. Stuart Wortley, Recorder; Edward Bullock, Common Serjeant." The question being, whether the measuring distance should be along the line of railway, or as the crow flies, twenty miles. The opinion of counsel was, that the effect of that Act of Parliament and the former Acts was clearly that we had the power before to measure as the crow flies, in a direct line.

4634. What was the date of the contested election for the office of chamberlain in which Sir John Key and yourself were candidates?—It was in May 1853.

4635. How was the vacancy created?—By the death of Mr. Anthony Brown, the preceding chamberlain.

4636. What are the proceedings which bring about an election for a new chamberlain? Is notice given by the corporation?—The Lord Mayor is required by law, within a certain number of days, to call a common hall, to elect a chamberlain.

4637. Was there any other candidate besides yourself and Sir John Key upon that

occasion?—No other candidate went to the poll. Mr. Hawes was a candidate for a short period, but retired.

4638. For how many days was the poll kept open?—Seven clear days.

4639. It has been stated to us that the expenses on both sides were very considerable. Have you any objection to state what were your expenses?—As nearly as I can ascertain, they were very nearly the amount stated by the witnesses, about 3,000*l.*

4640. Did that sum include the whole of the expenses of your election?—It did.

4641. In what manner was that sum disbursed; to what purposes was it applied?—Making out lists of voters and polling lists; advertising in the newspapers; addresses, and so on; retaining a large number of canvassers, clerks, and people to canvass and look up voters; cab hire; refreshments to voters and people employed. A great deal of money goes in such elections without the candidate knowing precisely how it goes, or getting any very satisfactory account afterwards.

4642. Did you pay the expenses of bringing non-resident voters to the poll?—Yes.

4643. Was that a considerable item?—Not very large. I should think 100*l.* would cover that item.

4644. What was the expense of the refreshments supplied to voters; was that considerable?—Yes. A large bill is run up for committee rooms and for refreshments, which there is no check upon. In a contested election in the City people eat and drink, whether friends or foes, at your expense.

4645. Were there bills at many public houses and taverns for refreshments?—Yes.

4646. Do you happen to remember what the total amount of expenses for refreshments was?—No, I cannot state it, even approximately. Parties made claims upon me, in round figures, for their expenses, which I was obliged to satisfy, but of which I had no satisfactory account.

4647. Was it more than 1,000*l.*?—I dare say that 1,000*l.* was eaten up during the election in that way.

4648. Was any money given to voters which was virtually a payment for their votes, payment for time and trouble, and so on?—I have no personal knowledge of anything being given in the shape of bribery. I instructed my agents, to keep as clear as they possibly could of all those practices, and I believe they did keep themselves as clear as agents could do in a City election; but charges were made for loss of time, and for different sorts of services, which may possibly have been a consideration for voting.

4649. Do you happen to know what the expenses of your opponent were?—No; I do not. I have only heard by common report, and I should not like to give evidence upon such grounds.

4650. From your own experience, in your election, would you say that an election in common hall was conducted in a satisfactory manner?—No; I should think, very far from what is satisfactory.

4651. Do you see any reason for keeping open the poll for so many days?—No doubt the whole of the poll might be taken, if it were properly regulated, in one day, as is now done in the election for Members of Parliament.

4652. Do you think the constituency is a good one?—I think the livery of London are a highly respectable body; but, in point of fact, I believe they have not the election in their own hands. It is very much in the hands of a low class of liverymen, and a class of men who are not really voters at all; they go there, and throw the weight of their influence into one scale or the other; but, in point of fact, the livery do not decide the question.

4653. To what class of persons do you refer, as overbearing the decision of the livery?—A class of liverymen, who are in the receipt of charity from their different companies; men in a low situation in life, or who are brought to a low ebb, and who are tempted, either for the sake of a day's employment, or for a bribe in money, to sell their votes. I refer also to another class which is known to interfere in these elections, that is, a class of men who have no vote, but who personate liverymen who are on the list, and no doubt, commit both perjury and personation. There seems under the present system to be no effective check, by which such practices may be prevented. Candidates of the most honorable intentions may be victimized, by being supported, as well as opposed, by that class of voters in the City of London.

4654. Do you think the election, in which you were a candidate, was influenced to a considerable extent by that class of voters?—I would rather give evidence generally upon the system, than refer individually to that election. I believe that almost all the elections by that body are swayed, more or less, by that class of voters throwing their weight into one scale or the other; they virtually have the election in their hands, and the more respectable portion of the livery are deprived of their franchise.

4655. According to your view, it is desirable to do something for reforming the constituency in common hall?—I think it is most desirable, if the system cannot be reformed, which I think it can, that it should be abolished.

4656. Is there any advantage in choosing an officer, such as the chamberlain, who has purely administrative duties to perform, by a large constituency rather than by the common council?—I think the common council would be the best judges of the gentleman who would most efficiently conduct their affairs.

4657. Would not the aldermen, and the common council together be quite as likely to

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choose a fit person for managing the accounts and revenues of the corporation, as a large body of voters, such as vote in common hall?—I think they would be quite as well able to judge of the qualifications of their treasurer and accountant.

4658. Practically they superintend his duties, do they not, and are well acquainted with the functions he is called on to discharge?—Certainly.

4659. The constituency in common hall have no knowledge of the manner in which the chamberlain performs his duties, or of the duties which he has to discharge?—Beyond receiving the report annually from the auditors, which is handed also to the common council, the livery do not interfere with the office or with the funds of the corporation in any way.

Adjourned to to-morrow at twelve o'clock.

Thursday, 12*th January* 1854.

The Right Honourable HENRY LABOUCHERE, M. P., in the chair.

Benjamin Scott, Esquire, further examined.

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4660. Is there anything which you desire to add to the evidence which you gave yesterday?—There was one point in my evidence upon which I felt some difficulty at the time in giving the fullest information to the Commissioners. I communicated my feelings to the gentlemen in the City who constitute the committee. I felt that in some respects I had been confidentially employed, and that I could not, perhaps, answer the questions of the Commissioners so as to give them the fullest information upon the subject without communicating with those gentlemen to ascertain whether I was at liberty to do so. I refer to the questions respecting the existence of a secret service fund. I stated that there was no fund by that name, or of that character, in connection with the corporation, but that, on some occasions, expenditure of a confidential nature had taken place with respect to opposing or promoting bills in Parliament where the City's interests are materially concerned. The reason why I felt a difficulty in answering fully the questions which were put to me was in consequence of my having been employed confidentially in the matter of opposing the Government Bill for removing the Smithfield market, and the measures which were taken for promoting the City's Bill for making the new central cattle market On that occasion the Markets' Improvement Committee, to whom the matter was referred to promote the Bill, and to oppose the competing Bill in Parliament, confided in me a trust that I should be employed to check the expenditure of the Parliamentary officer in that matter. I was, therefore, confidentially aware of that expenditure, but I did not feel, without asking permission, that I was at liberty to disclose what had been made known to me—not officially, but individually—in confidence. In my department of principal clerk to the chamberlain I had nothing whatever to do with matters of that kind; it was merely as an individual in whom the committee reposed confidence that I was employed on that occasion.

4661. What committee do you speak of?—The Markets' Improvement Committee. The expenditure to which I refer amounted to the sum of 2,750*l.*, which appears in the accounts in the years 1850 and 1851, as paid to the remembrancer for the disbursements of the Markets' Improvement Committee. The committee instructed the remembrancer, as their Parliamentary agent, in these words: they authorised him "to take measures by obtaining petitions and expressions of public opinion" that would be against the Government measure, to deprive them of their market and their tolls, and in favour of their measure for a central cattle market, with improvements, such as they submitted to Parliament. In consequence of that order of the committee, the remembrancer took the steps which were reported from meeting to meeting of the committee. The committee, upon hearing his report and my report, drew warrants in the usual form, signed by seven members, which were paid and carried to account in the usual way in the chamber. The only difference was this, that instead of the expenditure coming in detail before the committee, the committee requested me individually to check that expenditure, and it was thus treated as a confidential matter. I am now authorised to state fully to the Commissioners what the amount was, and how it was expended. 2,750*l.* was the whole amount expended. That was expended in canvassing agency, procuring very numerous petitions from all parts of the country, printer's charges, and law stationer's charges. Mr. Acland, who was at that time the Secretary of what was called the Central Markets' Association, an association consisting of butchers and dealers at Smithfield market and parties interested, was employed by the remembrancer upon that occasion, he being fully cognizant of the question, and very well qualified to assist in getting up petitions of this kind.

4662. On behalf of the City?—Yes. A large portion of the money was paid to him; but 2,650*l.* out of the 2,750*l.*, or thereabouts, was expended entirely in those charges, in promoting petitions to Parliament.

4663. Do you mean that the money paid to Mr. Acland was included in the 2,750*l.*?—It was.

4664. That sum covered the entire expenditure of that description?—Of that description. 2,650*l.* out of the 2,750*l.* was exclusively applied in promoting petitions, and in

getting up a memorial from the electors, in number 7,000, to the members for the City, and in ascertaining the validity of the signatures. There were frauds committed in signing those papers, and the whole of those signatures had to be tested by agents waiting upon, or writing to the parties to verify their signatures. The remaining 100*l.*, or rather less than 100*l.*, was expended in payments to some gentlemen at the bar, and others, for literary services which they rendered.

4665. What do you mean by literary services?—They had given to them the various reports of select committees of the House of Commons, and the various bills which were before Parliament, and they drew papers and advised with the remembrancer, and were to assist generally in a literary way.

4666. Do you mean that they wrote pamphlets and articles for the newspapers?—I could not state that they wrote articles for the newspapers. I dare say the articles found their way into the newspapers, but there was no arrangement with the press, nor with those parties respecting their doing so, but they were literary persons retained by a fee marked upon the bills. They rendered, no doubt, services of that kind. The only point which I do not feel at liberty to mention is, the names of the gentlemen who were so retained. The whole amount so expended was under 100*l.*

4667. The counsel who were so retained were not employed before the Parliamentary committee, were they?—No. The regular payments of that kind before the committee were charged by the remembrancer in the usual accounts. I am now speaking of that expenditure which, for one reason which I have not yet mentioned, was considered at the time confidential. That reason was, that it is generally understood that petitions presented to Parliament, and expressions of popular opinion, are more powerful if the hand is not seen which is moving that agency. The committee do not wish me to disguise that matter. I believe that is a very common course in oppositions of that kind. Our opponents employed an election agent in the City; a gentleman who is employed in the same way as Mr. Acland is employed in these matters, and they procured petitions also.

4668. Whom do you mean by your opponents?—There was a society formed for the purpose of promoting the removal of Smithfield market, and they employed Mr. Brown as we employed Mr. Acland.

4669. Was there a subscription and funds raised by that committee for that purpose?—There were subscription lists in the papers. I know nothing further than that.

4670. You do not mean that the Government employed any person for that purpose?—Not that I am aware of.

4671. Was that measure promoted by individuals at their individual expense, or was it undertaken by the Government on public grounds?—I have no knowledge of what was done by the Government. I only state that, as the corporation thought their property was attacked, and they were about to be deprived of their tolls without compensation, they felt that they were justified in making use of every means in their power to prevent the passing of such an Act of Parliament.

4672. When those accounts came to be audited, did the auditors take no notice of this sum thus lumped together?—It was not lumped together in the audit account. I should explain that the Blue Book before you is a mere abstract; the audit account is that vellum account which was before you yesterday—a much larger account. The auditors had each warrant, with the signatures of seven members of the Markets' Improvement Committee before them, stating that they were disbursements of that committee in reference to those bills, and were perfectly satisfied in passing the entries with the chamberlain upon such authority.

4673. All that the auditors would look to would be an order by the Markets' Committee for the payment of the sums?—That there was a competent order upon the chamber, and that the receipt of the remembrancer was upon the order.

4674. Do not you think that the auditors, besides that, should take care that the accounts are so distinctly rendered that the expenditure shall be completely intelligible?—As the law now stands, the auditor is required to see that there is a competent authority for drawing upon the chamberlain, and that, upon the face of the order, it is for such a matter as that committee have authority or power to draw for. The order would recite the reference from the Court of Common Council to the Markets' Improvement Committee, and that the order was for Parliamentary services, rendered by the remembrancer.

4675. Admitting that it would not be right that the auditors should have a discretion of saying whether an expenditure was, or was not a proper one, which is a matter to be determined by the authorities themselves, would not it be more satisfactory to the public that the auditors, in the performance of their duty, which is to take care that the accounts are clear and intelligible, and really afford a means of testing the expenditure, should have the power, and exercise the power, of pulling to pieces an account of that sort, and putting each item under its proper head?—It might be desirable to increase the power of the auditors in that respect. I am merely speaking now of how the matter stands at present. The auditor has no authority, and no such authority has been exercised for centuries, of questioning the expenditure of the corporation of London under any head, if there is upon the face of the order the signature of seven members of a committee which has power to draw and spend money for the purpose.

4676. I am not speaking now of the question of the propriety of any expenditure, but, as a mere matter of account, do not you think it desirable that the auditors should have all the authority necessary to take care that the accounts are clear and intelligible, and

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afford a statement which shall enable the public and the corporation to judge exactly how the money has been spent?—It is desirable that the fullest information should be afforded upon the face of the accounts and the vouchers, to enable the auditor to arrange them under the proper head, provided he be not made a comptroller of the expenditure of the larger body—the body elected by the citizens.

4677. According to the present system, if so large a sum can be wrapped up under a general head, and the nature of the expenditure altogether concealed, does not it open the door to possible abuse?—I think it does. I do not think the power has been abused.

4678. Is there anything else which you desire to state?—Nothing.

Mr. Sergeant Merewether, D.C.L.

HENRY ALWORTH MEREWETHER, Sergeant-at-Law, Town Clerk, D.C.L., having been sworn, was examined as follows:

4679. You hold the office of Town Clerk to the corporation of the City of London?—I do.

4680. How long have you held that office?—I have held that office for eleven years; in June next it will be twelve years.

4681. Were you connected with the corporation in any manner before that time?—Before that time I was not connected with the corporation, except that I had occasionally been counsel for them in cases which they had in the courts of law and in parliament.

4682. Will you be so good as to inform us what are the duties of the Town Clerk of London?—The duties of the Town Clerk are to attend to all the business of the corporation. He is at the call at all times of the Lord Mayor, the Court of Aldermen, the Court of Common Council, and all the committees emanating from both those bodies. It is his duty also to attend upon the Lord Mayor when required for the purpose of giving advice or assistance, or such information as may be necessary. It is also his duty to attend at every Court of Aldermen, and likewise to attend at every Court of Common Council. It is his duty to take charge of all the documents belonging to the corporation, which are left in his custody. It is also his duty to see that the minutes of the Court of Aldermen are properly entered in those books which are called the repertories. It is his duty also to see that the minutes of the Court of Common Council are duly entered, are duly printed for immediate circulation, and are eventually entered in a set of books which are called the journals. and in which is a minute account of all the proceedings of the Court of Common Council, He has, of course, clerks under his direction for the execution of all these objects. He has clerks for the purpose of attending and taking minutes of all the committees, and some of the minutes of those committees which are standing committees, and have matters particularly committed to them of importance, are afterwards fairly copied, and are regularly preserved. I refer to the Navigation Committee, the City Lands' Committee, and the General Purposes Committee. Besides those duties, he has to attend upon the courts of conservancy, to prepare precepts for the courts of conservancy; particularly he attends, when necessary, the Navigation Committee, which is an important committee, connected with which matters constantly occur which are of considerable importance, particularly with regard to the regulation of the Thames. I believe I have given a general view of the duties. Of course I am prepared to enter into any further particulars if the Commissioners desire it.

4683. Do those duties occupy the whole of the time of the Town Clerk?—I think I can say those duties occupy the whole of his time, as well as the time of all the clerks in his office. He has a chief clerk, who has been fifty-two years in the office. Of course he does a great deal, and is referred to on all occasions when any question of difficulty arises.

4684. Does the Town Clerk ever engage in private practice or other professional business, except that connected with the City?—None at all. I do not think I have, since I have been in the office, done above two or three things of a general character, and they were under peculiar circumstances, and were cases upon which I had been advising before I took the office upon me. One of them was a question respecting the Scotch fisheries in the House of Lords. One or two cases also I have answered, particularly a case or two for the Borough of Reading, of which I am Recorder, which was specified to the corporation at the time I was elected, as well as my being Solicitor-General to Her Majesty the Queen Dowager. Those several matters were mentioned to the corporation, and I had their sanction for attending to each of them.

4685. As a general rule, was it the understanding when you took the situation that you should devote your whole time to the business of the corporation?—It was a decided term of my appointment.

4686. What is the salary attached to the office?—The salary proposed to me when I entered the office was 2,000*l.* a-year; it has never really equalled that amount, except in one year, when I think it exceeded it, but an account of the whole of the receipts was laid before the committee of common conncil, and finding that for many years it was under the amount which I was led to expect, they made good the amount for the year when I made the application. That is now some years ago. I have made another application since that time, which is at present before the committee of the corporation.

4687. From what sources is your salary derived?—The salary is derived from many

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sources. A certain sum is paid out of the City cash, amounting to 900*l.* a-year, by four quarterly payments. The remainder is made up of allowances from different funds of the corporation, of which I shall be very ready to lay before the Commissioners an account. They are different accounts, which are kept in the Chamberlain's office, and when I was appointed I was directed to be paid 50*l.* out of one account, 50*l.* out of another, and there were four or five sums of that kind. When I receive my salary I have to give five receipts for the different sums. Besides that, I am nominally the registrar of the Mayor's court, but at the time of my appointment it was particularly provided that I should nominate a deputy to execute the duties of the registrar in the Mayor's court. I appointed, of course, the gentleman who had long been in that office, and had discharged the duties of it, and was well acquainted with all the proceedings, which, probably, the Commissioners are aware are of a peculiar character. It was essential for the sake of the City Recorder who presides that a proper person should be put into that situation. Certain fees out of the Mayor's court were still reserved to me—among them a certain sum for affixing the City seal for authenticating documents, which go to the colonies and abroad generally.

4688. Does the amount of those receipts fluctuate?—It fluctuates much. The Mayoralty seal has fluctuated considerably. It has always fell short of the estimate which was made upon my entering upon the office, till a very late period, when, under the sanction of the Recorder, alterations have been suggested in the Mayor's court, reducing the fees of the court, but which have had the effect, as was anticipated, of much increasing the business. The court, in point of fact, being recommended to be thrown open to all counsel and to all attorneys has led to an addition of business which has increased that product considerably. Of course I felt that I had no title whatever to that increase of fees produced by those means, and I communicated to the committee, as well as to the common council, that I should not take any of that increase, but limit my receipts to the amount which was calculated as my proportion.

4689. In your opinion, would not it be desirable that there should be a regular salary attached to your office, and that the amount should not depend upon the fluctuation of those fees?—Personally, when I entered upon the office I determined to myself that I would not make it a matter of money, and therefore I yielded to whatever the common council did, but it is fit that I should state to the Commission that the common council themselves, I believe, strongly entertained the opinion, and have made a reference to a committee upon the subject, that for some of the charges which are made, and some of the fees paid in my office a money payment should be substituted. I, of course, was led to expect that 2,000*l.* a-year would be the salary and that is all I have the slightest expectation of. To me, personally, it would be a gratification if that were received in the shape of salary, and there were no fees whatever.

4690. Did you state that barristers and attorneys were now freely admitted to practise in the Lord Mayor's Court?—They are not yet admitted, but the subject is under the consideration of a committee, who have had a great deal of trouble in making this arrangement, as might be expected. So far as the counsel are concerned, upon the matter being mentioned to them they most readily consented to give up their claim upon the terms which were suggested to them by the committee.

4691. What was the nature of the claim to that exclusive practice?—There were four common pleaders, who, immemorially, as far as I could trace back in the books, had had a regular retainer from the corporation. They had also the livery, and had the privilege of demanding to be employed in all causes. No cause could be heard before the Recorder in which one or other of these gentlemen was not engaged on the one side or the other. That was found to be an impediment in the court. They were appealed to. One gentleman surrendered the office; another gentleman was admitted in his stead, but an express stipulation was made that he was not to insist upon any exclusive privilege,—and two others therefore only remained who were entitled to it. Both of those gentlemen concurred at once upon the suggestion of the committee in giving up the privilege.

4692. How were they appointed?—They were elected by the common council. There were also four attorneys of the Mayor's court, as they were called, having each of them peculiar duties as such attorney. The senior attorney has the custody of the seal. The second attorney is the clerk of the Hustings' court. The third attorney and the fourth attend at all the wardmotes when there is an election upon any vacancy, and they make a return of that election to the Court of Aldermen. I rather mention this for the purpose of showing that they have some peculiar duties as officers of the Mayor's court. Besides that, they have the exclusive practice in the Mayor's court. They alone practise in the court. Other attorneys if they want to practise there use them, as was formerly the case in some of the courts of law, as parties to transact business, paying them agency fees for doing so.

4693. How were they appointed?—Those were some of the offices of the corporation which unfortunately years ago were sold, and they all therefore take office in that manner, the sale comprehending a power of alienation, so that if they alienated before their death, the office then went to their successors who were appointed and who might be young men. Therefore it had a tendency to go on in perpetuity. The corporation have felt the inconvenience of that, and are very desirous to re-purchase the places. Two vacancies have occurred since I have been in the corporation. One was a case where a gentleman at

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a very advanced period of life died suddenly, having omitted to alienate; at least, though he had executed a deed for the purpose, it was not with such formalities as could be relied on, and therefore the grantee from him was contented under an arrangement with the committee of the common council, to take the place under certain terms, under which he was to have no power of alienation. The other attorney of the court is the city solicitor, who was requested by the committee to take upon himself that office as a *locum tenens*, till arrangements were made, and who I believe has derived very little profit from it. That being the real nature of his occupation, of course he has no power of alienating; there are therefore only two persons who have the power now of alienation. The power of alienation of one of them has been purchased by an arrangement for a sum of money to be paid upon his death, but no arrangement has been made with respect to his share of the practice, which is supposed to be materially interfered with by the new arrangement made in the court by other attorneys being admitted. The other attorney has had no arrangement made with him, either for alienation or with respect to his practice, a misunderstanding unfortunately arising between him and the committee, at the time when his case was under consideration. It was agreed that a certain sum should be paid him for his right of alienation, but the committee apprehended that that included also his giving up his practice, upon the notion that being in very good practice in the court, he would, though the court was opened, have as large a share of business as he had before. He did not think it was included, the committee thought it was. That produced a little misunderstanding, and the matter has been standing over ever since, but is still before the committee.

4694. Is it the amount of compensation that those parties might fairly be entitled to, which has caused the delay?—Yes, but it might be satisfactory that I should state how the difficulty arises with respect to that. A short time ago, a general Act of Parliament was passed, giving all parties a right to be admitted in courts of inferior jurisdiction. The matter was before the Court of Queen's Bench, upon a mandamus, applied for by some individual to be admitted into the Mayor's Court, under the authority of that Act of Parliament. The application was opposed on the part of the attorneys of the Mayor's Court, they contending that the general words of an Act of Parliament did not over-ride the peculiar customs of the City. The Court of Queen's Bench after argument were of a different opinion, and held that the Act of Parliament did apply to it, and consequently that the court should be opened. But a writ of error was applied for upon that judgment. It went to the Court of Exchequer Chamber. The Court of Exchequer Chamber, as I understand, did not differ decidedly in opinion from the Court of Queen's Bench, but an objection to a return of the mandamus was taken, which was proved to be fatal, and there the matter has rested ever since. Under those circumstances, there being this question arising upon the statutes, and it being the feeling of the corporation that if the gentleman had really purchased his place under other apprehensions, and supposed he was entitled to hold it, though in law he might not be strictly entitled to compensation, they were ready to do him substantial justice, and to take an equitable view of his case.

4695. Are the Commissioners to understand you that there is no doubt about the principle in the view of the corporation, and that they are prepared to throw open the court both with regard to barristers and attorneys, the only question being one relating to the compensation of those individuals, so far as they think their claims are equitable?—I ought to state that it was the decided opinion and the recommendation of the Recorder that that should be the case. That was acted on by the Court of Aldermen, who decided that they should be admitted, and in consequence of that, a great number of attorneys have been admitted, and have had their names entered upon the roll.

4696. Then the admission has actually taken place?—There is a gentleman who has questioned it, one of the old attorneys has brought an action against one of the attorneys so admitted, and that action is still pending; the whole matter of the arrangement is before the committee, but I think there is every reason to expect that they will act under the advice of the Recorder, and will eventually carry it out, though there is a little difficulty in arranging it. In order to avoid the litigation which will arise out of this very complicated question, they are endeavouring to make such arrangements as all parties may concur in.

4697. In the Court of Queen's Bench there was a difficulty in respect to the mandamus you speak of on the ground of there not being a roll?—Yes.

4698. Then the case went to the Exchequer Chamber, and the Exchequer Chamber determined it upon a technical bye point?—Yes. In the return it was described as a court of law, and it was not said also that it was a court of equity, which is the fact.

4699. There was no decision upon the main point by the Exchequer Chamber?—There was not. The difficulty in respect to the roll in the Queen's Bench was, that there being no roll in point of fact in the City, that was argued as a proof that the clause did not apply to the City court.

4700. Are there any other courts connected with the City, in which there are any exclusive privileges of the nature to which you have been referring?—There were two courts called the Sheriff's Courts. The City of London was divided into two compters, as they were called, of which there were two particular officers, called sheriffs. For each of those compters there was a judge;—they were called judges of the sheriffs court. When the alteration of the law took place with reference to the county courts generally, the corporation felt that the sheriff's court was in such a peculiar situation that it would require

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a separate and distinct Act for the City of London. Accordingly an application was made for an Act, and the Act was passed, and now to a certain degree the old sheriff's court is absorbed in the county court for the City of London. It is still called the sheriff's court, and they were very desirous not to interfere with the officers in that court, but there are still officers existing connected with the old sheriff's court, which is still kept alive by that Act of Parliament, but I do not think that they derive profit or interfere much with their proceedings. Mr. Brand, who is the prothonotary there, one of the officers' is present, and there were some other officers called clerk setters, but they have fallen off by degrees; the number is now reduced to one.

4701. The statute with respect to what may be called the county court of the City of London, was originally the 10th and 11th of Victoria, chapter 71, local and personal, was not it?—Yes.

4702. Were not the same provisions in that Act which were rather conflicting with the provisions of the county court Act, and was not that Act of Parliament therefore repealed by the 15th and 16th of Victoria, chapter 77, local and personal?—I understand from the remembrancer—and from recollection, I have no doubt he is quite accurate—that it was repealed with the view of making it co-extensive with the general Act on the subject.

4703. There is a difference between the general county court Act and the City Act, as to the persons who are to be sued in the City Act the words are inserted "or have any employment in the City of London," which are not in the county court Act?—It was intended I have no doubt by the second Act, that the jurisdiction should be as extensive at least as that under the general Act, and it would appear that they have even gone beyond it. I understand from the remembrancer, that those particular words "or employed in the City," were introduced for the purpose of including under the operation of the Act all the clerks in the numerous private and public institutions in the City. Clerks at the Bank for instance, and others of the same description.

4704. Are you aware whether any complaints have been made of the extreme difficulty of discovering whether any man has any employment in the City?—I have not heard of any complaints of that kind; I think it would have been represented by the judge to the committee if there had been any, because the committee frequently meets to consider the operation of this statute, and looks to it both in a financial and a judicial point of view to a certain extent, having constantly the concurrence of Mr. Gurney the judge.

4705. Do you exercise any superintendence over the legal business of the City of London?—None at all.

4706. Have you any communication with the City Solicitor upon the subject of the conduct of the legal business?—I am happy to say I am in constant conference both with the remembrancer and the solicitor, as to matters connected with their different departments, but I never interfere with them unless I am asked, and when I do so, it is more in the way of suggestion than anything else.

4707. You are not responsible for the conduct of either of those officers in their respective situations?—Not at all. Of course it would be my duty at any time, to advise either the Court of Aldermen, or the Court of Common Council, or any of the committees, if I saw in either of the departments anything proceeding which I thought was contrary to the interests of the corporation. It is my duty to take care to give such advice to the corporation as I think would be generally for their benefit.

4708. In the conduct of any law proceedings in which the corporation may be engaged, who does the solicitor consult with?—The solicitor has again and again consulted with me upon many points. Of course I am ready to take all the responsibility of any advice which I have given in that respect.

4709. He would not take your directions, would he; you do not consider yourself responsible?—Most certainly not. The course which he would take would be that which any other solicitor would take; he would resort to counsel and act under their advice, that is what he invariably does. Of course acting for a public body, it is fit and proper that he should not so much rely upon his own individual judgment as upon that of the recorder, if it is a corporate question, or upon that of the common serjeant. If he requires assistance beyond that, he calls in aid the first counsel in the country. The attorney and solicitor general are always retained as counsel for the corporation.

4710. There is no one officer now representing the corporation in matters of that kind who communicates with the solicitor?—No. I imagine if any interference of that kind were necessary, the recorder and common serjeant would be the two officers who would interpose.

4711. A solicitor acting for a private individual would be of course in communication with that individual, and to a certain degree take his directions. Is there any officer who represents the corporation generally in matters of this description, and confers with the solicitor and guides his conduct to a certain degree?—Upon matters of great difficulty and where it is essential that the corporation as his clients as it were should be consulted, he applies to the common council, or if it is a matter which has been referred to in any committee he applies to that particular committee who has the matter in charge. Practically I do not think the slightest difficulty arises from that mode of disposing of the legal business of the corporation.

4712. Are the charters in your custody?—They are. They are here, at least copies of

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them, which I presumed would be more convenient to the Commissioners. The originals shall be brought here if you have any wish to see them.

4713. Have you here copies of all the charters possessed by the City?—The greater part of them.

4714. How many are there in number?—They are about 120 altogether; they are not all in this book; they were directed to be translated and arranged by a gentleman in the Tower very conversant with these matters—Mr. Hardy, who has made a translation of the charters up to the reign of Edward the 3rd. Since that time he has satisfied himself with giving the charter of Inspeximus of the reign of Charles the 2nd, which in truth includes almost all the former ones. This volume (*producing the same*), contains translations of the charters up to the reign of Edward the 3rd; this, (*another volume*), contains the Inspeximus of Charles the 2nd, which includes all the charters. The charters which were omitted were quite immaterial as being repetitions of former charters. In early times it was the practice of corporations and others, to apply to the king in the first year of his reign, for a confirmation of the charters of the former reigns.

4715. Have your charters ever been published?—They have been published in many shapes. There was an individual of the name of Luffman, who published them in print.

4716. Was that officially on the part of the City?—No they have never been published on the part of the City.

4,717. Does the Inspeximus of Charles the 2nd contain a recital of all the charters previously to that time?—Very nearly all—all with the exception of the charters I have alluded to, which were mere transcripts at the beginning of another reign of the charters which had been granted by the preceding kings. The charters have been published also by Mr. Norton, I believe most correctly. No book connected with the corporation of the City of London has ever been written which contains more accurate information than that book of Mr. Norton. The object of that book was not to give so much a bead roll of the charters, as it was to show the nature of the institutions of the City of London, and the first part of his book is limited to that point, but as it was obvious that frequent reference to the charters would make it necessary to produce them, he goes through them all and I believe there is nothing material omitted by him.

4718. Was that book published by authority?—Mr. Norton was at that time one of the common pleaders. It was before he went to India; he published this book entirely upon his own account. Mr. Tyrrell edited the book after Mr. Norton was appointed to India.

4719. Mr. Tyrrell at that time appears to have been deputy remembrancer to the City of London?—He was.

4720. Therefore the publication may be said to be quasi official?—It is everything but official.

4721. It has the authenticity and accuracy of an official publication, though not professedly made by the City of London?—The writer had all the information and all the means of access to documents which would have been conceded to a person who published it officially, but it has not the stamp of the corporation upon it.

4722. Do you mean that this book contains the entire substance of the charters of the City of London?—I think it does.

4723. Complaints have been made to the Commissioners that parties engaged in litigation with the City of London have suffered considerable injury from not being allowed access to those charters, under which claims were made which they thought unfounded or prejudicial to them. How do you reconcile that with the statement that the substance of those charters is published in extenso, and available to all the world?—I cannot myself think but that the complaint is frivolous and unfounded. I have no idea of anybody, who has an interest or a wish to know the contents of the charters of the corporation of London, who could not put himself in possession of the information at any book-stall in the City.

4724. In point of fact, would a person interested in a point connected with one of those charters be allowed to inspect those charters?—To a person in a suit, who was not a freeman, without the permission of the corporation I would not show the charters, if he was in litigation with them. I am sure I shall be excused for saying that I imagine that that is the most ordinary ground of defence of any person who is called on to show his title, or vindicate his title, to any right or possession. Any person applied to would shut his muniment room, or his box of deeds, and would not show them in such a manner that the production of them would be proof against him as an admission. If I, the recognized officer of the corporation, were to show any of these documents to any individual applying for them in the course of litigation, of course it could be given in evidence that I had done so, and that to a certain degree might prejudice the question which was depending in the courts of law against the corporation.

4725. If a claim is made on the part of a great body like the corporation of London against an individual, founded upon a charter, does not it seem hard that the individual should not have the fullest means of investigating the charter so far as relates to that claim?—I imagine it is a hardship, to which every person who makes a claim against another in possession is subjected. It would seem to me, with respect to that as well as to other matters, that the solicitor would refer to counsel.

4726. Do you think that a corporation like that of the City of London, acting under a public trust, is warranted in proceeding on exactly the same principle that an individual would in defending his own private property?—I must confess it has always appeared to

me that it was so; and I have known repeated instances, in my own experience, in which corporations attacked have shut the doors of their muniment rooms, and prevented the inspection of the documents.

4727. You think there is no distinction to be drawn between the two cases?—I cannot conceive any. I should certainly regard it as my duty to withhold the inspection under such circumstances.

4728. A case has been stated to us in which an individual, engaged in a long and expensive course of litigation with the City of London, was resisted in his demand to see those charters. The court, upon application, decided that the City of London should produce those charters. The City then again appealed, and, in short, fought the point in that way with that private individual, resisting the production of the charters on which its own claim was made?—That question is before the ordinary tribunals of the country, and is not yet decided.

4729. Do not you think that a great corporation like that of the City of London, with a long purse, defending its claim in this manner may operate very oppressively upon individuals who are obliged, at such great disadvantage, to contend against them?—I must confess I do not. For the conduct of the causes I refer, of course, to the solicitor. My own individual opinion would be that there is no great hardship in it. I am quite sure if I were called on to advise any person under such circumstances, I should say, "Keep your "charters to yourself."

4730. If any one were to bring an action against the corporation, you say it would not be reasonable that they should be called on to show their charters. But suppose the corporation were to bring an action themselves against an individual, as in the case of Combe, Delafield, and Company, and the answer were—"We resist your claim, and call "upon you to tell us under what authority you make it," is that precisely the same situation as you have alluded to?—There would be only a difference in point of morality or of feeling—none in equity or in law.

4731. We were told that the Master of the Rolls, or the Vice Chancellor, had made an order; there was an appeal to the Lord Chancellor, who then confirmed the order; and now there is an appeal to the House of Lords, which is pending?—I have nothing to do with the legal proceedings, nor do I know with sufficient accuracy the position in which the case stands to be able to refer to it.

4732. If in reality the substance of these charters is published, and known to all the world, what reason can there be for the City preventing anybody from inspecting them?—I really imagine that it resolves itself into a pure question of law and legal proceedings. I believe there is no object, nor can I think there is any object; but whether there is any or is not must depend upon the progress of the cause, and upon the circumstances connected with the cause; but I am quite confident of this, that no step of this kind has been taken without the impartial and unprejudiced advice and opinion of the best lawyers of the land, taken in the progress of a legal proceeding. I am sure in the corporation there is no feeling upon the subject, nor any intention to deal harshly with individuals.

4733. Does the present state of the charters of the City of London give rise to a good deal of doubt with regard to claims, and consequently to a good deal of litigation?—I think but little. I have never heard but of those two cases; I cannot, however, conceive anything more easy than it is to raise a doubt upon almost every charter that was ever granted. The moment a charter is exposed to legal investigation, the imperfections of language, the ignorance of the circumstances under which the charter was granted, and probably the nature of the general words contained in the charter would render it open, at least, to argument and discussion if it were brought before a court; there have been thousands of instances of that kind.

4734. You are probably aware what was the course taken by the legislature in the Municipal Reform Act with regard to the charters of other corporations in the United Kingdom?—Perhaps I may infer that you allude to the preamble of the Bill, and the clause repealing the former charters. I would almost rather not express my opinion upon that subject. I am quite aware of it; but I must confess that I always looked upon that as the most unconstitutional Act that was ever done in this country.

4735. In point of fact other corporations now hold any rights which they have under statute, and not under charter. Is not that the case?—That Act of Parliament, I think, repeals all the charters as far as they are inconsistent with the Act itself, and no further.

4736. As far as relates to property, and matters of that kind, it leaves the charters subsisting, but with regard to functions and powers it repeals them, except so far as they are not inconsistent with the general law of the land. Is not that so?—I believe it is. My apprehension of it has always been, and I have been called on to act upon it, that the repeal is purely confined to matters that would be inconsistent with the particular provisions of the Act.

4737. As a general principle, the other corporations of the country hold their powers under statute, and not under charter. Is not that so?—I do not think I could go the length of that proposition. There are the words—"Be it therefore enacted that so "much of all royal and other charters, grants and letters patent, now in force relating to "the several boroughs named in the schedules A and B, to this Act annexed, or to the "inhabitants thereof, or to the several bodies or reputed bodies corporate, named in the said

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"schedules, or any of them as are inconsistent with or contrary to the provisions of this "Act, shall be and the same are hereby repealed and omitted."

4738. In effect this preamble of the Act over-rides all the charters?—I presume the inference to be drawn from it is, that this Act, being passed for the public good, is made by the Legislature to over-ride such parts of the several charters as are inconsistent with the provisions of this Act.

4739. In all cases to which the Act applies?—Yes.

4740. How many charters are there in the books which you have before you?—I think the whole of the charters in this book are one hundred and twenty.

4741. That number of one hundred and twenty would include the whole series from the earliest charter down to the latest?—From the charter of William the Conqueror down to the present time.

4742. How many of those are in print in a form accessible to the public?—There are forty-nine contained in Mr. Norton's book, and they are the substantial charters of the City.

4743. Do you think that any evil would arise if the City were required to publish all its charters officially?—There was an application some years ago by Mr. Pulling, who has written a book containing a good deal of information upon the subject of the City of London, but certainly not quite accurate. He made an application to the Court of Common Council for permission to publish the charters. The corporation considered the matter much, and it was debated in the Common Council. It ended in its being not thought proper to concede that to him. I ought not to omit saying, what is the real fact, that the Court of Common Council said they thought, if they were published at all, they should be published by one of their own officers. Certainly the remembrancer and myself contemplated the propriety of doing such a thing. I can answer for myself, and I believe he can also state, that the duties of our offices are such that it would be in vain to expect to have an opportunity of doing so.

4744. Irrespective of that, do you think any inconvenience or evil would arise from their publication?—I have no idea of there being anything objectionable in it; and when my opinion is asked, I must beg that it must be understood solely as an opinion of mine divested of my official character. I cannot answer in that character for the corporation; but for myself, I should think, if they were published and proclaimed at Charing Cross, it would do no injury whatever to any one. I imagine everybody is already in possession of knowledge of the contents of the charters quite sufficient for any purpose that may be required, except for actual proof in the courts of law.

4745. At present there is a considerable number of charters in existence of which there is no printed copy; is not there?—I do not think there is any one which contains anything material of which there is not a printed copy.

4746. You speak of those which are in the possession of the City?—Yes.

4747. Do you know if there are any charters which have by some accident got into the hands of private individuals?—I think it very possible. I am afraid there was a time when the documents of the City of London were not kept with that vigilance with which I hope they are kept now, and when there was not the same convenience of keeping them; but now the common council have provided proper rooms for their safe custody, and they are properly arranged.

4748. Are you aware of any particular charters which are so circumstanced?—No, I am not. I believe, however, there are charters in the Tower of London which are not in the possession of the corporation. I should state that the charters of the City of London are all of them, in fact, confirmed by Act of Parliament; many of them are granted with the sanction of Parliament.

4749. They are confirmed generally, are not they; the powers are not specified, and then confirmed?—The point which I wish to draw the attention of the Commissioners to, is this, that a great many of the charters are in effect specified upon the face of them to be made by the King, with the consent of the Lords spiritual and temporal and Commons in Parliament assembled. Then a quo warranto having proceeded against the corporation of London, and all the charters having been seized by Charles II., upon the accession of William III. an Act of Parliament was passed expressly confirming the charters of the corporation.

4750. You stated that the number of charters in the possession of the City of London was about 120, and you also said, that rather less than fifty was the number in print?—That is the number in print in Mr. Norton's book, but I rather think in the volume before me there are more than that printed.

4751. Do you suppose the number in print considerably exceeds half the total number?—I should think not.

4752. Of the half which remains unprinted, are there any which you believe to be important?—I believe none at all. I have stated that I believe the little book before me, which is not a good translation, contains the greatest portion of the charters, and Mr. Norton gives everything material. I have never found occasion to see any other charter which was not contained in his book.

4753. Is there any order of the common council, or any instruction with respect to the office of town clerk, on the subject of the exhibition of the charters either to freemen or to the public generally?—With your permission, I will read the standing order upon the subject. These are the standing orders upon the subject of records. "55. Every member

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of this court now has, and always has had, a right to inspect the books and papers belonging to the corporation, save and except such as may be under the consideration of any of the committees. And further, every member of this court has a right to take such extracts as he may require. No officer of this court shall be at liberty to show, lay open, or expose, any of the books, papers, or records, of the corporation to any person not a member of the corporation, without leave or licence of this court." Therefore, I here to-day produce these charters before you, under the sanction of the court, who have desired that all the officers of the corporation shall afford all the information, oral and documentary, to Her Majesty's Commissioners which they may require.

4754. Any person, not being a freeman of the City, who should be in litigation with the City on any right contained in a charter, would be debarred from the power of inspecting any charter unless he could obtain the information from some printed book?—In the terms of that proposition, I should say certainly.

4755. Supposing he were to apply to the Court of Common Council for information, what would be the answer he would probably receive?—The application, in all probability, would be made to me, and I should say that he could not see them; but if he pressed his application, and thought fit either to request me to mention it to the common council, or should himself memorialize the common council upon the subject, of course I should give him every facility in both those respects.

4756. The charters of the City of London, either all or for the most part have, in fact, the force of Acts of Parliament, have they not?—Directly or indirectly they certainly have.

4757. If the corporation brings any private person into court as a defendant, and the litigation turn upon some public right, created by charter, does not it seem reasonable that he should be officially and authentically informed of the charter, or other document, or muniment, upon which the claim rests?—If it related according to the terms of the proposition to any public right, it is a question which I do not feel myself competent to answer, but if it related in any degree to the private rights of the corporation, I should say the party could not be entitled to the information.

4758. Take the case of the corporation against Combe and Delafield. The statement which has been made to us is this: that Messrs. Combe and Delafield imported certain malt into London, from a place in the east of England, and that they did not wish to measure that malt, but that when they landed it upon the quay, in the port of London, not within the precincts of the City, they were informed that the City insisted upon measuring it, and that certain metage dues would be charged for that measurement. They said that they were aware of the quantity of that malt, and did not wish to have it measured, and they declined, therefore, to submit to the City metage. Thereupon, the City institutes proceedings, and brings them into court. They say they do not know what is the legal ground upon which this claim rests, and they file a Bill of Discovery, to compel the City to produce the charter, or other instrument, upon which the claim is founded. The City make some resistance to this application, and gave, what is considered by the defendants, imperfect information. Thereupon, further litigation ensues. Does it appear to you that in that case the City, acting, no doubt, under the advice of counsel, took a reasonable course with regard to the claim which they were seeking to enforce?—I am quite sure you will excuse me, having been bred up to the law, and having practised in the law for a great number of years, if I have a hesitation in answering a question which relates to matters now under the consideration of the courts, and in the ordinary course of legal inquiry; but still, if the Commissioners wish me to answer the question upon that point, I will do so. I imagine that all the proceedings in that action have been, as I stated before, considered and taken under the advice of professional men. Of course, I do not wish to express any opinion adverse to, or in any degree touching upon, the course which they have thought right to recommend, but I should think that if Messrs. Combe and Delafield, or any body else, wished to have a knowledge of what the charter contained, there is a little book they might obtain at any stall, which would give it to them, but how far it might be prudent or becoming to give a copy of that from the archives of the corporation, in the progress of litigation, is what I must be excused from expressing my opinion on. I ought to inform the Commissioners that this which is demanded of Combe, Delafield, and Co. is what has been taken in the river Thames, I believe, as far back as any trace can be made; but the corporation of London have always felt that, whatever rights they have, they were inclined to exercise those rights with respect to all equitable claims, as well as with reference to the benefit of the general trade of the port, which to them is, of course, of the greatest consequence. They had, therefore, before this inquiry began, referred this question of metage, and that of corn not wanted to be measured, which is an essential ingredient in it to a committee, who have sat for thirty-nine days, I think, and have examined a great number of witnesses—they have courted a meeting of those connected with this trade—such a meeting has been held, and there seems to be every prospect of their coming to an amicable arrangement upon the subject. I state that to shew that the corporation are most anxious that everything should be done which is equitable, as well as for the general benefit of the trade.

4759. There is no doubt that the corporation, till an order of a court of competent jurisdiction is made upon them, have a right to refuse the inspection of those documents; but in a case where they sought to enforce a right in restraint of trade extending over

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the whole port of London, and not confined to the precincts of the City, does it seem a reasonable course that they should not set forth fully the legal grounds upon which they make that claim? It would then be a question whether the facts proved in the individual case would justify the enforcement of the claim; but does not it seem reasonable, that they should set forth fully the legal grounds upon which the claim is founded?—I think you are asking me with respect to proceedings at law; they take their ordinary and usual course, and with respect to the expediency of yielding to any matter which is in restraint of trade, that is a question of general policy which I can hardly be expected to give an answer to.

4760. Is there any general charter with respect to the constitution of the corporation?—There is no governing charter of that description in the City of London, and perhaps I can explain the reason why that is so. Those charters to which I thought it right to draw the attention of the Commissioners speak so constantly, and that from the earliest charter down to almost the present time, of the customs of London, that I have no doubt it was left from time to time to be regulated by the customs of London. The Commissioners are probably aware that not only did the charters refer to the customs of London, but there is a particular provision in the charters for authenticating the customs of London, which is by the recorder ore tenus before the court in which they may be called in question. It is provided that, whenever the customs of London are called in question, the mayor, alderman, and commons, shall be at liberty to report by word of mouth their customs, and to do that by the mouth of the recorder. That is practised in the present day. There have been two or three instances lately, during the time of the present recorder, in which certificates have been given by him in court by word of mouth.

4761. That is a privilege which was never possessed by any other corporation?—I believe not. Probably the Commissioners are aware, with respect to these governing charters, as in modern times they have been called, that they were not in practice at all till after the reign of Henry the Sixth. It is since that period that they have by degrees come into that formal shape which has entitled them to the name of governing charters, a term which generally signifies the last charter granted to them, which specifies with particularity that they shall be corporations in fact and in name; that they shall have a Common Seal; that they shall have a mayor, so many aldermen, so many common councilmen, and other officers mentioned. And then the charter goes on to appoint a succession of different persons to those offices, and provide for future elections. That is the general nature of a governing charter; but that is a practice comparatively speaking of modern times.

4762. Does not the corporation of London possess a power of themselves modifying and improving their municipal institutions, which was never possessed by any other corporation in this country?—Yes; they have a particular charter which authorizes the Mayor and Aldermen, with the consent of the commonalty, to alter any of their customs which may require amendment or remedy, and to make such provisions as shall be for the good of the King and the public.

4763. What is the construction which has been put upon these words, which seem rather vague?—There has not been recently any direct construction put upon them. The charter was called to the attention of the common council a short time ago with reference to an improvement which was then meditated, and it was considered with reference to the Election Act of the City of London, the 11th of George the 1st., which assumes that the right of electing was in the Liverymen. That Act of Parliament has been very frequently under the consideration of the common council, and in reference to that and other matters, this power of remedying any defects in their own constitution was considered, but it was found impossible to use it against the express words of the Act of Parliament; therefore they thought that the Act of the 11th George the 1st. could only be got rid of by an actual repeal in Parliament.

4764. Has it been found that this charter would give to the City the power of making any alterations, however extensive, which were not in direct contravention of an Act of Parliament?—I think the power seems to be as large as words could well make it. I will take care that a copy of the clause shall be before you.

4765. Are there any other material distinctions between the corporation of London and the other corporations of this country, as they existed before the Municipal Reform Act?—I do not think there are in substance, but the old charters of many of the other boroughs were overlooked and disregarded. The system in the City of London, however, seems always to have been to keep alive the recollection of their old charters, and to act as uniformly in respect to them as they possibly could. I am not aware of any other important distinction. I think the real distinction is that they have not a governing charter, because their customs had formed them into the shape they have assumed at present, and they thought if they wished to alter it, they had the power under the charter of Edward the Third, of doing so.

4766. Were not there then some of the other corporations which resemble the corporation of London in that respect, in not having a governing charter?—Yes, there were many. As I stated before, and I believe I am justified in saying so, there were no governing charters, as they are called in these times, existing before the reign of Henry the Sixth; I believe the doctrine of corporations had not been thoroughly understood up to that time.

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4767. Can you call to mind any considerable towns in England which have not governing charters?—I cannot at this moment, but I can inform myself upon the subject, because I have taken pains to collect them all together.

4768. What is the evidence upon which the recorder satisfies his mind as to the existence of any custom, when he certifies it at the bar of the Court of Queen's Bench?—By a painful and conscientious inquiry into the information to be derived from records in my possession. The former recorder I know gave a great deal of time to the consideration of one important certificate which he made, and the present recorder certainly entered into a considerable investigation, in order to justify him in the certificate which he lately made. One case, I remember, was argued at some length on two different days before the recorder.

4769. Is there considerable difficulty in construing old charters, and arriving at conclusions with respect to the customs of the City?—I think I may say, generally, all the charters are in such general language that they are open to discussion. I do not know, practically speaking, that there is any difficulty in applying them. Of course it will be my duty, among the other charters which I was requested to be prepared to give you information on, to read that charter which relates to the City metage, and the Act of Parliament which has adopted it and has been founded upon it.

4770. Is the certificate of the recorder necessarily taken as a proof of the validity of any custom in the City of London?—It is absolutely conclusive as to the existence of the custom; it is no doubt subject to the decision of courts of law upon it, but it is conclusive in itself; the custom would be taken, for instance, as a fact.

4771. If a question arises, and the recorder is called in to certify whether the custom exists or not, in point of fact, does the recorder hear it argued before him?—The course which the recorder took in the recent case, was to apply to me to know if I could give him any information from the records upon the subject. He applies also to the deputy registrar of the court, as to any matters in his knowledge, and having informed himself in that way, he then hears both parties, and from the conflict he makes up his mind.

4772. Supposing a contest to arise as to the existence of a particular custom, would the inspection of all the charters from beginning to end enable you to say whether it existed or not?—I think not.

4773. The charters themselves do not specify the customs, but preserve them; is not that the case?—Precisely so. Besides the charters I have a large mass of books in my possession, going back to a very remote antiquity.

4774. Containing bye laws?—Some of them contain bye laws and other acts done, shewing usage. The principal points would turn upon the usage, and upon that we have abundant records and many indices, some very perfect, but others not quite so perfect; but when I am called upon to look into them, I amply satisfy myself as to what is the information contained in those records.

4775. In the present state of the records and charters of the corporation, is not the existence of any custom or any rule of corporate law, a question of difficult research and requiring labour?—Certainly.

4776. And much legal knowledge and acumen?—Perhaps so. I think it is rather a dry investigation of facts, leading to the conclusion that at such a time such a thing was done.

4777. Is not it also necessary to judge of the effect of those facts in a legal point of view? Certainly; and if any question arose of that kind, it would be submitted to the recorder and the common serjeant, who are the two legal advisers of the corporation; very often with the assistance of the judge of the Sheriff's Court, Mr. Gurney.

4778. Is not there a difficulty in determining the effect of one charter upon another, and how far one charter repeals by implication previous charters?—I am quite justified in saying that a very difficult point in law is involved in the consideration how a subsequent charter repeals or interferes with the provisions of a former charter. It turns upon the effect of the acceptance of the subsequent charter upon the provisions of the former charter. In that a good deal would depend upon the intent of the parties both granting and receiving the charter.

4779. Has there ever been any provision for reducing the charters and muniments of the corporation into the form of a digest, so as to make the legal powers of the corporation more accessible and more evident?—As I stated before, the corporation dropped a hint that if any thing of the kind was done, they would wish it to be done by one of their own officers.

4780. I am not speaking of a reprint of the existing charters, but something more like a consolidation of the charters and a reduction of them into a more convenient form?—Nothing of that kind has been done.

4781. Has it ever been contemplated?—The book I have before referred to is the very best book of the kind I have ever seen. Mr. Norton took great pains to investigate the subject, and had full access to the books. The recorder reminds me that when certain litigant parties, the litigation being between themselves, asked for the certificate of the recorder, the fullest access was given them to all the records in the office. That is invariably done. When any question of the kind arises, if the parties want information they have immediate access to it; the other is a technical objection.

4782. My question rather refers to what might be called codifying the charters and bye laws of the corporation, has any such plan as that ever been contemplated?—No; and it

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certainly would require a great deal of legal acumen and a great deal of labour to effect such a work, and it would probably end after all in considerable error.

4783. You have given your own opinion that, in reality, no practical inconvenience arises to the public or to the City from there being confusion in the charters as they now exist, and you do not think that they give rise to litigation?—I am not aware of anything of the kind. Those two cases which have been mentioned before you are the only two cases that I recollect at this moment in which the matter has come in question; the case of Coombe, Delafield, & Co., and the question as to the right of the soil and the bed of the river.

4784. Can it be truly said that there is any governing charter of the City of London?—Decidedly I think there is not; certainly there is no such charter as the one I was just now describing, beginning with the incorporation, and fixing the number of the body, specifying the seal, the officers, and their number, nominating persons to fill those offices, and providing for the future elections upon vacancies.

4785. I understand by a governing charter, a consolidation of the previous charter upon an *Inspeximus*, the confirmation of them, and then a provision regulating the future constitution of the body. That being accepted, you have, upon looking at it, the means of knowing of what number the corporation is to exist. There is you say no such charter in London?—No.

4786. Upon reference to all the charters of the corporation of London is there in any one of them a provision that the body shall consist of a mayor, so many aldermen, so many common councilmen, and so on?—Certainly not; the practice has never been of that kind; the corporation of London have from time immemorial regulated the number of their aldermen and the number of their common councilmen according to their own arrangements. Of course they could not make aldermanries or give a jurisdiction to a court in a given part of the City; that requires either a charter of the Crown or the interposition of Parliament, of which a very early instance was given in the reign of Richard the Second. Farringdon Without having become very populous, it was necessary to make provision for it, and an express Act of Parliament was passed authorising the inhabitants of Farringdon Without, as well as the inhabitants of Farringdon Within, each of them to appoint an alderman, and each of those aldermen were to exercise jurisdiction in the respective wards, so that those two wards were separated by Act of Parliament. So far as the naming of an alderman for corporate purposes goes, I imagine the corporation have the power of doing it, but for jurisdiction of course they could not establish a court or hold a ward mote, or anything of that kind, without the authority of the Crown or Parliament.

4787. Are the Commissioners to understand that the present number of the aldermen, and the division into wards, and the number of the common council have been all regulated from time to time by the whole body itself?—Yes; there has been only one instance of an alderman being added in comparatively speaking modern times, which was the alderman of the ward of Bridge Without. That I shall probably have occasion to explain when the question about Southwark arises.

4788. What are the present boundaries of the City?—The boundaries of the City consist of the City proper, that is, the City within the walls, the course of which can be easily defined; there are also liberties without the walls which are with more difficulty defined, but I believe they can in all instances be defined. Perhaps it may be necessary that I should just point out to the Commissioners how those liberties arose. They arose, as I imagine they do in many cases on the Continent, from that portion of the ground outside the walls which is necessary for the protection of the wall. Of course it will be obvious that the jurisdiction must extend without the wall, or else from a hostile attack they would never be safe. The liberties of the City of London form a very striking illustration of that fact. All the liberties without the walls are places where the walls have been accessible. For instance, Farringdon Without extends up to Temple Bar, which was the high ground opposite to Ludgate-the-Gate, at the top of Ludgate Hill. Cripplegate Without was the same. There were walls, and a bastion, and so on, and open ground in front of it; there the liberty extends as far as would have been necessary for the general purposes of defence. Aldersgate Wards Within and Without are under the same circumstances, but when you go further round the City and come to the river, you find there is no liberty without, because there was no wall, the river itself being a protection. As a still further illustration of that, in Coleman Street Ward there is no liberty, it bordering upon the moor which surrounded that part of London. Again, when the moor is passed and you are on the other side, Bishopsgate Without exists, which was where the road passed out to the Bishop of London's lands at a distance from the town. That I believe is the explanation of the liberties, and those boundaries can be clearly defined.

4789. How long have the boundaries of the City remained unchanged?—I am not aware of there having been any change in them whatever. It is one of the curious features of London, that the original boundaries can be so accurately defined.

4790. Do the present boundaries, including the liberties, go up to the time of William the Conqueror?—I do not think I can say that. I can only say, as far as my books go back, and some of them are very old, they must always have been very nearly the same. You cannot look with certainty to any period before Edward the Third.

4791. So far as your information extends the boundaries have remained unaltered?—I believe so.

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4792. What is the area contained within those boundaries?—I am informed, on the authority of the surveyor, it is about one mile square.

4793. Can you tell the Commissioners at what time the metropolis began to extend beyond the boundaries of the City?—That is extremely difficult to state, because it is a matter of remote history. As the Commissioners know, the Strand, for instance, consisted of a series of noblemen's houses; bordering upon the river there was Essex House, and Exeter House, and many other houses down the line of the Strand, but no continuous street, the road being hardly passable along the Strand. It will be remembered again that going up from Temple Bar northwards there was a very old lane, called Chancellor's lane, and on the side of that was Lord Lincoln's property, now Lincoln's Inn. Going up further still, towards Hampstead and Highgate there was a property of the family of the Gray's, which is now represented as Gray's Inn. I think there was a prothonotary of the Court of Common Pleas of the name of Brownlow, who in some record or other shows the extent of the wood which he cut upon his estate in Holborn, which I imagine is where Brownlow Street now is.

4794. At that time there was a village of Charing?—Yes.

4795. When the judges used to go down to Westminster Hall they breakfasted at the village of Charing on their way?—Yes. It is said that when the house of a nobleman in Piccadilly was built he was remonstrated with, and asked why he had built his house so far out of town; his answer was, that he was determined that nobody should ever build beyond him.

4796. Were not there some portions of what is now the City of London which were by Act of Parliament taken out of the county of Middlesex and put into the City of London?—I am not aware of that; they probably were still within the boundaries of the City of London. There are some places which were before exempt from the jurisdiction, such as the Temple.

4797. It was stated to us on a former occasion that some part of the county of Middlesex had been taken from that county and made part of the county of the City of London?—I am not aware of that. There is a charter which alludes to all those exempted places, and brings them within the jurisdiction of the corporation of the City of London.

4798. For a long time the City and London were substantially the same, were not they?—I have no doubt originally the corpus, if one may so say, of the metropolis was the City of London.

4799. Did not it remain so till about the time of Charles the Second, and after the great fire did not the extension of the metropolis beyond the limits of the City commence?—I am not aware of that as a matter of history.

4800. No attempt has ever been made to extend the limits of the City as the town increased?—None at all.

4801. Do you happen to know whether that is a subject which ever occupied the attention of the corporation in former times. As London distinguished from the City strictly so called increased, did they ever consider the propriety of increasing their limits?—I have no knowledge of any attempt being made of that kind on the north of the river. On the south of the river there can be no doubt from an early time there have been efforts of that kind with respect to the borough of Southwark. That appears upon the face of the charters, and appears by the proceedings of the common council to have been a suggestion that was often entertained, and, as far as I can judge from the records, everything was done that could be done to make that a perfect jurisdiction; but the charters, which gave some power over Southwark, were not sufficient to enable them to do it effectually.

4802. Southwark always remained in the county of Surrey, did not it?—I cannot say that, because with respect to Southwark in the reign of Edward the Third there was a complaint of the citizens of London, that thieves and ill-conducted persons came into the City, committed thefts, and were guilty of misconduct, and then escaped into Southwark; that was complained of as inconvenient and injurious to the City, and, therefore, the City had the borough of Southwark granted to them.

4803. It was not taken out of the county of Surrey, was it?—No; it is perhaps one of the most difficult subjects in English history to know what the effect of these charters was. Charters were generally obtained, of the kind I am now alluding to, for the purpose of keeping off the exactions of the officers of the crown. The sheriffs, the bailiffs, the clerks of the markets, and purveyor were constantly intruding, particularly the sheriffs. Therefore a charter was obtained to make the place a peculiar jurisdiction. As soon as the charter was obtained the sheriff found out that it did not in some way or other exclude him, and it was a vexed question from the earliest times, what had been the effect of those charters—many places, in order to exclude the sheriff altogether, obtaining charters about the reign of Henry the Sixth and onwards, making them counties of themselves.

4804. Do you mean that at the present day there is any doubt but that the borough of Southwark is in the county of Surrey, and not in the county of the City of London?—It is free from doubt, because there was an actual litigation in which the officers of the City of London were successful in disputing the execution of writs within the borough of Southwark.

4805. When did that occur?—I forget the date at this moment, but I can supply it.

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An action was tried, and there was great resistance made to the interposition of the sheriff of Surrey within the borough of Southwark, but eventually it was found to be accompanied with so much litigation that of late years it has not been insisted on.

4806. The present connexion of the City with the borough of Southwark is one of an anomalous description, is not it?—Certainly.

4807. Do you think it is quite satisfactory in its present state?—I should say decidedly not, neither to the City of London nor to Southwark; they neither of them know what are their respective rights or their respective duties.

4808. Have you formed any opinion, and if so, have you any objection to state, what course you think had better be taken with respect to the borough of Southwark?—I ought to say that I do not feel myself authorised to express any opinion. I have an opinion, and whenever the time arrives I think they could be put upon a footing which must be satisfactory.

4809. You had rather not state to us any opinion which you may have formed as to the course which you think it would be desirable to take with respect to Southwark?—I think I may be justified in stating what has passed. I know that applications have been made on behalf of some of the inhabitants. I do not remember any very general interposition, but a very large number of the inhabitants have, from time to time, made application to the Court of Common Council to consider their case, and to consider the position of the borough of Southwark. The corporation of London have, as they always do, referred those applications to a committee of inquiry. The committee took the subject up again and again, but they found it was so extremely difficult to settle the conflicting rights of the parties that they have not been able to do anything effectual. It would occur of course to any body, as one of the points, that if the borough of Southwark claimed a participation in the property of the corporation of London, which belongs in point of fact to the freemen of London, it would be an embarrassing thing, and not just or equitable. There are also other difficulties with respect to jurisdiction. But my strong impression is, that the corporation of London found themselves unable to deal with the subject without legislative interposition. If legislative interposition was necessary, it would be for the borough of Southwark to solicit it, and I have never heard the least surmise from the corporation that they would have any objection to their taking such a course in that respect as they should think fit.

4810. The feeling seems to have been on the part of Southwark, not unnaturally, that they would wish either to be incorporated with the City of London, and enjoy all the privileges of citizens, or else to be entirely dissevered from the City of London, and have an opportunity of procuring municipal rights for themselves independently of it?—Speaking merely from what I have collected from the past, I should say a similar feeling would exist in the corporation of London.

4811. Which do you think of those two courses would be the preferable one?—I must say that the considerations are so balanced in my mind, that I should be unable, perhaps I ought to be unwilling, to express an opinion upon that subject; it really involves most material considerations.

4812. Supposing it were thought right entirely to sever the connection between Southwark and the City of London, are there any inconveniences which would occur to the City which you are able to point out to us, from the adoption of such a course?—None at all.

4813. It could be done without any inconvenience to the City at present?—I should say the advantages and disadvantages were so equally balanced, that the wish of either of the parties ought almost to decide the question. If the inhabitants of Southwark truly and really wish to be dissevered from the corporation of London, and can make out a proper case for it,—which I think they would have no difficulty in doing,—my notion is, that the corporation would not be likely, judging from their past acts, to give the least opposition to it.

4814. As far as you know, you do not anticipate that there would be any embarrassment in the City affairs, or any difficulties arising from carrying such a measure into effect, if it were thought right upon public grounds?—I see none; but I must be understood as unwillingly expressing anything like an opinion upon the subject; at all events, it must be considered merely as my own view from what has passed. It seems to be very questionable whether the people of Southwark really wish it or not. In the course of the evidence before you, it has been stated that a meeting would take place of the inhabitants. As far as I can obtain information upon that point, the members for Southwark attended there, and some other influential persons; but the meeting was very small, and I do not suppose would be represented by anybody as a popular exponent of the wishes of the inhabitants of Southwark.

4815. The result of the meeting to which you refer was an expression of opinion that they would desire to be incorporated with the City of London, was not it?—I forget how that was. My principal object in looking at it was to see if the meeting was of such an influential character that any person would with satisfaction act upon its decision.

4816. Hitherto the borough of Southwark has been very slow in expressing any opinions upon these points, has it not?—I believe it has; and I know how difficult it is to obtain the opinion of people upon such subjects.

4817. Still you think the present state of things is one in which it cannot be supposed

in the long run to be likely to acquiesce?—I do not know how to answer that question, because they have acquiesced; and, with the exception of petitions which they have presented to the common council, I do not know of anything they have done. The only opinion I feel justified in expressing decidedly is, that the corporation of London have failed to do anything on the subject, from finding it totally impracticable without legislative assistance.

4818. But you think any reasonable arrangement with regard to Southwark would not be distasteful to the corporation?—From what has passed, I think it would not be. Beyond that I think I must not go.

4819. Setting aside the question of Southwark, the powers and jurisdiction of the corporation of the City are for the most part limited to their own boundaries, are they not?—Almost entirely so.

4820. They have certain powers which extend beyond their boundaries, have not they?—Their powers of police are of that nature to some extent.

4821. Their right of metage and porterage extends to the whole of London?—Yes.

4822. And their power of conservancy of the Thames?—Yes; it extends from Staines Bridge to Yantlet Creek.

4823. Those points are far beyond the limits of the City?—Certainly.

4824. Is there any power beyond those of metage and porterage and conservancy which they exercise, without the limits of the City?—I do not remember any at the moment.

4825. Are not the tonnage dues collected in the river; and is not the coal tax levied beyond the limits of the City?—Certainly.

4826. The corporation of the City is the only municipal body within the metropolis?—Yes; I do not know how far Southwark may be called a municipal body; it has some of the characteristics given to it of an ancient municipal body.

4827. So far as Southwark is a municipal body, it is connected with the corporation of London?—Yes; it has its own courts. A Court of Record and a Court Leet, and all those ordinary accompaniments of municipal institutions.

4828. Looking to the facts which have been stated, that there are certain powers which the corporation exercises without the limits of the City, and that is the only municipal body within the metropolis, does the corporation consider itself as representing for certain purposes, the entire metropolis of London?—I never heard such a thing. I have no idea of anything of the kind.

4829. The corporation considers its functions and powers as limited strictly to that portion of the metropolis which is situated within its own boundaries?—As far as my experience of their conduct goes, it is entirely the case; they confine themselves entirely to their own district. In point of fact, as I imagine, in many boroughs and cities in the olden times, so large a body of inhabitants was collected together in one spot, that it was difficult for them to be brought within the government of the sheriff, and therefore they were generally excluded from the jurisdiction of the sheriff, and had their own judicial establishments, consisting, generally speaking of a Court of Record for civil matters, analagous to the Hundred Court in the county, and a Court Leet with regard to all criminal matters.

4830. The corporation, in administering their funds, look exclusively to the interests of that portion of the town which is situated within their own limits,—is that your meaning?—That is certainly not the case. For instance, in dispensing their charities, they are frequently called on to subscribe to charities which are out of their jurisdiction and control; they do that freely. I believe, too, they have heretofore contributed to public improvements out of the City. I think they did so many years ago with respect to the great improvement in the Strand. It was before my time; but I believe that was the case.

4831. To a certain extent they do consider themselves, therefore, as representing the interests of the entire metropolis?—I do not consider that as in any degree a representation of the metropolis. They have only interposed for the public good or for the purpose of charity beyond their own jurisdiction.

4832. To a certain extent in administering their funds they have regard to the interests of other portions of the metropolis?—Upon a proper application being made to them by petition to the common council, they consider all the circumstances of the case, and of course consider (and it is always with them a primary consideration) what the individuals living within the walls may claim from them. If they find that the circumstances are such as to justify it, and they are enabled to do it, they do contribute to charities and other establishments out of the boundary of the City.

4833. As far as their representative character is concerned, do you consider that they confine themselves strictly to their own district?—In the City Pocket Book there is an enumeration of the different sums which have been from time to time subscribed by the corporation, distinguishing what apply to matters without the City and what within.

4834. What are the duties of the Lord Mayor?—The duties of the Lord Mayor are very numerous. He is of course, as his name would import, the head of the corporation; he has to attend more or less to all the concerns of the corporation; his duty is, as a magistrate, to preside at the Mansion House in all inquiries that are from time to time brought before him there, which occupies a considerable portion of his time in the

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morning. When he is himself, from his other duties, prevented from sitting there, he has the assistance of one of his brethren, the aldermen. He presides, of course, over the Court of Aldermen; he summons it, and regulates, to a certain degree, matters of which notice is given, to be considered before the court. He also in the same manner presides over the common council, appoints their meetings, and, upon a requisition signed in a particular form and by a certain number of persons, at all times calls the common council together whenever it is necessary. He also presides over the Court of Conservancy, two meetings of which are held in each of the districts under the jurisdiction of that Court, the county of Middlesex, the county of Essex, the county of Kent, and the county of Surrey; and he would also, if occasion required,—and he has done it,—hold a Court of Conservancy within the City, with respect to any matters arising there. Besides that, the Lord Mayor of course is open at the Mansion House to be consulted upon all occasions by any of the officers or any persons in the City who may wish for his interposition. I do not at the present moment recollect any other general duties which he has to perform. It will of course be borne in mind, that under the general description which I gave of his duties, is included the superintendence of all the concerns of the corporation; he must be occasionally called on to perform duties which it would be very difficult to enumerate.

4835. Is his time almost entirely occupied during his year of office by his official duties as Lord Mayor?—I should say his official duties of one kind or other engross the whole of his time, and that he has some difficulty in attending to them all. I think, as far as my own experience goes, I have seen that Lord Mayors have rather sunk under the labours of their office than otherwise.

4836. With respect to the mode of election of the Lord Mayor, and the legal qualifications required, the statements which are contained in the reports of the previous Commission and in the ordinary books are probably correct, are they not?—I believe quite correct, particularly those contained in the report of the year 1834.

4837. With regard to the expense of the office, can you give us any information?—I have only very indirect information upon that subject. The expenses all pass through the chamberlain's office; but I believe I can give you a summary of them. I obtained this statement from the chamberlain. The Lord Mayor receives as compensation for the loss of emoluments on the abolition of the metage on coals, 500*l.* It will be seen in the City's printed Report, page 36, that the allowance which he receives is 5,997*l.* 8*s.* 4*d.* There are expenses attending the Court of Conservancy which amount to 300*l.* a year, for which he has an express allowance from the common council. Of course there is a considerable portion of wear and tear in the furniture at the Mansion House in the course of the year, for which, when it is certified that the furniture is duly delivered up, he receives from the common council an allowance of 100*l.* The income tax is also paid for his lordship, which amounts to 228*l.* 7*s.* 6*d.*; there is a small sum for a gown, 18*l.*, and the cocket dues amount to 1,000*l.* There is a payment, which I presume originated in early times, from the name given to it; it is called a "Benevolence," given out of the Bridge House Estate to the Lord Mayor, 50*l.* It was a species of contribution probably to the annual festivity. There are certain fees at the Old Bailey, amounting to 40*l.*, and there are others amounting to 86*l.*, making 126*l.* 2*s.* 4*d.* The total amount of the charges connected with the office of Lord Mayor is 8,319*l.* 18*s.* 2*d.*

4838. There is an impression that the Lord Mayor is entitled to be summoned to the first privy council which is held after the demise of the Crown. Do you happen to have any information upon that point?—I have looked into the subject, and I imagine in ancient times it would have been done as a matter of course, because there were a great number of state affairs in which the Lord Mayor originally used to take part when his influence in the constitution was much greater than it is at present. As one instance, as far as I can trace back, he always has been summoned upon the demise of the Crown. I have no doubt originally, upon the demise of the Crown, the Lord Mayor of London was applied to, as the person highest in authority in the land, and as, probably, the instrument which should be used for the transmission of the Crown from one Sovereign to another. I need not remind the Commissioners that there was a period when all offices of all kinds ceased upon the demise of the Crown, till an Act of Parliament was passed to remedy that great inconvenience. I imagine the custom arises from the Lord Mayor of London originally partaking largely in the national concerns. I may mention as a little fact to explain this matter of etiquette, that a communication is always sent from the Home Office immediately upon the demise of the Crown, who instantly desires the great bell of St. Paul's to be rung, which is the announcement to the public of the event.

4839. Are there similar communications made upon the death of other members of the Royal Family?—Always upon the birth of a child of the Sovereign a communication is made to the Lord Mayor. Upon the death of other branches of the Royal Family, also, a communication is sent. In the case of the demise of the Queen Dowager, a communication was sent from the Home Office to the Lord Mayor.

4840. In the case of the actual Sovereign dying, the Secretary of State for the Home Department would communicate to the Lord Mayor that fact, would he not?—Yes.

4841. Does the Lord Mayor, upon the demise of the Crown receive a summons from the privy council office to attend at the first privy council?—Whether he receives a summons or not, I cannot answer. The remembrancer, through whose hands all such matters pass, will be able to answer; but I know this, that the Lord Mayor goes and attends the

privy council, for I remember on one occasion, the Lord Mayor not being quite ready, the Duke of Wellington was reported to have insisted upon no steps being taken till the Lord Mayor came

4842. When the new Sovereign is proclaimed any person, either the Lord Mayor or any one else, not being a member of the privy council, is admitted, is he not?—I am not aware of that. I thought the Lord Mayor, upon going to the council, did some formal act; but I have no knowledge upon the subject.

4843. You are, perhaps, aware that some evidence has been given to this Commission with respect to the hospitality exercised by the Lord Mayor at the Mansion House. Is there any remark which you wish to offer to us upon that subject.?—I have no remark to make upon it, further than that hospitality of that kind is not at all unusual in England upon great occasions. As we know in all stations persons of consideration in the country offer hospitalities of that kind,—the Officers of State, the Judges, the Archbishop of Canterbury,—indeed, the custom seems to pervade all the higher ranks of English society.

4844. I observe it is stated in the document which was read by the recorder that the procession on Lord Mayor's day, commonly called the Lord Mayor's Show does not cost more than 200*l.*?—I believe that is about the amount.

4845. That has been accurately looked into, has it?—Certainly, before that statement was made, the question was looked into with respect to the present Lord Mayor and other Lord Mayors. The remembrancer, who knows what takes place upon that occasion, was also consulted upon it, and I believe that sum to be accurate.

4846. Are you aware what was the expense of the pageants in former times, in the days of James the First and Queen Elizabeth, when they were very fine ones?—I do not know, but I dare say it can be ascertained.

4847. Does not it appear to you that on those occasions of public hospitality, the Lord Mayor appears in the character of the first magistrate of the whole metropolis, rather than of that particular district of it which is contained with the City walls?—I must say I do not think that; I am quite sure the Lord Mayor and the corporation would be very glad that the effect of having such entertainments should be felt outside the City, but there is nothing done by the Lord Mayor which would raise that inference.

4848. With regard to the Lord Mayor's Court, there is a peculiar custom in the City of foreign attachment. Is that a subject which you have ever considered so as to be able to give the Commissioners an opinion upon it?—I think, perhaps, I had better, in the first instance, draw your attention to the very early charters. Foreign attachment, in point of fact, is a thing which is almost necessary in a large commercial city, because inasmuch as there were many provisions in the charters that merchants who traded to this country should not live in the City, but should only have places of resort in the different hotels, it follows that the time of any merchant's remaining here was so uncertain and so short, that if he incurred any debt, he could not be called on, perhaps, to pay it. The merchant, therefore, who came to sell his goods, or who wanted to buy goods here, which was more to the purpose, would not be able to obtain credit unless there were means of obtaining payment from him; it would, therefore, seem to be a necessary consequence of the mode of carrying on the traffic in merchandize at that time, that if he came and bought any articles, or incurred any debts, and left any property behind him, there should be an opportunity of arresting that property, so as to make him pay the debt. That would seem to be the reasonable explanation of foreign attachment, and I think the Commissioners will find distinct traces of it in the early charters. You will find this provision in a charter of Henry the First, which is a very early one: "If any shall take toll or custom of any citizen of London, the citizens of London in the City shall take of the borough or town where the toll or custom was so taken so much as the man of London gave for the toll, and as he received damage thereby, and all debtors which do owe debts to citizens of London, shall pay them in London, or else discharge themselves in London that they owe none. But if they will not pay the same, neither come to clear themselves that they owe none, the citizen of London to whom the debts shall be due may take all goods in the City of London of the borough or town, or of the county wherein he remains who shall owe the debts." So that it seems that their property within the City was to be made responsible for the debts which they had incurred.

4849. That provision which you have read would apply to all persons residing without the City of London, whether English subjects or aliens, would not it?—Certainly.

4850. I understood you to imply in your explanation that foreign attachment refers to aliens?—In a great degree it does. The subsequent charters would show the application more particularly; by degrees it came to be more confined to foreigners.

4851. In the corporation law a foreigner means a person dehors the corporation, does not it; it does not mean an alien?—It means both; it is used in both senses. In many charters, and in still more entries in our books, when they are speaking of the freedom of the City, a foreigner is a person who is not admitted into the body as a freeman, but when speaking of alien merchants, the term foreigner is applied to them, and that is the case also in the statutes of the realm.

4852. Is there any similar provision to this in any other of the great seats of commerce in England?—In most of them. In Bristol it was so; my impression is, it is so in

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Liverpool, but I am not so sure of Liverpool, because Liverpool was not one of the earliest boroughs in this country.

4853. Is it your opinion that it is desirable to maintain this peculiar custom in respect to the City of London in its present state?—I really think it is very serviceable, for the sake of the merchants as well as for the sake of the creditors.

4854. If it is a good custom for Fleet Street, is not it a good custom for the Strand and Oxford Street?—I should imagine if a new corporation were made for the Strand, it would be very desirable that such a power should exist.

4855. This is a power which is quite independent of the corporation, is not it. It is a custom affecting all the inhabitants of the City, and all persons sueing in the Lord Mayor's Court?—No doubt it applies to all of them; but, like other rights, it is limited by the jurisdiction. I believe there is no such thing in the practice, or the law, or the history of the country, as any right of this kind being exercised by a corporation beyond the particular limits to which the jurisdiction of the corporation extends.

4856. If it is a good custom for persons residing within the jurisdiction of the corporation, would not it be so for other parts of the metropolis similarly circumstanced?—I cannot help thinking that it would, but in a great degree, the same thing is effected out of the City. You have a fieri facias against the goods of any man. With respect to a foreigner in the strict sense of the word, meaning an alien, it would not be necessary to be spread all over the country. It was the peculiar nature of the traffic in the City of London which made it so essential to be applied there with respect to foreigners. The old law of the City of London was, that no foreign merchant should be allowed to reside within London longer than forty days, and during that time was to have no house, nor be at liberty to hire any house, but was only to be at one of the hotels. That gave such a fleeting residence, if I may use the expression, to a foreign merchant within the City, that those great powers over his property when he was gone, became necessary.

4857. Has not the nature of foreign trade extremely altered since those days?—It has altered, but not in such a respect as to make it no longer desirable that if a debtor does quit the City and leaves property there, it should be capable of being attached.

4858. That provision of the general law which you think to be in some degree a substitute for this particular custom in the City, would, if the custom were abolished, apply to the City as well as to the rest of the country, would it not?—That, of course, would be a matter of legislative enactment. I do not know that it is a matter of course that it should.

4859. The general law of the country would apply in the City if that custom were abolished, would not it?—There is no mode in which you can so promptly get a debt paid as by taking the property. Nothing would appear to me so just and equitable as that you should take the property of a debtor to satisfy his debt if you find it within the jurisdiction, the jurisdiction being answerable for the due execution of the law.

4860. You do not know what is the case at Liverpool and Glasgow?—I do not know anything respecting Glasgow. I believe the case at Liverpool is the same as at Bristol, and I believe it is so in Dublin, because the peculiar jurisdictions of Dublin were, in fact, borrowed from Bristol.

4861. Is not the peculiarity of the custom of foreign attachment, that there is a remedy against the debtor of the defendant?—Certainly; you pursue his property, wherever you can find it. Supposing there is a debtor who has left the place; if he has a debt due to him from A or B, he says to A, do not pay that money to my credit, or keep it for me; keep it till I have satisfied the court that I am entitled to have it. It is only kept as a pawn or pledge.

4862. Is there any such power as that in the general law?—No.

4863. Then the peculiarity of the custom of foreign attachment is, that it gives a remedy against a debtor of the defendant?—Just so.

4864. That power enables you to seize money in the hands of a banker?—Yes.

4865. Is not that the principal practical operation of the custom in the City of London?—Just so.

4866. If that be a good regulation for the City of London, would not it also be a good regulation for the rest of the metropolis?—I think it would.

4867. And for the whole country?—I see no reason why it should not be so. It appears to be a prompt mode of making men pay their just debts.

4868. Is it much resorted to?—It is a good deal; it is frequently resorted to, and found very useful, in effecting the ends of justice.

4869. If it is a good custom, is there any reason why it should not be extended to the whole country, and if it is a bad custom, ought not it to be abolished in the City of London?—Yes, all bad customs should be abolished; but I think it is a good custom, and the first part of the proposition is, in my opinion, a true one.

4870. Suppose the defendant to be absent, and there is a disputed debt, the garnishee cannot avoid the necessity of that debt being handed over to the plaintiff, can he, without putting in bail to the full amount of the sum demanded?—Not without appearing, and putting in bail.

4871. Without regard to the amount of the debt he himself owes, or the amount of the goods he has in his hands?—That is so.

4872. Is that just?—I am reminded by my friend, the common serjeant, that there must be substantial bail.

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4873. Supposing the plaintiff sues for 1,000*l.*, and attaches the debt in the hands of the garnishee, to the extent of 200*l.*, that attachment cannot be got rid of, without putting in bail for 1,000*l.*?—Certainly not, but he may pay the smaller sum into court.

4874. The effect of the system of foreign attachment is, to bring into court a person who is not the party to the original suit, is it not?—It brings him into court, just in that character, to tell him not to pay over the money. It must be indifferent to him, if he has the money of A in his hands, to whom he pays it.

4875. There may be all sorts of transactions between him and the defendant; there may be sets-off, disputed claims, on both sides?—If he thinks fit, he states that fact to the court, he brings it forward.

4876. Is not it rather hard upon him, to be incidentally brought into court in that way; it does not follow that the defendant in the cause would ever have brought the garnishee into court?—He might not. In the mean time, the creditor, who has a just debt due to him, is much aided by this prompt mode of taking possession of the property.

4877. Without arguing the question, your opinion, upon the whole, is favourable to the system of foreign attachment, and rather than abolish it in the City, you would extend it, either to the rest of the metropolis, or the rest of the country?—I should say, upon the reasoning which has been suggested, that it, being made out to be a good custom, if it is good for one place, it is good for another.

4878. It has no peculiar adaptation, at present, to the limits of the City, has it; whatever its original suitability may have been, it has no peculiar fitness from the City, as distinguished from the rest of the metropolis?—Except that commercial transactions being so numerous in the City of London with foreigners abroad and with persons liable to be going to our colonies, and so on; it is, with respect to them, a very convenient mode of putting your hands upon money, which belongs to a debtor, in case he goes away.

4879. Are there other peculiar jurisdictions in the City, besides that of the Lord Mayor's Court?—There is a peculiar jurisdiction which is very rarely exercised, which is that of the Court of Delegates in St. Martin's-le-Grand.

4880. Complaints have been made that the custom of foreign attachment operates badly, in compelling the defendant to put in bail to the full amount of the debt claimed; can that be referred to the alteration of the law with respect to arrest? Formerly, when a defendant could be arrested upon an affidavit of debt being made, if he had been personally within the jurisdiction of the court out of which that had been issued, his person might be taken; and therefore, if any goods of his or any property of his were attached, it would seem not to be very hard that he should be forced to put in that bail which he would have been required to put in if he had been personally there to be taken; but, since the abolition of arrest upon mesne process, it operates very differently. Do you think the objections which have been made recently to foreign attachment have any relation to that circumstance?—I think it is very probable they have, but I am not acquainted with the fact myself, nor have I heard of such complaints; I do not think it is a general complaint.

4881. Could it be remedied by such an alteration in the foreign attachment as would regulate the amount of the bail to be put in by the value of the thing attached?—My notion is that it could under the charter to which I before referred; and it has been so, for he can bring the real debt into court.

4882. As to the mode of election of the aldermen, and their tenure of office, have you anything which you wish to state?—Supposing the constituency to be put upon the satisfactory footing which the old habits of the City of London of course insured—every householder being obliged to attend the wardmote, and to be there sworn to his allegiance, and to take upon himself the character of a freeman supposing in that way—all the inhabitants of the ward to be included in the constituency, it would appear to me impossible for anything to be less objectionable than the election of the alderman. He is elected by those persons over whom he is to preside, and there is no doubt that, even in the present state of things, there is a very great feeling of attachment between the alderman and his ward. I believe nothing can be more perfect speaking generally than it is, particularly as he appoints his deputy, which is again another binding connection between him and the ward, because of course he takes the person who is most approved by the ward; and also, the same persons who elect him elect the common councilmen, who are sent as the representatives of the ward to the common council.

4883. Is there not now much inequality in the size of the wards and the number of the voters?—There is. I have a return, which has been prepared by the Court of Aldermen, of the number in the different wards, of householders and of freemen.

4884. Will you have the goodness to put it in?

The same was put in and is as follows:

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"RETURN of the TOWN CLERK of the number of Municipal Electors in the several Wards, "for the year ensuing, in compliance with the order of the Court of Aldermen, of the "18th day of November, 1851, distinguishing the numbers in each of the years 1844, "1849, 1850, and 1851."

Extracted by George Payne, 11th July, 1852.

Persons Assessed.	No. of Houses.	WARDS.	Number of House-holders.	Freemen.	Non-Freemen.	Numbers on the Lists of Voters made under the Act 12 and 13 Victoria.			Number of Persons Rated to the Police Rate at 10*l.* and above.	
1851.			1844.	1844.	1844.	1849.	1850.	1851.	1851.	
758	756	Aldersgate - -	740	258	482	174	173	182	722	
		Aldgate - -	678	302	376	222	225	238	680	
193	183	Bassishaw - -	136	106	30	84	86	85	193	
		Billingsgate - -	245	199	46	182	163	173	330	
		Bishopsgate - -	1,297	654	643	460	474	473	1,299	
		Bread Street - -	355	200	155	132	121	119	450	
		Bridge - - -	201	173	28	135	136	155	247	
594	536	Broad Street - -	439	209	230	355	361	366	593	
		Candlewick - -	181	127	54	147	149	103	340	
		Castlebaynard -	565	301	264	212	202	214	640	
404	341	Cheap - - -	354	161	193	166	163	159	404	
693	626	Coleman Street -	520	92	228	233	223	229	693	
		Cordwainer - -	419	153	266	112	111	108	392	
348	158	Cornhill - -	256	156	100	124	128	131	348	
		Cripplegate Within	504	204	300	147	150	153	602	
		Cripplegate Without	716	392	324	250	256	246	718	
		Dowgate - -	197	128	69	86	90	94	274	
1,145	961	Farringdon Within	866	440	426	450	476	453	1,145	
2,722	2,132	Farringdon Without	2,167	1,202	965	691	783	783	2,574	+ 437
548	409	Langbourn - -	407	263	144	311	297	283	548	3,011
		Lime Street - -	205	142	63	82	82	86	194	
1,424	1,258	Portsoken -	1,177	379	798	258	263	256	1,052	
		Queenhithe - -	177	117	60	74	72	73	347	
		Tower - - -	683	483	200	727	570	586	719	
		Vintry - - -	246	138	108	93	85	84	342	
		Walbrook - -	227	145	82	111	86	99	250	
8,829	7,310		13,958	7,324	6,634	6,018	5,925	5,337	16,500	Round Number.

That is, the number of Inhabitants exceeds the number of Houses by 20¾ per Cent.

George Payne, Police Receiver,
25th May, 1852.

December 8th, 1851. HENRY ALWORTH MEREWETHER,
Town Clerk.

4885. The ward which had the smallest number of voters in 1851 appears to have been Queenhithe, which has 73 voters, and the largest was Farringdon Without, with 783 voters?—That is so.

4886. The last three columns show the number of persons rated above 10*l.*?—Yes.

4887. That is the constituency for the election of members of parliament?—With a residence within seven miles.

4888. Do those numbers exhibit the parliamentary voters, or the municipal voters?—The municipal voters.

4889. With regard to the ward of Aldersgate, it appears, that if the constituency were taken to be the parliamentary voters, it would reduce the present number, rather than increase it?—That was the effect, in consequence of the alterations which were made in the bill, in its passage through parliament; in one or two cases, it had the effect of lessening the number of voters.

4890. The aldermen, as we know, hold their office for life?—I should rather say without reasonable cause being shown for their removal.

4891. By what authority could they be removed, supposing reasonable cause could be shewn and were shown; how would the removal be effected?—By a proceeding in a court of law, a quo warranto.

4892. Could any act of the corporation itself remove an alderman?—Yes; I imagine the court of the Lord Mayor and aldermen, or the Lord Mayor and aldermen in common council assembled would have power to disfranchise an alderman and turn him out of his place, of which there have been instances.

4893. When was the present tenure of the office of alderman created?—I believe the provision which I have mentioned, that they shall be removable only for reasonable cause, is in one of the early charters.

4894. Several hundred years back?—Yes.

4895. What is the date of their magisterial duties?—Their magisterial duties are also derived from an early charter; not so early, but still an early one. First of all, the

aldermen who have passed the chair, are by a particular clause made magistrates. Then, at a subsequent period, in the reign of George the First, all aldermen, whether they have passed the chair or not, are constituted magistrates. I think all the aldermen, passed the chair, were made magistrates in Southwark, also by a particular charter.

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4896. How many courts are there, in which the aldermen sit as magistrates?—There are two; at the Mansion House, when called upon by the Lord Mayor to assist him, and also at the Guildhall; they being appointed to that duty by a rota which is made out, and every alderman is expected to attend there, without fail, according to the rota, or provide a substitute; there are particular provisions in their standing orders to secure that.

4897. Is there sufficient business to occupy two courts of that kind?—Like almost all magisterial business, it varies much. Sometimes, there is a great deal, and they are obliged to sit very late; at other times, there is very little business, and the court is up early. Of course, the lighter duty is that which is most courted, that there should be as little for them to do as possible; generally speaking, I am sure, there is as much duty as they can conveniently attend to, and indeed it is very onerous to the aldermen.

4898. It has been suggested by several witnesses, that, partly for the purpose of relieving the aldermen themselves from the regular duties to which they may often have been accustomed, and partly for the sake of securing a more uniform and regular administration of the law, it would be desirable that stipendiary magistrates should be appointed to act in the City, as they do in the rest of the metropolis. Is that a subject on which you wish to make any remark?—I have had frequent opportunities almost ever since I have been in office, now nearly twelve years, of learning what I think is the real feeling of the citizens generally upon that subject. I am quite sure that, as on the one hand there could be nothing more satisfactory, and, I think, more beneficial to them than to retain the aldermen as they are, as their magistrates, so it is a matter upon which the general wishes of the citizens are very strongly expressed. I have frequent opportunities of hearing what the opinions of the citizens are, and nothing can be more uniform than the respect they pay to the aldermen, and the anxiety they feel to preserve in their own hands the election of their magistrates. It is one of the most favourite rights that the citizens of London have.

4899. Your opinion, then, would be adverse to a change?—It is so, of course. I do not wish to say anything that would be out of my province; but, I must say their distaste for the other proposition is also very strong.

4900. In the election of aldermen do the voters look principally, or to any considerable extent, to the way in which they will be likely to perform their duties as magistrates?—I have no doubt in the world but that the generality of voters would consider they were doing an important act, when they were electing a person who was to act as a magistrate over them. Of course I can only answer that question in a general way.

4901. You describe their feeling to be one of desire to elect their own magistrates. What in fact they do is, to elect the aldermen, who are magistrates. The proposition would be true, if in the election of aldermen, the electors look mainly, or to a considerable extent, to the manner in which the person elected is likely to discharge the duties of a magistrate?—I intended my reply to meet what I understood to be the question. I think they do consider that circumstance, generally speaking, when they are appointing an alderman, because I know there is so great a desire upon their part to have their magistrates of their own selection. Whenever an expression is made of their feeling in that respect, they do constantly allude to the fact that those persons are acquainted with all their transactions, and can more readily apply themselves to the facts with a greater experience of proceedings in the City than strangers could.

4902. Is not there a paid assessor in each of the courts?—He can hardly, perhaps, be called an assessor. There is a paid clerk in each court, who would perhaps come very well within the term assessor; that is to say, he is generally a person, selected for his legal knowledge, who is capable of directing the Magistrates as far as the legal part of the duty is concerned.

4903. Practically, do the aldermen who have not had much experience in the administration of justice, adopt the advice of the clerk who sits in their court?—I do not think that the magistrates would ever act upon his advice with respect to the result of the facts brought before them; but I have no doubt that they do generally yield to the statement made to them by the assessor, as to the construction of a new Act of Parliament or the particular form in which a decision is to be made. In that respect, I think they would refer to those gentlemen with great satisfaction and confidence and benefit, and in fact, they generally do so; but in the substantial execution of justice between man and man, founded upon the facts of the case, I think they rely upon their own judgment. In the other case, I think they would also use the best judgment they have, as a check upon the advice given to them by their clerk.

4904. The aldermen would receive from their clerks the same kind of assistance that a petty jury would receive from a judge?—In some degree. I should rather say the same portion of assistance which a judge occasionally receives from the clerk at nisi prius or the clerk of arraigns in a criminal court. Of course the judges are prepared themselves to decide upon an Act of Parliament, but there is also a certain degree of information on certain points which is valuable.

4905. The assistance you have last alluded to would be confined, would it not, generally

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speaking, to matters of form?—Certainly. I wish to separate the proceedings as regards matters of form from the substantial determination upon the facts of the case.

4906. Can you describe to us the functions of the court of aldermen?—The court of aldermen has a great many duties to perform.

4907. How often does it sit?—It sits upon an average once a fortnight. The days of its meetings are all fixed in the calendar which has been handed in to the Commissioners. A Court of Aldermen will be held on the 17th of this month and again on the 7th of February. Again on the 21st of February. Those are rather irregular intervals, created by the sitting of the Central Criminal Court. The court of aldermen is never appointed to sit during the time that the court at the Old Bailey is sitting, inasmuch as the attendance of a certain number of aldermen is necessary there.

4908. It may be said, therefore, that they sit about twice a month?—I think that is the average.

4909. Does the court consist of the Lord Mayor and aldermen?—The court consists of the Lord Mayor and aldermen. The two sheriffs also attend there for the purpose of communicating to the court their returns with respect to the prisons, which are always the first thing read in the court upon its meeting, after the previous proceedings of the Court of Aldermen and the Court of Common Council have been read. I should also mention that the recorder always attends there as the assessor of the Lord Mayor. It is perhaps better for me to mention to the Commissioners the mode in which the court is summoned, and the sort of business which they transact. When a notice goes out for a meeting of the court, a summons is issued, which specifies all the material matters to be considered; especially all the monies which are to be granted, and all circumstances of that description. A notice of that kind being sent round to the aldermen, they meet at the time specified. The Lord Mayor is in the chair, and the recorder attends with him. The names of the aldermen are all called over, and it requires the attendance of thirteen out of the number as a majority to constitute a court. The court being constituted, there is a certain degree of formal business gone through. The chamberlain presents his list of applicants for the freedom of the City, which is submitted to the court, and decided on;—certain bills and payments necessary to be made are then presented; brokers are admitted or discharged, or put in nomination for a future court. Any petitions which are presented to the Court are then considered. After the petitions have been considered, any reports brought up from the different committees are also considered and determined on. If any alderman has any motion to make, it is then the time for making it, and of course it is considered. If it requires any investigation at all, it is referred to one of the several committees which are appointed. There is a Committee of Privileges; a Committee for conducting the affairs of Emanuel Hospital; a committee to consider all matters relating to the Gaols of this City; and a Committee for General Purposes. I think I have already stated that the sheriffs always attend the Court. The first matter of business after the proceedings of the prior Court of Aldermen and the last meeting of the common council have been read, is, that the sheriffs of the City come to the table, and under one of the standing orders in this book present their returns of the state of the gaols, and of the prisoners in them. They are read. If there is anything material, of course it is referred to a committee.

4910. Do the sheriffs remain after they have made their presentment?—They generally remain during the greater part of the sitting of the Court.

4911. Do they take any part in the proceedings?—As sheriffs they do not vote. Of course they would be heard if anything connected with their particular duties should require it; but they have no vote, unless they happen to be aldermen, which, generally speaking, is the case with one of the sheriffs.

4912. Has any person a vote except the Lord Mayor and the aldermen?—No one. The recorder only attends as an adviser. I, in point of fact, take the minutes and see to the ordinary regularity of the proceedings.

4913. What are the powers of the Court of Aldermen?—In some respects they act judicially; for instance, in all matters connected with brokers they exercise a jurisdiction over them. They receive petitions and complaints as to the misconduct of brokers which are brought before them. They appoint a subsequent day, upon which the person making the complaint is called on to attend, and the broker is called on in that case to attend, and give his answer in writing to the charge which is made against him, and also to produce the books, which he is required by the regulations of the aldermen to keep. They also decide all questions arising out of the elections in wardmotes. If any common councilman is returned, and his return is objected to, a petition is presented to the Court of Aldermen, and they adjudicate upon it, and determine either that the party who has been returned shall continue or that his return shall be set aside; and the Lord Mayor is requested to issue a precept for another election. They consider also all the presentments of every kind made by the wardmote inquest, who present anything which occurs within their wards. A frequent presentment on their part is that there are persons who are living within the wards, carrying on business there, who are not freemen. Returns of that kind are made to them. Those returns are then referred to the chamberlain, whose duty it is to summon those people to show if they have any reason why they should not take up their freedom. Another frequent return is that of inquest men who refuse to perform their duty; those are considered. If they can make an excuse they are excused from service, if

not, in the form of the judgment, they are held to the office and obliged to perform it; if they were contumacious, they would also be fined.

4914. Is the business which is to be brought before the Court of Common Council previously brought before the Court of Aldermen and discussed by them?—No; I believe not. In early times it used to be the practice that when a bill was brought in to alter any custom of the City, the aldermen considered the bill. If the common council suggested any bill, it was brought up to them by the common serjeant; if the aldermen presented any bill to the common council it was carried to them by the recorder; but that course of proceeding has not been adopted of late years. In other respects, all that the Court of Aldermen do with regard to the proceedings of the common council is to have the minutes of the last common council read at the bar of the court.

4915. Are the Courts of Common Council held immediately after the Courts of Aldermen?—Generally; not necessarily.

4916. In the Court of Common Council is any previous notice requisite of any motion intended to be made?—Always. The Court of Aldermen is usually held on Tuesday, and the Court of Common Council usually on the Thursday following. Three clear days before the meeting of the common council a summons is to be prepared for them, which it is my duty to lay before the Lord Mayor, and to receive his directions respecting it. That summons contains a statement of all the business which is to come on before the common council, the reports to be taken into consideration, the freemen to be admitted, the leases to be granted, the petitions to be presented—specifying the hour at which they are to be presented—and the motions to be made by the different common councilmen.

4917. The aldermen are component parts of the common council, are they not?—Yes.

4918. And they would have a notice as such?—Yes.

4919. At their own meeting do they discuss those subjects before the Court of Common Council assembles?—Very rarely. It is very much the feeling of both courts not to interfere with each other; they pursue their own course. If any alderman wishes to do anything in the common council he goes and does it there as a member of the common council; with this exception, that if anything material has taken place in the Court of Aldermen which is necessary to be communicated to the common council, the aldermen usually request the Lord Mayor to make it a subject of communication to them. I think it would be convenient for the Commissioners to have before them one of the summonses to the common council. I believe nothing in the world can work better than the respective duties of the Court of Aldermen and the Court of Common Council, particularly the manner in which the courts are kept distinct the one from the other.

4920. What are the boundaries between the two?—The greater part of the duties which I have mentioned as performed by the Court of Aldermen are separate and distinct from those of the common council. They would not come under their consideration. With respect to the distinct duties of the aldermen and common council, of course the magisterial duties of the aldermen are quite distinct. Each of the courts have the power of drawing for cash upon the chamberlain, but the Court of Aldermen, in point of practice, confines its drawing to matters connected with the magistracy, the prisons and the police, and, in some instances, with respect to the conservancy. Those are the heads which occur to me at the present moment as the principal ones as to which the Court of Aldermen draw. There is one other with respect to pensions. The Court of Aldermen occasionally grant pensions, either to decayed aldermen or the reduced widows or children of aldermen. The cases are rare, they are always noticed upon the summons before they are granted, and publicity is given respecting them to all the aldermen. I think I may venture to say that no pension is granted without discussion upon it. A case is always made out; they never grant it but where there are some peculiar circumstances which call for the interposition, and, generally speaking, that sort of canvassing which a little contrariety of opinion may produce takes place before it is granted. Lately, even where they have been heretofore granted, the Court of Aldermen have taken great pains to ascertain that the circumstances of the individuals to whom the pension is granted and renewed are in the same state as when the pension was originally granted. I am perfectly justified in saying that they take great care in that respect. The common council have, of course, the whole affairs of the corporation under their guidance, and it is by the opposition of opinion in one way or other that what is expedient and what is just and proper is elicited. I may perhaps be allowed to say, from my twelve years' experience, that I know no subject in the corporation which is not watched with the greatest jealousy; and when questions arise, though there may be, as in all public meetings there will be occasionally, a little warmth of expression, I believe, for practical purposes, the result at which they arrive is generally sound and dictated by good sense and propriety.

4921. Is the power of the Court of Aldermen of drawing upon the City cash unlimited within the subjects upon which they exercise that power?—I believe it is quite unlimited, except by their own feelings. I ought also, however, to say that, limited by their own feelings, the tendency is rather to restrain them than to permit them to be extravagant. The moment anything is proposed which any individual thinks extravagant it is resisted.

4922. The building of a new prison would be a subject within the power of the Court of Aldermen, would it not?—That is rather a combined question. It is within the power of the Court of Aldermen, as far as they regulate the sheriffs' and the criminal jurisdiction

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of the corporation, and, in fact, they are bound to find prisons in which to confine prisoners; but the essential point, when you come to build a prison, is the cost at which it is to be built, and the mode of getting the funds; that entirely rests with the common council. The prison committee appointed by the Court of Aldermen met the committee appointed by the common council for the purpose of building the prison. They conferred with each other, and the matter was arrranged with the consent of both committees—a very common course to be taken whenever there is anything to be done in which the Court of Aldermen and the Court of Common Council have each of them separate and respective duties.

4923. Does it often happen that questions arise which fall within the powers of both courts, which have to be decided by combined committees?—I should say there are many subjects of that kind. I may mention one which has led to many conferences between the two bodies, that is, regulations to be made or proceedings to be instituted against persons who do not take out their freedom. Each court has its respective duties; the Court of Aldermen sets the chamberlain in motion, and take care that he follows out the presentment of the inquest. On the other hand, the Court of Common Council, as I think the Commissioners were informed the other day, did a short time ago resort to an old right in the common council of admitting freemen as they think fit, and a list of applicants for freedom is as commonly introduced in the Court of Common Council as it is in the Court of Aldermen. That being the case, it was a most material matter for the common council to consider what ought to be done with respect to the admission to the freedom. They entertained the subject, and referred it to a committee; the committee sat for a great length of time, the whole of the clerks of the corporation were examined for the purpose of reporting to them what had been the ancient practice, and the whole of this subject being referred by the Court of Aldermen to their committee, and by the Court of Common Council to their committee, the committees frequently had conferences, and arranged between themselves what should be done. That is one instance, and there are others. The question of conservancy is in a certain degree connected both with the one and the other; that is to say, for the conservancy certain sums of money are to be paid, the common council look at them with a great deal of strictness, and that has led to conferences between the two courts. So, also, I imagine, if any fundamental alteration under the charter I have referred to to-day were to take place, and a measure were to be suggested, it would be thought expedient and proper that the two courts should have a previous understanding upon the subject, and, I dare say, committees would be appointed in both courts who would confer together for the purpose of bringing about a mutual understanding.

4924. The relation of the Court of Aldermen to the Court of Common Council is not that of a controlling body, so that a measure which has passed the Court of Common Council has afterwards to be considered by the Court of Aldermen, but the two bodies are, in fact, co-ordinate, and divide the business between them?—That is really the case. The Court of Aldermen have not, and do not pretend to have, a control over the common council. They have their particular duties to perform, and they perform them, and I think there is a reasonable jealousy as to any interference at all with the common council. On the other hand, the common council have their particular duties; and there is no doubt that the common council, as the representatives of the body of freemen, which they are presumed to be, have a general control over the whole corporation as far as the freemen themselves would have it. They are the representatives of the freemen, and they have the whole power of the freemen in their hands.

4925. The Court of Aldermen do not, in any respect, revise the decisions of the Court of Common Council, do they?—Certainly not.

4926. Is there any instance in which a measure which has passed the Court of Common Council would require the assent of the Court of Aldermen?—None. I do not recollect anything in my time which has drawn forth a reconsideration of any measure which has been taken by the Court of Common Council. Between two such bodies it may occasionally occur that there would be conferences on points of difference.

4927. The relation of the Court of Aldermen to the Court of Common Council bears no resemblance to that which subsists between two legislative bodies like the House of Lords and the House of Commons?—Certainly not. I said that the Court of Aldermen had no power of legislation except in the case of making ordinances as far as regards matters under their immediate jurisdiction.

4928. Are there any matters the control of which is given expressly by Act of Parliament or by charter to the Court of Aldermen, as distinguished from the Court of Common Council?—The old Acts of Parliament generally gave the jurisdiction of all kinds to the Court of the Mayor and Aldermen; now, the powers, whatever they are, are given to the Mayor, aldermen, and commons in common council assembled, that is the language which is invariably used. The Court of Aldermen, it should also be mentioned, is a court of record, which introduces a substantial distinction between the two. The common council is the representative of the freemen, and embodies the whole power of the corporation, but the Court of Aldermen is a court of record, which would be necessary for the sake of some of the determinations which I referred to before; unless it were a court of record it would be difficult to appeal against them, or deal with them at all.

4929. The Court of Aldermen have no respect to the character of lords of articles,

have they; they never prepare measures for the Court of Common Council?—I mentioned before that under the application of that charter for amending the customs, the old practice used to be that they did so. They prepared their measure or proposal, or whatever it was, and sent it by the recorder to the Court of Common Council. On the other hand, if the Court of Common Council wanted to suggest any alterations themselves, and they had not done it previously through committees, the Court of Common Council would prepare a measure or resolution, and send it up, as it were, to the Court of Aldermen by the common serjeant. That was the old mode of doing it, but that has not been practised for many years.

4930. Setting aside questions of jurisdiction, in which the Court of Aldermen are alone competent to act, would it be possible for the Court of Common Council to assume a power over other matters in which the Court of Aldermen now act. Take, for instance, the superintendence of prisons. Could the Court of Common Council pass a resolution declaring that the whole control of the prisons should be for the future vested in themselves, and not in the Court of Aldermen?—I imagine not. If done at all it must be done under strict compliance with the charter to which I referred and then it would be done in the manner I mentioned. I think it is to be done by the Court of Aldermen with the consent of the commonalty, where not affected by statutes.

4931. You consider the present division of the business as something fixed by law, with which the Court of Common Council cannot interfere?—I think it is. At all events they can only interfere under the charters or statutes.

4932. You do not consider the common council as the supreme representative body of the commonalty of London?—Yes, I do. I conceive that it is so.

4933. If it is the supreme representative body, I presume it could override the practice of the Court of Aldermen?—The Court of Aldermen, being a court of record, what they do must be understood as something more than practice.

4934. I am not speaking of judicial powers, but such powers as the control of the prisons and the conservancy of the river, matters in which the Court of Aldermen, as a court of record, has no jurisdiction?—In respect to the prisons, I imagine it would be found extremely inconvenient if the Court of Aldermen had not the jurisdiction which they have at present. There are particular powers, with respect to the prisons, given to the Court of Aldermen by statutes. The statutes with respect to the prisons put the aldermen of the City of London in the same position as the magistrates in the counties; they are not only visiting justices, but they have the power of building prisons and of raising funds for the purpose, and of declaring where the prison shall be built.

4935. Those are special powers given by the Act of Parliament. Take the case of the conservancy of the river. Supposing the common council passed a resolution, that for the future all business relating to the conservancy of the river should be transacted by themselves, and not by the Court of Aldermen, would that be a valid resolution?—I think not. There again I am very much inclined to think the Court of Aldermen is to be regarded as a court of record. There are instances in which trials have been had. The grand jury still sits and makes its presentments, but from the habit of removing those presentments by certiorari, they have very rarely had a petty jury. I find in my office instances of a common jury being empannelled.

4936. Your opinion is clear that the present division of the business between the Court of Aldermen and the Court of Common Council is something fixed by law or by usage equivalent to law, and that neither court can disturb that arrangement?—I think not, unless under the provisions of the charter referred to.

4937. Is there anything with respect to the mode of the election of the common councilmen, which you would wish to state?—No; as far as I can see the mode of election appears to work exceedingly well. I should not feel equal to the task of suggesting any thing which would have the probability of working so well as the present system does.

4938. Do you think the number of the court is too large; it has been stated to us that inconvenience sometimes arises from the large number of the court?—That matter having been frequently mentioned, I have felt myself bound to apply my attention to it. I have done so by asking myself the simple question, what is the evil to be corrected or the good to be obtained. I cannot find either the one or the other. I know of no evil; there will be occasionally strong expressions made use of, perhaps strong conduct manifested; but on the whole, I should say, nothing can work better than the present assembly does, and I am inclined to think it works so well, that there must be something even in the number of which the court is at present composed, because I think those who are silent may, in a certain degree, operate as a check upon those who speak, and those who speak may in some degree be restrained in the course they take by the silent persons who are sitting around them. I cannot see what advantage there would be in reducing the number. I may be excused for saying that that is entirely a private opinion of my own derived solely from my own experience.

4939. Are you in the habit of attending all the meetings of the common council?—Every one. I believe I have not been absent from more than two or three.

4940. Is there ever any difficulty in making a quorum of the council?—None; forty is the assumed number of the quorum, which has at all events come into practice, it was founded upon a sort of enactment made during the commonwealth, but all those enactments were repudiated by the City; they were afterwards desired to be expunged from

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the books, and they were all crossed out, this being one of them. Since that, however, they have considered forty to be the quorum, and practically it seems to me to work very well. It is occasionally, after a long sitting, difficult to retain many more than that number, and I think the forty persons who stop, and by stopping show that they take an interest in the matter, are very likely to come to as sound a conclusion as could be arrived at.

4941. The Lord Mayor has the power of suspending the proceedings at any moment, has not he?—Yes; but that is very much like some other powers which might be exercised on extraordinary occasions. There was an instance of a Lord Mayor who did it, who ordered the mace bearer and the sword bearer to take up their respective insignia and to leave the court, and he left the court, and so broke it up. The occurrence is so rare that it is hardly fit to be considered.

4942. The business of the common council is not of a legislative kind in general, is it; it is chiefly what may be called an administrative business?—It is so in a great degree, but so much may be done by standing orders and by bye-laws and resolutions that it would be very difficult to say that it is not a legislative body; besides which it actually performs acts of legislation, it passes Bills in the same form as Acts of Parliament are passed. A bill is brought in; it is read a first time, a second time, a third time, and passed.

4943. An Act of City legislation is complete when it has passed the Court of Common Council?—It is; here is one of their bills relating to fellowship porters (*producing the same*).

4944. How often does the Court of Common Council usually sit?—About as often as the Court of Aldermen.

4945. About twice a month?—Yes, about that; the Court of Aldermen sitting on Tuesday it is almost immediately afterwards followed by the Court of Common Council, and there are sometimes special courts; last year there were altogether thirty one.

4946. Much of the business of the Court of Common Council is transacted by means of committees, is not it?—A great deal of it is, but they always report to the court, and I think I may say, generally speaking, all those reports are canvassed in the court. Of course, if there is in the committee any difference of opinion, those who are opposed to the decision of the majority frequently repeat their opposition in the Court of Common Council.

4947. The committees are very numerous, are they not?—They are.

4948. There are thirty or forty members put in one committee, are not there?—The usual mode of selecting a committee is to make it what is called a ward committee, in which one member is taken from each of the wards.

4949. Is it the general rule that a committee consists of twenty-five members?—It is so, unless upon special occasions. The general rule is to have a ward committee, which consists of one member chosen out of each ward, consequently the number is about twenty-nine, besides the aldermen; all the aldermen present are usually put upon the committee.

4950. Is it a good plan, do you think, to put so many persons upon committees?—I do not think there is any reason to complain of the number; it is very difficult to get persons to meet frequently on those committees; it sometimes happens that there is a difficulty in obtaining a quorum of a committee, which is generally seven.

4951. Do you think that the business transacted by the committees of the Common Council is satisfactorily transacted?—I think it is remarkably so. I could not picture to myself anything better than the manner in which the business altogether is transacted, particularly in the committees. It is my duty to attend the committees whenever called on. I send from my office a minuting clerk to take the minutes, and I become therefore acquainted with all what takes place in the committees. I do not think that it is possible for business to be done better than that is, with greater devotion, or I am quite sure I ought to say with more entire purity. I never have, since I have been in the corporation, seen the least tendency to jobbing of any kind in the committees, and the only thing of which I certainly have once or twice in rare instances observed, has been that the feeling has been a little too strong against jobbing, and they have done something like injustice to an individual towards whom they might be supposed to have had an inclination to serve. I do not know whether you have had your attention drawn sufficiently to the standing orders, which secure the committees as much as any provisions can do, and they are added to from time to time as required, from the possibility of any improper or personal interests.

4952. What is the average number of the attendance upon each committee?—That I cannot speak to; my clerk notes the number of persons in a book, but I am unable to state it. It is suggested to me that fifteen or sixteen is about the average. I know before the business of the day is over, which is often long, the number is reduced.

4953. Will you read the standing orders limiting the power of the committees with respect to the appointment to offices?—The second standing order is, "No person shall "be allowed to be a candidate for any office or place in the gift or appointment of this "court, who is a member of this court, or who has been so within three calendar months "of the day of election, unless the office or place has become vacant since such person "ceased to be a member of the court." "No member of this court, (aldermen excepted,) "shall be upon more than one of the following committees, viz.;—City Lands, Bridge "House Estates, Thames Navigation and Port of London, Coal and Corn and Finance, and

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"General Purposes, except in such wards where there are only four members." Some of the wards are so small, that there are only four members of the common council, for although the wards are irregular, the number of common councilmen for each ward is made as far as it can be conveniently made to correspond with the size of the ward. Some wards have twelve and some sixteen common councilmen, some small ones having only four. "No member whatever to be upon the City Lands and Bridge House Committees, "nor upon the City Lands and Markets Committees at the same time, except the chairman "of the City Lands Committee, and he to be a member of the Markets Committee." "No "commoner having served on the committee of City Lands or Bridge House Estates for "four years, for any ward having more than four members eligible to serve on committees "shall be appointed on either of the said committees for a period of four years, whilst there "is a member of the ward who has not served thereon, except by consent of every member "of the ward." "No member of this court who shall be a shareholder in or concerned for "any public company, speculation or undertaking, which shall in any manner be opposed "by this corporation in parliament or elsewhere, shall be eligible to sit or vote upon any "committee of this court to which shall be delegated the opposition, or considering the "propriety of opposition to any such measure, during the time the same shall be under "the consideration of the committee." "No member who is a shareholder in, or director "of, a solicitor, engineer, architect, or valuer, to any railway company, speculation or "undertaking, shall be eligible to vote in any committee whilst any matter affecting or "concerning such railway speculation or undertaking shall be under consideration." "No "placeman or servant of this City, nor any member of this court, who holds any place or "appointment under government, from which he derives any emolument, or who receives "any income, salary, or allowance out of the public money, (except the Corn Meters in "trust, and such members as may hold commission in the Royal London Militia), shall "be appointed on any committee or commission chosen by this court." "No person who "has ever been convicted of fraud, or who has compounded with his creditors, or been a "bankrupt, or has taken the benefit of any of the Acts for the relief of insolvent debtors, "and has not paid twenty shillings in the pound, shall be elected or continue upon any "committee or commission chosen by this court, or become a governor of either of the "royal hospitals by virtue of an appointment of this court." "No member of this court, "nor his partner, nor any other person on his behalf, shall be a contractor for or shall be "employed directly or indirectly in any work to be performed in his business or profession, "for or against this City, or this court, or any of its committees or commissions, or any "committee or society, the members whereof are appointed by this court; nor shall accept "any order or employment of any kind from the Court of Aldermen; nor be engaged in "the supply of any materials or the sale of any goods, or the transaction of any general "or professional business which is to be paid for in any way out of the City's cash, or out "of any funds held in trust by this corporation, over which this corporation or any of its "committees or commissions have any control. No new member acting in contravention "of this standing order, either in his own person, or by his partner or by any other "party whomsoever, shall be elected or continue on any committee or commission of this "court."

4954. Are there many offices in the gift of the common council?—Yes. In the pocket-book to which I have referred, the Commissioners will find all the places which are in the apppointment of any committee mentioned immediately under the entry of the members of the committee. There is another standing order which prohibits any son of any member of the court being a candidate for any office. "That in future no son of any member "of this court be admitted a candidate for any office or situation in the gift or appoint-"ment of this court or any committee or commission of this court, but that this order "shall not apply to any person who has already served this corporation in any office or "situation." I have pleasure in reading this because I believe I am thoroughly justified in the observation I have made, that every possible channel to improper influence is studiously stopped by the corporation, and, to prevent it, new standing orders are made from time to time as circumstances may render necessary.

4955. The Commissioners have heard objections to the plan of making allowances for dinners to the members of the committees of the common council. Is that a subject to which you have paid attention?—There are provisions made in the standing orders for those allowances, I believe it has been a subject which has been from time to time under the consideration of the corporation. There can be no doubt but that it is difficult and onerous to ask persons to come and sit at uncertain hours for the performance of the business of the corporation, when they have no remuneration for it at all, and as was mentioned in one of the statements which was laid before you, almost all other public bodies do the same for those who perform work for them; directors and others have allowances of some kind. It is sufficient for me to say that that has always been the practice of the corporation of London as far as I can see for a great length of time. The difficulty has been to put it into such a shape that it should not be practically objectionable. Originally they used to be paid by what is called line money, that is to say as each member of the committee came into the room, his name was marked with a line next to it and at a certain time after the names had been called there was a line put and the names of those who came in afterwards were put below that line—they were entitled to no remuneration, but the others used to have a certain sum paid to them for their atten-

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dance. The practice was objected to; it was thought there was something unseemly in the appearance of it. It was observed upon by the Commissioners under the last royal commission, and having been observed upon, it was put an end to by the corporation. The committees were then allowed a certain sum of money, each committee having a particular sum put at its disposal which it was to use as it thought best. These amounts are included in the standing orders, they are well known to the whole of the committees and well known also to to the freemen. I think I may also properly draw the attention of the commissioners to the fact that during the time that this inquiry has been going on, and their objections to the conduct of the common council in this respect have been made known, the annual elections have taken place, and I believe there are not more than two changes in the whole body of the common council.

4956. Do you think that this practice secures the attendance of members, and would there be difficulty in transacting business without an allowance of that kind?—My opinion is that it has a tendency to secure the attendance of parties. It does seem to be a more social mode of disposing of the money, to apply it in the way in which it is now applied, than to permit them to put it into their own pockets. I ought to say that the meeting, after the asperities of the day are over, is generally of service in polishing off those rough corners which will subsequently occur when people meet for business.

4957. Nothing of the sort is found necessary in other corporations is it?—I imagine it is very common.

4958. An allowance out of the corporation funds do you mean?—I should think dinners of that kind are had, and paid for out of the corporation funds; that is my impression.

4959. As a system?—I should think so, there is scarcely any department now in which some allowance of that kind is not made in some way or other. Perhaps it would be better that this sort of thing should be done, than that those who attended at the meeting should have any irregular influence on the general body; in consequence of that attendance they would expect to be remunerated in some way or other. Respect may go some way, but something more substantial than respect is generally looked for.

4960. Is there anything as to the mode of election of the sheriffs that you would wish to state?—I think the commissioners have had the subject so thoroughly explained by Mr. Scott, with respect to elections in common hall, that it will hardly be necessary for me to trouble you with it a second time. Undoubtedly the mode of election of the sheriffs in the common hall does not seem to answer; it is in vain to say that that is not the case. First of all, there is the disinclination of people to interfere on occasions of this kind; the hall is very thinly attended. From time to time regulations have been made to confine the admission into the hall entirely to liverymen, but I believe those regulations have always failed in their purpose; by some expedient or other people get into the hall who are not liverymen. I believe it would be absurd to endeavour to describe the election of the sheriffs as made substantially by the great body of the liverymen. I feel that I am obliged to say, that therefore though by accident or circumstances, persons of the best class may be elected as sheriffs, and generally speaking they are of that class, yet it is more to be attributed probably to good fortune, or perhaps to the disposition of the individuals themselves to take the office upon them, than it is to the exercise of any sound election.

4961. Is there considerable difficulty in inducing persons to serve the office of sheriff? Sometimes there is and sometimes the contrary. I should say, as a general answer to that question, that there is a difficulty; it is a very onerous office, and an expensive one. I may say that it is under the consideration of the corporation at the present moment, whether some arrangement should not be made for a more substantial allowance to be given to the sheriffs as well as to the Lord Mayor, in order to prevent the risk of the office not being properly filled in consequence of the expense. So far the corporation already are entertaining the subject.

4962. When you say the duties are onerous, what are the duties of the sheriffs?—Their duties are onerous in requiring constant attendance at the Criminal Court, which is now held monthly. They also have to attend the courts of law on some occasions. I believe they do that by deputy. I think they attend the Court of Exchequer and the Court of Queen's Bench on the occasion of the swearing in of the jury.

4963. It is the under sheriff who attends on those occasions?—It may be so. Besides that, they are expected to attend upon the Court of Aldermen, upon the Court of Common Council, and upon the Lord Mayor whenever they are required.

4964. They have to give a great deal of personal attendance, have they?—Yes; and besides that they have a great deal of attendance to give which is not strictly part of their duty, but it has been so old a practice that no sheriff thinks of breaking through it,—such as charity sermons and occupations of that nature. Their time is very much taken up in that manner, and practical inconveniences have resulted from their absence from the City; they also present all petitions from the common council to the House of Commons.

4965. What is the amount of the expenses of the office of sheriff?—The amount of the expenses is very considerable; but the best thing I can do in that respect is to lay before you the returns which have been made by two or three sheriffs of the expenses which they incurred. To some extent, of course, it is a matter for their own consideration to what

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extent they will go; but the best evidence which can be given to you upon that subject will be to present two returns—one made by Mr. Alderman Wilson during his shrievalty, and one by Mr. Alderman Harmer during his. There has been a statement made also by one of the under sheriffs. I will take care that they shall be laid before you.

4966. Will those returns show both the amount and the object of the expenditure?—Yes; I think with as much particularity as you would require. If they do not, you shall be supplied with further evidence.

4967. May those be taken as fair samples of the ordinary expenditure of a sheriff at the present time?—I should think so. If there is any particular alteration at the present time, I will take care that it shall be noted.

4968. With respect to fines which arise from estreated recognizances, where do they go?—I believe they are given up to the under sheriff. The under sheriffs undertake a great part of the expenses of the office, and as a renumeration for that, an arrangement takes place between the under sheriffs and the sheriffs. I am not quite sure whether the present senior sheriff, Mr. Alderman Wire, has not made an arrangement by which the system should be altered. I think he and his under sheriff, both of them having been heretofore under sheriffs, have seen some of the practical inconveniences resulting from the former arrangement, and my present impression is that they have made a new one.

4969. Has there been any abuse with respect to the imposition of fines for non-service of the office?—There is no doubt that heretofore there were great complaints made upon that subject, and perhaps I may say not without sufficient ground. It was supposed that persons were nominated as sheriffs who were known to have a disinclination to serve the office, particularly with respect to taking the oaths. I am speaking now of a period in Lord Mansfield's time, when the great question with respect to dissenters filling public offices was considered. It is supposed that at that time, persons having conscientious scruples as to taking the oaths, had been named as sheriffs; and the certainty of their being obliged to pay the fine; but from that suspicion the corporation at present are totally exempted. I am sure that no feeling of that description has at all existed since I have been in office. I put that limit to it because I can speak to it during that time with more confidence. To prevent the possibility of such an imputation, the fines of the sheriffs, whatever they are, are applied to a charity fund, namely, the fund for the Orphan School for the Orphans of Widows. So that I am sure at present there is no such thing existing; and from those acts which have been done, I infer that there is no probability of its ever existing again.

4970. You speak with confidence of the fact that at present the system of using the sheriffs' fine as a means of revenue is entirely abandoned?—It is totally abandoned; and I think now there is no chance of its ever being revived.

4971. The sheriffs of London constitute the sheriffs for Middlesex, do not they?—They do.

4972. Is there any advantage in retaining that arrangement?—I am afraid, to a certain degree, that question trenches upon the subject of suggestions for the future, which I desire to keep distinct.

4973. Do any benefits arise from that state of the law?—I infer that the City was very much in the same state as other boroughs in ancient times, and that the sheriffs of the county still attempted to interfere within its jurisdiction. In order to put that matter quite at rest, they first of all got the power of appointing their own sheriff, because one ground of objection was this: it was said in the borough, "You have no sheriff, you must have a sheriff, and therefore the sheriff of the county must interfere." The City applied to be at liberty to choose their own sheriffs, which they did upon the payment of a sum of money, in the reign of King Stephen. As early as that they obtained permission to appoint their own sheriffs; and in the succeeding reign it was granted them that they might select as sheriff whom they choose, and present to his Majesty or the Exchequer. That being done, I suppose there was still some interference of the sheriff of Middlesex; and the consequence is, that they agree to pay a fee farm rent of 300*l.* a year for the grant of the shrievalty of Middlesex. That sum they pay at the present moment. I take it, the real meaning of calling them sheriffs of London is because they were appointed as sheriffs of London, but with respect to the universal analogy throughout the country that there is only one sheriff for a county, the two are supposed to hold that office.

4974. You seem to think that there was at one time a sheriff of Middlesex besides sheriffs of London?—Yes.

4975. How could he interfere with London unless London were a part of the county of Middlesex?—I imagine the pretensions of the sheriffs was altogether unfounded. I only mention as a historical fact that I think that is the only mode by which the claim to the appointment of distinct sheriffs in places which were counties themselves, grew up.

4976. The pretension of the sheriff of a county to interfere in a borough which was not a county, would be very different from the pretension of a sheriff to interfere in a borough which was a county?—That was so; and, therefore, in subsequent times, different boroughs obtained grants that they should be counties of themselves. But the cases are not numerous; the instances are all mentioned in "Blackstone,"

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but are more particularly referred to by Mr. Corbet, in his book on the Elective Franchise.

4977. Is there any document to show when London became a county in itself, separate from the County of Middlesex?—I do not think there is.

4978. Can you point out any advantages which result from the present state of the law, by which the sheriffs of London execute the office of sheriff of Middlesex?—I do not know that I can, except that I believe it is universally admitted, and was so felt in the profession when I belonged to it, that the office of under sheriff is exceedingly well executed by Messrs. Burchell, who are practically the under sheriffs. I dare say, the commissioners will be aware that the County of Middlesex is different from other counties in England; the large portion of the metropolis which is situated within it, and the immense amount of property which every day is changing hands here, make the duties of the sheriff and the under sheriff much more important in Middlesex than in any other county; and the consequence is, that, I suppose by the result of experience, the under sheriffwick of London is practically in the hands of Messrs. Burchell as deputies, in whose family it has been for a great number of years. Mr. Burchell is appointed as deputy to the senior under sheriff of the City of London, and he transacts the business remarkably well. I have learned that since I have been employed in my present office, because he has been repeatedly before the committees, and the mode of transacting the business, and the division of profits, and so on, have been under consideration.

4979. I understand you to express your opinion, that judging from the experience in your office, you have found that the present division of duties between the court of aldermen and the court of common council has worked in a satisfactory manner?—I think so.

4980. What do you consider to be the principal advantage of dividing the duties between the two bodies rather than vesting them all in one body?—I do not imagine that they were divided in that manner by any preconceived idea of the utility of the division, but the division has rather sprung out of existing circumstances from time to time, as it has been found expedient. For instance, the court of aldermen certainly at one time exercised the greatest influence by itself, and was substantially the governing body in the City. The wardmotes interfered, and excessive numbers coming from the wardmotes to the Hall, the proceedings were much embarrassed. It was that which led to the expedient of having the liverymen and a part only of the freemen attend, instead of the whole body. After a time, a resolution of the common council was made, declaring that the elections should be in the liverymen. It would appear to me that such a resolution in its conception was altogether illegal. The effect of it was to limit the right of voting to one class of freemen, selected by bodies foreign to the corporation. Of all the suggestions that were ever made, I have no conception that any such bye-law as that could be correct, but that was the original conception of the matter. That having passed since then, the liverymen have been somehow or other the representatives of the great body of the citizens who ought to meet in common hall.

4981. According to your view, the rights of the liverymen are a sort of encroachment upon the general rights of the commonalty of London?—I should not like at this time of day, and after so long a usage, to say so. As far as that bye-law goes, I am convinced that in the estimation of any lawyer, such a bye-law as that must be thought to be illegal.

4982. They obtained an Act of Parliament, did not they?—I think not. I am speaking of what took place in the reign of Edward the Fourth. It is a curious fact, that the Act of the 11th of George the First, which is generally supposed to give them the right, does not in point of fact, give them the right, but it assumes that they have it, and regulates the exercise of it. They were no doubt at that time in possession of it, and that Act of Parliament proceeded upon the footing of their being so. It would be therefore a very difficult thing for anybody to say now that it is illegal, though it may have had an illegal inception. With respect to the two courts being separated, I can only say, that the separate control of the two courts seems rather to have arisen out of circumstances, than anything else.

4983. You think, according to the present decision, the duties exercised by the common council, are best exercised by them, and the duties now exercised by the court of aldermen, are best exercised by that branch of the corporation?—I should not in the first place, feel justified in recommending an alteration, and next, I see no occasion for it.

4984. You think each portion of the duties, is best exercised by that branch of the corporation which at present exercises them?—I think so; during my twelve years of office, I have seen no practical inconvenience which is in the least degree worth mentioning.

Adjourned to to-morrow at 12 o'clock.

Friday, 13th January 1854.

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THE RIGHT HONOURABLE HENRY LABOUCHERE, M. P., in the Chair.

HENRY ALWORTH MEREWETHER, Serjeant-at-Law, Town Clerk, D.C.L., further examined. 13th Jan. 1854.

4985. Are there any parts of your evidence of yesterday, to which you are desirous of making any addition?—I was asked yesterday, what was the quorum necessary to constitute a Court of Common Council. I gave to the Commissioners a history of the adoption of forty, as the number which was necessary for the purpose; but, I believe, I fell short in giving an answer to the question that was put to me, whether any difficulty had arisen, in consequence of there not being forty present to constitute a court. In my experience of twelve years, I do not recollect a single instance, in which that number was not present, at the beginning of the court, or in which, a court was not held in consequence of such a number, not being present. The other point was of precisely the same kind. I was asked the quorum necessary for a committee; my answer was, it was seven. I believe I did not go on to state, as I ought to have done, that I do not recollect a Committee's failing to sit, in consequence of the non-attendance of the seven. I think I stated that they were often reduced in number before the end of the meeting; but, generally speaking, the seven necessary to form a quorum are always present. There was also a matter, which I referred to, as to which I had not with me the papers necessary to enable me to establish it—that was with respect to the summonses of the courts. I have brought down the forms of the summonses. The first is a summons to the Court of Aldermen.

The same was delivered in.

Sir,—Your worship is desired to be at a Court of Aldermen, at Guildhall, on Saturday next, the 10th day of December 1853, at one o'clock in the afternoon, in your violet gown.

C. W. HICK, Swordbearer.

The Lord Mayor will take the Chair at Two o'clock *precisely.*

Sir Peter Laurie, Knt. and Mr. Alderman Cubitt. } Visiting Magistrates to the Prisons.

Brokers to be sworn:

Charles James Durant	Fishmonger.
Frederick Chaffers	Wheelwright.
Charles Watson	Spectaclemaker.
George Field	Draper.
John Burrowes	a Freeman.

Persons applying to be admitted Brokers:

Alfred Joyce Keen	Spectaclemaker.
Charles Jenkin Cole	Wheelwright.
Nathaniel James White Holt	Weaver.
James Shields	Spectaclemaker.
George Bennett	Spectaclemaker.
Henry Daniel Rickards	Spectaclemaker.
George Isaac Leon	a Freeman.
Francis George Fry	Pattenmaker.
Louis Zalmagna	a native of Austria.

Report of the common crier on new surety for Robert Taylor Hatchett, a broker, in the room of a surety deceased.

The like on new sureties for Samuel Hill, a broker.

To consider the petitions of Henry Cushing, John Weekley, Ann Kershaw, and James Burrell and Ann his wife, complaining of the conduct of William Le Grand, a broker.

To consider the petition of Edward Jones, complaining of the conduct of Daniel Elley, a broker.

To consider the case of a party neglecting to take upon himself the office of Inquestman.

To consider the resolution of the Police Committee of common council, with letter and memorial of police constables for an increase of pay.

To consider a communication from the Lord Mayor in respect to the Police.

To receive a communication from the City Lands Committee relative to brokers' sureties.

PETITIONS.

By Mr. Alderman Farncomb. 1853. 25th Nov.
Of Henry Richard Groom, complaining of the conduct of William Okey Lamond, a broker.

By Sir Robert Walter Carden, Knt. 1853. 3d Dec.
Of Mr. John Martin, complaining of the conduct of William Le Grand, a broker.

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REPORTS.

Goal committee.—To receive reports

On the petition of John Tabor, watchman at the Debtors' prison, for an increase of wages, and recommending an increase of one shilling and sixpence per week.

On the resignation of Mr. Morris, of the situation of chapel clerk and schoolmaster of the prison at Holloway.

General Purposes Committee.—To receive reports

On the petition of John Gynne, late a police constable, recommending the continuance of the allowance to him of three shillings per week.

On the application of Mr. George Payne, and recommending the allowance to him of 10*l.*, in respect to the returns of cases heard at petty sessions.

MOTION.

1853. 6th Dec.

By Mr. Alderman Wilson.

That a return be made to this court of the number and names of persons who have been admitted and sworn extra constables by order of this court during the last mayoralty, stating upon whose application such permission and order have been granted.

And on other business.

Swordbearer's Office, Mansion-house.
Thursday 8th December 1853.

I was asked whether there was any interference by the Court of Aldermen with the Court of Common Council, and how they acted with reference to each other. This which I hold in my hand is the summons that is sent to the aldermen, which is in a different form from that which is sent to the common council, when the common council is convened. This calls upon the aldermen to attend upon the day; and there is a nota bene,—"A Court of Common Council will be holden." It is therefore, in point of fact, the summons of the Court of Aldermen, with a notice that a common council will be held for the purpose specified in the summons.

The summons of the Common Council is as follows:

Sir,—You are desired to be at a Court of Aldermen, at Guildhall, on Thursday next, the 17th day of February 1853, at eleven of the clock in the forenoon.

The Lord Mayor will take the chair at twelve o'clock *precisely*.

Mr. Alderman Farebrother,
and
Mr. Alderman Lawrence,
} Visiting Magistrates to the Prisons.

Docquets for city seal.
Docquets for hospital seal.
To receive from the chamberlain a list of applicants for the freedom of the City.
Applications for leases (City Lands)—
David Williamson, of a house, No. 3, Leadenhall street.
Application for leases (Bridge House)—
To appoint saltshifter (did not attend last court).

Library committee.—To consider the report delivered in on the 16th ultimo.
(Mr. William Williams,)
Of the state and progress of the Library.

Secondaries and City Courts committee—To consider the report delivered in on the 16th ultimo.
(Mr. James Davies),
On the references relative to fines received in the several courts connected with the City, and fines on jurors for non-attendance.

Secondaries and City Courts committee—To consider the report delivered in on the 16th ultimo.
(Mr. James Davies,)
On the reference to inquire into the office of secondary of the Giltspur-street compter.

Commissioners of sewers—To consider the report delivered in on the 20th ultimo.
(Mr. Deputy Peacock,)
In respect of burials within the City of London.

Parliamentary committee—To receive a report.
(Mr. Thomas Snelling,)
On several references.

Coal and Corn and Finance committee—To receive a report.
(Mr. Charles Whetham,)

For granting 50*l.* to the City of London ragged and industrial schools, Foster lane, Bishopsgate. *Mr. Sergeant Merewether, D.C.L.*

Improvement Committee—To receive reports (Mr. Thomas Henry Hall,)

13th Jan. 1854.

For appropriation of surplus of London Bridge Approaches fund.

For application of the street tolls.

Fleet Valley improvement committee—To receive a report (Mr. Deputy Harrison,)

Of their proceedings.

PETITIONS, two o'clock.

By Sir James Duke, Bart. and alderman.

Of inhabitants of the parish of St. Dunstan in the West, against the removal of Temple Bar. 1853. 10th Feb.

MOTIONS.

By John Thomas Norris, Esq.

That it is the opinion of this Court, that it is undesirable to proceed further with the alterations of the shop fronts of the new Royal Exchange, and that the City side of the Joint Grand Gresham committee, representing with a portion of the Court of the Mercers' Company, the trustees under the will of Sir Thomas Gresham, be requested to convey to that body this opinion of the court. 1852. 29th July.

By Francis Bennoch, Esq., Deputy.

That the freedom of this City, in a gold box of the value of one hundred guineas, be presented to Austen Henry Layard, Esq., D.C.L., M.P., as a testimonial of his persevering and zealous exertions in the discovery of the long-lost remains of eastern antiquity, and for securing them in so perfect a state as to demonstrate the accuracy of sacred history, and illustrate the early habits of the human race; and for his indefatigable labour and skill by which this country has been enabled to place such valuable memorials of ancient grandeur amongst the collections of the British Museum. 1852. 10th June.

By James Anderton, Esq.

That it be referred to the Secondaries and City Courts' committee to inquire into effect of the absence of one or both of the sheriffs; and what measures should be taken to prevent the inconveniences arising from such circumstances. 1852. 10th June.

By Mr. Deputy Lake.

That the chamberlain be instructed to pay to the Rev. William Meynell Whittemore the allowance agreed to on the 4th of December last, to be made to the minister of St. James, Duke's place, from the 23d of October last, the date of the acceptance of the resignation of the last incumbent, Mr. Whittemore having performed the duty from that period. 1852. 24th June.

By Mr. Deputy Lott.

That Thomas Grissell, Esq., and George Moore, Esq., having been nominated for the office of sheriff of London and Middlesex, under misapprehension, and they having severally paid a fine of 400*l.* to be discharged from such nomination, this Court doth order that the sum of 400*l.* be paid to each of those gentlemen, out of the chamber of London, in respect of such fines. 1852. 1st July.

By James Anderton, Esq.

That it be referred to the Navigation committee to ascertain and report to this Court, the amount of income derived by the corporation, in respect of the property under the management of the committee during the past year, and the amount expended. 1852. 1st July.

Also the amounts expended by the committee in taking views up and down the river during the last five years, distinguishing those attendant upon the navigation of the Shallop and its repairs, from the amount of the City expenses. And the same return with regard to the Maria Wood; and how often it was used in each of the said years, and by whom.

Also to report to the Court, the probable saving to the corporate funds by abolishing the said two establishments, and superannuating the different officers connected therewith?—and to ascertain and report whether the Lord Mayor, as conservator of the river Thames and waters of Medway, can transact all the duties connected with the conservancy without such establishments; and whether it would be to the interest of the public that he should do so.

By James Anderton, Esq.

That it be referred to the General Purposes committee to examine as to the magisterial and other official duties of the Lord Mayor and Aldermen; the patronage attached to and belonging to their offices; and whether it is desirable for the public service that they should be relieved from any of their official duties by the appointment of assistant magistrates or otherwise; and to report thereon to this Court. 1852. 1st July.

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By James Anderton, Esq.

That it be referred to the Police committee to inspect the several police stations within the police jurisdiction of this City, and the places of confinement therein for prisoners; and report the state and condition of the same to this Court; and whether they are properly fitted for the purpose intended, and were so, previous to the month of October, 1850.

1852. 12th July.

By Mr. Henry Lowman Taylor.

1852. 29th July.

That no sum whatever be disbursed out of this City's cash in liquidation of damages that may be claimed in any action at law against either of the aldermen of this City.

1852. 28th Sep.

By John Wood, Esq.

That the Right Hon. Thomas Challis, Lord Mayor, Sir John Key, Bart., Sir George Carroll, Knt., Francis Graham Moon, Esq, and William Cubitt, Esq,, aldermen, and John Carter, Esq., alderman and sheriff, be added to the Wellington committee.

1852. 4th Nov.

By Mr. Charles Gilpin.

That this Court do appoint a committee to make a searching inquiry into the present and recent management of Bethlem hospital, with especial reference to the treatment of patients in that hospital, and that they be directed to report to this Court the result of their investigation.

1852. 18th Nov.

By James Anderton, Esq.

"That to extend and improve the national education, to develope and encourage "industry, art, and science, and elevate the moral and social condition, and thereby "promote the welfare and happiness of all classes of Her Majesty's subjects," so graciously expressed by Her Majesty in her speech to both Houses of Parliament upon the late dissolution, it is desirable that a free library, and a free circulating library, should be established in the City of London: therefore, that it be referred to the Library committee to consider and report, how, and by what means, such libraries can be best established in the city, and whether any portion of the present City library can be made available towards such a purpose.

1852. 2d Dec.

By Mr. John Hawkins Elliott.

That the Parliamentary committee be instructed to prepare a bill for presentation to Parliament, to make the franchises of the City of London the same as the franchises of all other corporate towns in the kingdom.

1852. 6th Dec.

By Mr. Henry De Jersey.

That it be referred to the Coal and Corn and Finance committee, to consider and report to this Court, what sum it should subscribe in aid of the Wellington Memorial Fund.

1852. 7th Dec.

By John Wood, Esq.

That this Court do subscribe the sum of one thousand pounds towards the Wellington Memorial Fund.

1852. 22d Dec.

By Mr. Thomas Abraham.

That the privilege of taking books out of the library to read be granted to members of the corporation, and that it be referred to the Library committee to frame and report to this Court rules and regulations for effecting that object.

1853. 20th Jan.

By Mr. William Cox.

That Temple Bar is a serious obstruction to the traffic of the metropolis; that it answers no good or useful purpose; and that the City Lands committee be instructed to take the necessary steps to remove the same.

1853. 20th Jan.

By James Anderton, Esq.

That it is the opinion of this Court, that the fifth of the number of the aldermen should go out of office annually, with power to be immediately re-elected; and that in the event of any alderman not being re-elected, he may nevertheless continue to be a magistrate, upon the appointment of the Court of Common Council; and that application be made to Parliament accordingly.

1853. 20th Jan.

By Mr. Joseph Perkins.

That the Prisons committee be dissolved.

1853. 20th Jan.

By Mr. Henry Edward Murrell.

That Mr. Thomas Rowley, of the ward of Walbrook, be appointed on the Markets committee in the room of the mover, and that the 35th standing order be suspended upon this occasion.

1853. 10th Feb.

By Sir James Duke, Bart., and alderman.

To move a resolution of this Court, or to introduce a bill, if necessary, for the purpose of abolishing all street tolls within this city, after the 31st of December next.

1853. 10th Feb.

By Mr. William Gresham.

That it be referred to the Officers and Clerks committee to ascertain and report to this Court, the names of all persons holding office under this Court who may have

purchased their places; when purchased; of whom; and for what consideration; and (where it can be ascertained) the annual income at present arising from such offices respectively.

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By Mr. Deputy Obbard.

That it be referred to the officers and clerks committee, to consider and report to this Court, whether it is desirable that the income of the Town Clerk should continue to be made up partly from fees upon warrants, and orders for payment of money, or whether any of them should be discontinued, and the income of the Town Clerk paid out of the chamber.

C. W. Hick, Swordbearer.

Swordbearer's office, Mansion-house.
Saturday, 15th February, 1853.

The same was delivered in.

The summons to the common councilmen contains, of course, the same list of business, the heading being in this form:—"Sir,—You are desired to be at a Court of Common "Council at Guildhall, on Thursday next, the 17th day of February, 1853, at eleven of "the clock in the forenoon." I referred yesterday to the charter which gives to the corporation the power of altering the customs. I now produce a copy of that part of the charter. It is referred to in Mr. Norton's book, page 470. The date is the year 1341, the 15th of Edward III. This is the extract:—"Moreover "we have granted for us and our heirs, and by this our charter have confirmed "to the Mayor and Aldermen of the City aforesaid, that if any customs in the "said City heretofore obtained and used, be in any part difficult or defective, "or anything in the same City arising, whereof no remedy was before obtained, "may require amendment, the same Mayor and Aldermen, and their heirs and "successors, with the assent of the commonalty of the same City, may as often, and when "it shall seem expedient to them, appoint and ordain a fit remedy, of good faith "and consonant to reason, for the common benefit of the citizens of the said City and of "other our faithful subjects resorting thereto, provided such ordinance be profitable to "us and our people, and of good faith and consonant to reason, as aforesaid."

4986. Has it been the case that under that power material alterations have, from time to time, been effected?—A great many.

4987. Will you have the goodness to specify one of the most recent?—One of the most recent, I think, has been an act of the common council with reference to jurors. The juries heretofore in London used to be marked upon the back of the presentment at the wardmote; and out of these were selected by the secondary the jury to serve. The recent Act with respect to jurors had appointed a different mode of selecting them; and that was also done by the secondary, but from other sources. It was found the two did not work well together; that there were different classes in the one list from those in the other, and there was altogether an uncertainty, in point of practice, in the arrangement. That was all corrected by a Bill which was brought into the common council a short time ago, in which the system adopted in what is commonly called Sir Robert Peel's Act was directed to be the general system for the City, so as to have only one list.

4988. When the number of the common council was reduced, was that done by Act of Parliament, or by the City authorities themselves, under that charter?—By the City authorities themselves. I believe there never has been any Act of Parliament at all, affecting the number of the common council, or affecting their position. The common council is the creation of the corporation itself, and has from time to time been regulated by its provisions, or standing orders, or resolutions.

4989. Do you apprehend that it would be in the power of the corporation to alter the term of tenure of office of the lord mayor, or any matters of that kind?—I think not with safety, because, inasmuch as the duration of the office of lord mayor for a year is embodied in one of the earliest charters, it has always been a principle, recommended to the corporation, not to interfere with any of those matters which have existed so long that they fall, as it were, under the title of prescription, because it is well known that any prescription which is altered is of course destroyed.

4990. That is rather putting it upon a ground of expediency, than upon one of right?—Perhaps it is. According to the general words of the charter I have read, it would seem to me that the corporation have the entire power of making all alterations within themselves which they think necessary, with the exception only, that they cannot interfere with any Act of Parliament. That was the case to which I drew the attention of the Commissioners yesterday. The Election Act having passed and recognized a right in the liveryman, the corporation have always found themselves unable, under that charter, to deal with that enactment.

4991 You stated yesterday that it would be hardly possible, under that charter, for the corporation to deal with the number of the aldermen, the extent of the wards, and matters of that description, inasmuch as those questions touch upon others connected with courts of justice, for which an act of the legislature would be necessary?—That is exactly my view. I think there is no doubt whatever, if it were found advantageous to have more aldermen, as connected with the corporation, for corporate purposes, under that charter the corporation might effect the object; but inasmuch as the very essence of the existence of an alderman in the City of London has reference to his ward, and in the

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ward there is a wardmote held I imagine that they could not, by any regulation of their own, give a jurisdiction to a new ward which they themselves might create. That experiment they tried in the borough of Southwark, but it altogether failed.

4992. Do you suppose, if it were thought expedient to sever the connection of Southwark with the City of London, that could be done by the City without the assistance of Parliament?—I think it might.

4993. Would not that be interfering with courts of justice?—No; they are authorized to hold a court leet, and a court of record for Southwark, that is a part of the charter. I imagine that it is universally allowed, that the grantees of a charter may surrender or cease to act upon, any part of a charter which is made for their good, but if they do so, I believe it has been held a partial surrender cannot be permitted; it must be a surrender of the whole, or none at all. Some difficulties of that kind might occur. My strong impression is, that with respect to Southwark, if anything is done with it, it will be done with the consent of all parties, through the medium of the legislature.

4994. Was the alteration of the rights of the freemen in 1835, under the power of the charter you have just read?—Certainly.

4995. Are you aware that some doubt has been expressed as to the legal effect of that alteration?—I think it is very possible that such doubts may exist in the minds of some persons. I cannot say myself that I see any foundation for them whatever.

4996. You believe that there is no doubt as to the competence of the Common Council to make that alteration?—I think there is no question whatever. The going through the companies must have been an arrangement of the corporation itself, and therefore the corporation had the power to alter it. Besides that, the freemen used originally to be admitted in that way, and not through the livery companies. Therefore it was only a restoration of the old law of the corporation. Perhaps this may be a fit opportunity to remove what appeared to me to be an erroneous impression entertained, with respect to Southwark, particularly as it would be connected with the statement I made yesterday. The corporation have been anxious, from time to time, to do all they could to make their jurisdiction in Southwark effective, but they have been prevented by circumstances. It was said that Southwark was the ward of Bridge Without. I believe it is a total misconception and error. There was an attempt to give it that character, but that attempt altogether failed, and shewed that the charter is not effective for the purposes for which it was intended. The Commissioners are aware, perhaps, that the first charter I alluded to yesterday was in the reign of Edward III., granting the City power over the borough of Southwark, as a remedy for the felons and fugatives who escaped from the City, and went into Southwark. It was found that that charter was ineffective for the purpose. Therefore, in the reign of Edward IV., a subsequent charter was granted, giving them larger jurisdiction; but that again being ineffectual, in the reign of Edward VI., a very full and comprehensive charter was granted, giving them, for a valuable consideration, a considerable portion of property, and giving them jurisdiction of the most complete kind that a charter could give. Upon that, the corporation of London attempted to carry it out in the manner in which, I suppose, they presumed it was intended they should do, and they elected an alderman for what is here called Bridge Without. There was some attempt made to elect common councilmen for the same purpose. The alderman was elected, and was placed in the office, and there was an effort towards the inhabitants electing common councilmen, but it all turned out eventually to be abortive. I believe the ground upon which the name of Bridge Without was given, was that there was a sort of *tête de pont* on the other side of the other, and just the area surrounding that might, in analogy to the other wards, have been called Bridge Without. It was without the common line of the walls and boundaries of the City. But I think it is clear to demonstration that the whole of these proceedings were found to be ineffectual. It was stated to you, upon the authority of a book of Mr Delaune's, that the common councilmen had been elected, and that their names are given there. Upon examining that matter, I think no reliance can be placed upon that statement, because, first of all, the book itself is not one of any authority whatever. Next, the first edition did not contain the passage which I have alluded to, that common councilmen were appointed. In the second edition, where it is contained, there are certain names given, but on referring to the records which we have, which were rather imperfect at that time of day, there is no mention of the common councilmen, and the names which are contained in Delaune, are the names of the common councilmen for Bridge Ward; therefore, I am quite satisfied, from all those circumstances, that in truth there were no common councilmen elected at that time. A list of all the aldermen is given, and all the common councilmen in the wards in the ordinary course, but at the close of it is given the name of Sir John Ayliffe, as alderman of the ward of Bridge Without, but there are no names of common councilmen given. I have here an extract from the repertory, giving an account of Sir John Ayliffe's election. It is in the fourth of Edward VI. "At this court, Sir John Ayliffe, knight and citizen "and barber surgeon of London, was nominated, elected, and chosen by the same court, "alderman of the Bridge Ward Without. And it was ordained and agreed by the said "court, that he, the said Sir John, by that name of alderman of the Bridge Ward Without, "albeit that hitherto there hath not been any such ward or alderman within this city," so that the prior non-existence of such a ward is clearly established upon this very act, which was then done. "And altogether that hereafter shall be aldermen of the same

" ward, shall have the rule, survey, and government, not only of the inhabitants within the " town and borough of Southwark, as other such ward or alderman within this city, the " king's highness's liege people repairing to the same, but also of all the liberties, " franchises, and privileges heretofore given and granted by the king's majesty, and his " most noble progenitors to the mayor and commonalty, and citizens of the said city, " within the said town and borough, for the due execution whereof the said Sir John " Ayliffe was presently sworn and admitted." It is quite clear that by such a resolution, or order of the court as this is, they could not have appointed a wardmote, nor did they in point of fact, attempt to appoint a wardmote, nor has any wardmote ever been held for that ward.

4997. Is that an extract from the City records?—It is an extract from one of the repertories.

4998. You stated yesterday, that the total number of charters relating to the corporation of the City was about 120?—Yes; I was then speaking before the list of them had been completed.

4999. Are the Commissioners to understand that all those charters are now in force?—I should say that all of them are now in force. I am not aware that any of them have ever been surrendered. They have been seized by the crown at different times. They were seized under the celebrated Quo-warranto, in the reign of Charles II., but they were restored by Act of Parliament at the beginning of the reign of William III., in the strongest words, and I imagine there is not the slightest question that they are all still in force.

5000. It is possible some of them might have been temporary charters. Charters to be in force only during the reigns of the kings by whom they are granted?—That was seldom the case. I do not remember any instance of that. Some of them may have been granted for temporary purposes, and in the list which I have before me, there are some named which, properly speaking, are not municipal charters. They are special grants. The second charter they have is a grant to a private individual.

5001. Still your belief in general is, that the whole number of 120 is in force?—It is.

5002. The City possesses a considerable property in Southwark, does not it?—It does.

5003. Was the acquisition of that property, by the City, at all connected with Southwark purposes?—I think not. I think there seems to have been a beneficial grant made to the corporation for a money consideration.

5004. Do you know what was the origin of their acquisition of that property?—I can give it you from the Inspeximus. " We have seen also the letters patent of Lord " Edward, late king of England, the sixth, our progenitor, made in these words:—Edward " the sixth, by the grace of God, and so on. To all to whom these present letters shall " come, greeting: Know ye, that for the sum of 647*l.* 2*s.* 1d., of lawful money of England, " paid into the hands of the treasurer of our court of augmentation and revenues of our " crown, to our use, by our well-beloved the mayor and commonalty and citizens of the " City of London, whereof, we acknowledge us to be fully satisfied and paid, and the " mayor and commonalty and citizens, and their successors, to be thereof acquitted and " discharged by these present, and for other causes and considerations, us thereunto " especially moving, have, of our especial grace, and from our certain knowledge and " mere motion, and also with the advice of our council, given and granted, and by these " presents do give and grant, to the said mayor, commonalty, and citizens of the City of " London, all that our messuage or tenement, with the appurtenances, now or late in the " tenure of Simon Sebatson, situate and being next our mansion, late Charles, late Duke " of Suffolk's, in Southwark, in the county of Surrey, and all that our messuage," going on with a long detail of many other properties. After those are so gone through, there is a grant of certain fee farms' rents in Southwark, and also the ordinary general words following the grant, and " all messuages, houses, buildings," and so on.

5005. Do you think it probable that the connection which then existed between the City of London and Southwark was the reason for the Crown granting this property at that time?—I have no doubt but that the citizens of London applied to the Crown and paid this money consideration in order to have the grant of Edward IV. carried out more effectually, by the more extensive powers and jurisdiction given under this charter than existed under the former one; they obtaining also this property.

5006. Was the gift of the property coincident in point of time with the grant of the jurisdiction?—Of the larger jurisdiction; they are both contained in the same charter.

5007. Do you think, in case of the severance of Southwark from London, the citizens of Southwark would have any equitable claim to this property for the benefit of themselves as a corporation?—I cannot think that they would. I see no ground upon which they could make such a claim. There is a money consideration. In the grant of any beneficial property in these charters, there is generally a money consideration paid, and that having been paid in this case, the property vested, I take it, absolutely in the corporation. Whether it may, or may not, be beneficial to the public, that the jurisdiction should be detached from it or not is a question; but, I imagine, considerations of equity would leave the property clearly in the hands of the corporation.

5008. You think no distinction can be drawn between this property and that which the City of London possess in other places?—I think not; I see no reason for supposing that there is any distinction. I was about to speak just now of the charters which have

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been granted to the City of London. The first charter is that of William the Conqueror, which will be found in Mr. Newton's book, translated, I believe, with great accuracy; great pains having been taken that it should be so. The words are somewhat peculiar, and require a little explanation. The original Saxon is given, and the translation immediately follows: "William the King greet William the Bishop and Godfrey the Portreve, "and all the Burghers within London, French and English, friendly. And I make known "to you that I will, that ye be law-worthy, as ye were in the days of King Edward. "And I will, that each child be his father's heir after his father's days. And I will not "suffer that any man command you any wrong." I particularly draw the attention of the Commissioners to this translation, because here it is translated as it ought to be; but in the other translations it is very inaccurately represented, and particularly that expression "law-worthy." "Law-worthy" means, in point of fact, a *legalis homo*. The effect was to make them free; and of course it is followed immediately afterwards by the provision, that each man shall be his father's heir. When they were not free, but were slaves of any lord, they had no land to inherit and no power of inheritance, neither was any of them what is called a *legalis homo*—a person capable of all offices in the state, and bound by duty to perform all offices. I draw the attention of the Commissioners to this as showing that the pre-existing rights and customs of the City of London, before the reign of William, are recognised by him as having existed in the reign of King Edward.

5009. This charter creates no corporation; it is merely a declaration that all citizens of London shall be of free condition, that is to say, they shall not be villains or slaves?—That is the effect of it.

5010. And the king promises them some protection?—Yes; it is the earliest recognition there is in the charters of the general rights of the citizens of London. Perhaps, I may observe, that I believe no words of incorporation, in any charter relating to any borough in this kingdom, are to be met with before the reign of Henry VI., when a charter of that kind was first granted to Kingston-upon-Hull; the record of that is in the Tower. I will not detain the Commissioners at any length upon this subject. There are other authorities in existence which show what the meaning of those words were; for instance, there is this, "Hominis Imperatores bonarum legum digni tenebantur." The next charter to which I will refer is one of Henry I., drawn up in this form: "Henry by the Grace "of God," and so on, "know ye that I have granted to my Citizens of London to hold Middlesex to farm for three hundred pounds."

5011. What is the meaning of granting Middlesex to them to farm?—The king of course had all the counties as well as boroughs in his hands—at least his officers accounted to him for the property—a portion of the profits would go through the hands of the sheriff, a portion through the hands of the escheator, and a portion through the hands of the coroner—all those would belong to the king; but it was the custom by many of those charters to grant to parties those districts, and all the profits resulting from them, the grantee paying to the Crown a sum in consequence of it. That sum has been paid by the corporation ever since the reign of Henry I., and is paid at the present day; it is accounted for by the sheriff to the Crown. Passing over the other provisions of the charter, which relate to Sokes, and so on, it proceeds: "I will cause my Citizens to have "their Lands, Premises, Bonds, and Debts, within the City and without. And I will do "them right, by the law of the City, of the lands of which they shall complain to me, and "if any shall take toll." Then follows that part of the charter which relates to foreign attachment, which I read yesterday to the Commissioners; almost all the succeeding charters have the same language. In the reign of Henry II. the charter gives them the pleas of the Crown; "And of the Pleas of the Crown they may discharge themselves "according to the old usage of the City;" "that all the Citizens shall be free of toll." And it provides also for the holding of the Hustings Court, which is one of the courts I mentioned to the Commissioners before. That court is directed to be held on a Monday, which, in point of fact, has been the case: "And that right be done to the Citizens "according to the City." Even in those early days the kings regarded the convenience and enjoyment of the citizens, because the charter concluded by giving them "their "huntings wheresoever they had the same in the time of King Henry my Grandfather." "These aforesaid customs I do grant unto them all their liberties and free customs which "they had in the time of King Henry my Grandfather;" and it states that they are to hold them by inheritance. The charter of Richard I. also states, "We have granted to "them acquittal of Murther, within the City and in Portsoken, and that none of them "may wage battle, and that they may discharge themselves of the Pleas belonging to the "Crown, according to the ancient custom of the City." "Nobody shall take amercia-"ments from them but according to the law of the City, which they had in the time of "King Henry, Grandfather to Henry, our father; and that there be no miskeming in "any plea within the City, and that the Hustings be kept only once a week." It provides that right shall be done to them according to the customs of the City, with other provisions of the same kind. Furthermore, it grants that the "said Customs, and all other liberties "and free Customs which they had in the time of King Henry, Grandfather to Henry our "Father," they may still enjoy. To the next charter, which is in the 8th of Richard I., I should also wish to draw the attention of the Commissioners, because it bears upon a point which will, on another question, be material. It is granting power to the citizens of London to remove weirs from the Thames. "Know ye all that we for the salvation of

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" our soul, and for the soul's salvation of King Henry our Father, and all our Ancester's " souls; and also for the common weal of our City of London, and of all our realm, Have " granted, and stedfastly commanded that all Wears that are in the Thames, be moved " wheresoever they shall be within the Thames, and that no wears be put any way within " the Thames. Also we have clearly quit claimed all that which the Keeper of our Tower " of London was wont yearly to receive of the said Wears. Wherefore we will, and " stedfastly command, that no Keeper of the said Tower at any time hereafter, shall exact " anything of any one, neither molest, or burden, or any demand make of any person by " reason of the said Wears; for it is manifest to us, and by our Right Reverend Father " Hubert, Archbishop of Canterbury, and other our faithful subjects, it is sufficiently " given us to understand that great detriment and discommodity hath grown to our said " City of London, and also to the whole realm, by occasion of the said Wears." The effect of this is, that the erection of wears, which are acts necessarily connected with the soil of the river, were at this time ordered by the king to be carried out by the citizens of London, and all interference of the officer of the Tower of London, who did from time to time try to encroach upon the rights of the citizens of London, is forbidden. He is directed not to " exact anything of any one, neither molest nor burthen, or any demand " make of any person by reason of the said Wears," from which it certainly would appear that at that time the Crown characterized the demands which had been made by their officer as an exaction, and directed that they should not be persevered in, but the weirs should be removed. That, perhaps, may be a consideration hereafter with respect to another matter, but I thought in passing it was better to draw your attention to it.

5012. That charter proves that certain weirs had been erected by the king's officer?—Yes.

5013. The king grants to the City of London an immunity in respect of those weirs; the charter gives them the power of removing the weirs?—It does.

5014. The power of erecting the weirs being in the king?—That act having been done by the keeper of the Tower.

5015. As the king's officer?—Yes; but by usurpation, as it would seem.

5016. What is there to show that it was by usurpation?—Because it desires that they shall first be removed. It says, "No Keeper of the said Tower at any time hereafter " shall exact anything of any one" with respect to those weirs.

5017. It abandons the right. It gives the City of London the power of removing the king's weirs, but is there anything to show that the right did not previously exist?—It appears to me that this is a direction, that if the weirs shall be removed, the king's officer shall not interfere, he having made previous exactions from the parties with respect to them. However, I thought it was my duty to draw your attention to the subject.

5018. Is there anything to show that the right previously was not in the Crown?—There is nothing beyond this charter. I have read the whole of the charter, and it would seem to me that the inference from it is, that it was an illegal act done—an illegal exaction.

5019. Is not the inference rather this: that this was a voluntary abandonment of the right of the Crown?—It does not appear to me to be so. With respect to the other charters, I am very much disinclined to trouble the Commissioners by going through them; but, I will say, that throughout there are repetitions of the same declaration in all the succeeding charters, that the customs of the City of London were to be upheld and maintained. Such declarations are pertinaciously repeated. There is another charter which relates to the weirs; and with respect to that, inasmuch as the citizens of London were conservators of the River Thames, they would have had the power of removing the weirs as a nuisance.

5020. You mean with reference to the navigation, not with reference to the soil of the river?—Not with reference to the soil of the river.

5021.—If that be so, may not it have been possible, that this direction to the City, to remove the weirs at their pleasure, may have had reference to their character as conservators of the river, rather than to any right in the soil?—It certainly appears to me that that was rather a direction to them to disincumber their own property of the weirs which existed.

5022. Was the grant of the conservancy prior to the statute of Richard the First?—It was; the right was enjoyed before that time. I am not aware that I need trouble the Commissioners further with the charters, except for the purpose of making the general observation that the reference to the customs of London, and to their maintenance, proceeds through them all.

5023. Do the charters generally run in the form, "We grant for us our heirs and suc- " cessors," or only "We grant"?—I think generally the grant is, "For us our heirs and " successors."

5024. Can you state what is the earliest charter which contains the grant of the conservancy?—I do not think it is in an early charter.

5025. There is nothing to show that the City were conservators at the time of the charter of Richard?—There is nothing expressly to show it.

5026. Can you describe to the Commissioners the constituency who vote at the elections in common hall?—The persons who vote in common hall are freemen, with the superadded qualification of being liverymen; the liverymen are a portion of the freemen

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of each company who have been elected,—that is to say, they have the permission to wear the livery of the company; under a variety of sumptuary laws people were prohibited from giving liveries to their servants, and in one of those statutes there is an exemption of all corporations and guilds. Under that exemption they had the power, and exercised it, of appointing liverymen. Many of the companies have had that power, and have exercised it for a long time. They have it under their charters; others have been granted that power by the Court of Aldermen. I have a list of those which have been granted by the Court of Aldermen, and with those the Court of Aldermen still interfere. Applications are made, from time to time, when they want to appoint new liverymen, and permission is given to them by the Court of Aldermen under certain conditions. I have before me a list of admissions of companies to liveries, and the increases which have been made in the number of the livery of several companies, by orders of the Court of Aldermen, from 1725 to 1820. The following is the enumeration of the companies:—felt-makers, clock-makers, needle-makers, tin-plate-workers, wheel-wrights, gun-makers, wire-drawers, ship-wrights, glovers, silk-throwsters, cord-makers, fan-makers, comb-makers, spectacle-makers, horners.

5027. There are certain companies in which the corporation interfere in the formation of the livery?—Yes. The felt-makers received permission to have a livery upon these conditions:—"No member who is of the clothing of any other company to be called on "the livery before he is translated; constant attendance on Lord Mayor on all public "solemnities; not at any time to exceed sixty; their charter and bye-laws to be en-"rolled." The others are in substance the same.

5028. In order that a person should have a right of voting at common hall, it is necessary that he should be a member of a livery company and a freeman of the City?—Quite so. The truth is, the bye-law I referred to yesterday, instead of allowing the right of election in the hall to the freemen generally, restricted it to that class of freemen who were of the liveries of the companies.

5029. In the ward elections it is sufficient that a person should be a freeman without being a member of a company?—A freeman and a resident in the ward. As far as the franchise is concerned, freedom alone is necessary.

5030. Was there ever a time when the whole constituent body of the City, that is to say, including the voters for the wards, were members of the livery companies?—No, the companies, in point of fact, if I may use the expression, are private companies not connected with the municipal government of the City; they are companies existing under their own charters, and for their own particular purposes, originally for the regulation of trade, but having nothing to do, in point of fact, with the municipal government.

3031. Can you point out any inconvenience or evil which would occur if there were but one single franchise for the municipal purposes of the City of London?—I have no hesitation in answering that question. I see no difficulty in it, and I am speaking the views of the corporation themselves upon that subject, because they have been anxious to effect that object, and have done all in their power for the purpose. The Bill which was brought in in 1849 was with that view, and it was passed into a law; but in the House of Lords such alterations were made as prevented it from having the effect which was intended. It did not operate well, great difficulties arose in carrying it out the moment it was passed. When it came to be applied it was found that in some instances, one of which was mentioned yesterday, the voters were lessened by it instead of increased.

5032. There are certain officers of the corporation who are elected in common hall, there are others elected by the Court of Aldermen, and others by the Court of Common Council, are there not?—Yes.

5033. Can you state any ground, either of charter or enactment or of expediency, upon which that distinction has been made?—No. The answer I should give to the question would be the same as the one I gave yesterday; it has rather grown out of circumstances than otherwise. The election in the common hall of the Mayor, the chamberlain, the sheriffs, the bridge masters, the auditors, and the ale conners, are all directed by a particular charter. They are directed to be chosen by the citizens. The election of the recorder is with the aldermen. I imagine that that is because originally the aldermen exercised almost all the powers of the corporation, particularly those connected with the administration of the law, and therefore they appointed their own officer, who was assessor to the Mayor. The other officers are elected by the Common Council as the representatives of the citizens; the common council, having become the effective representative of the corporation, generally took upon themselves of course the election of all those officers whose offices grew up from time to time.

5034. Can you point out any advantage which arises from the election of such officers, as the chamberlain, being in common hall?—In answer to the question asked me yesterday, I made some observations with respect to the elections of the sheriffs, which of course apply also in the same way to the office of chamberlain, and indeed, the other officers who are elected there. My friend, the Common Sergeant, who will be ready to give you evidence upon the subject, is the person who superintends the elections as the adviser of the sheriffs, and he will be able to tell you whether the impression he has of those elections is the same as the one which I mentioned to you yesterday.

5035. Are you aware of any advantage which arises from the election lasting, and the poll being kept open for several days?—I feel bound, as you have alluded to that subject,

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to state my opinion upon the point of the duration of the poll for seven days. It is done under the authority of the Act of the 11th of George the First, which was expressly passed for the purpose of shortening the elections. The clause says that the election shall not last more than seven days, but by a most extraordinary construction it has been construed to mean that it must last for seven days. I conceive it to be a total misapprehension of the Act under which that has been done. I think I could suggest the reasons of its being done; it probably was in consequence of a decision in a committee under the election laws with respect to the election at Rochester, in which, though there had been a great number of votes taken, and the poll had lasted a great length of time, and every effort had been made to bring in voters, but they did not seem to come—because it was proved that there was one voter upon the poll who did not come in time to vote, the poll being closed after due notice had been given and every precaution taken, by the advice of counsel that election was set aside. I believe a similar case occurred with respect to the election at Bristol. I imagine that the secondaries of the City of London, being the officers entrusted to take the poll, they thought it was dangerous to adopt any mode of giving notice to stop the poll after the decision of those two cases, and therefore they suffered the election to go on for seven days, though it is known that in many instances almost every vote has been given on the first day of the election, and scarcely any given subsequently.

5036. Do you believe it would be competent to the corporation on their own authothority, without going to Parliament, to shorten the duration of the poll?—I should say that the corporation who hold the election, and the secondaries who advise them, would both of them be justified in closing the poll whenever there was a reasonable ground for assuming that other votes were not forthcoming, taking care to give reasonable notice of the day and the hour at which they would close the poll.

5037. You think they might do that without any Bill being passed by the Common Council?—Yes; I think they might do it, and rely upon that step being upheld by any Court.

5038 Do you think that an enactment on the part of the Common Council would give any additional security to those officers?—I think either an Act of the common council or a resolution of the common council, would be an additional justification to the officers for so acting, though I believe they would be perfectly justified without it.

5039. You think it is desirable that those polls should not last the time they do at present?—There is no doubt about it; and it was the intention of the corporation to carry out a measure for shortening them.

5040. It has been stated to us that corrupt practices have prevailed at some of the City elections to a considerable extent, and that that is partly owing to a prevalent opinion that the same laws with regard to bribery and corrupt practices which exist for the elections of members of Parliament do not apply to the elections of municipal officers. Are you able to make any statement to us upon that point?—None, except that I think that that is quite true. The Acts of Parliament particularly levelled against bribery are confined to Parliamentary elections; but there is the common law, and I imagine such an offence as receiving a bribe with reference to an election which is for any public purpose must be within the reach of the common law.

5041. Do you recollect any person being convicted at common law for such an offence?—No; the elections have generally been elections of members of Parliament, and there the statute applies.

5042. There have been contests for offices of emolument and importance in the City, where there appears too much reason to suppose there has been to a certain extent the prevalence of corrupt practices. Has there ever been any case brought before a court of justice in reference to those practices?—I think not. Recently there have been cases of personation brought before the courts. I believe the persons acquiesced in the judgment against them, and upon expressing their contrition for what they had done they were let off.

5043. Would it be an expensive process to bring actions for corrupt practices against many individuals in reference to City elections?—I should think not; the necessary witnesses would be almost all within the City; that is one of the great advantages of the courts existing within the City,—the expenses are much less than they are elsewhere, because the witnesses are upon the spot. I am quite sure of this, that the expense is not a matter which would stand in the way, because the Court of Aldermen and the Court of Common Council have both of them used their best endeavours to check those practices, and have ordered proceedings to be taken by the solicitor against the parties so offending.

5044. Do you mean where there have been instances of personation?—And also I think in cases of bribery; a considerable reward was offered to any person who would come forward and state cases of bribery. Actual instances were found in which there had been both bribery and personation, and both the courts of the City did the best in their power to direct that the matter should be enquired into; because, although it is quite true that a general impression has existed that bribery has been committed on those occasions, the Commissioners must be well aware of the difficulty of proving the cases, and if there has been any abstinence from prosecutions, it has been upon that ground, and not from any reluctance on the part of the Court of Aldermen or the corporation generally, to apply their funds to the prosecution of offences of that description.

5,045. You think the Court of Aldermen do consider it a public duty, as far as they can,

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to maintain the purity of the City elections for municipal offices?—I assure you, that again and again the strougest possible declarations and denunciations have been uttered by both courts against these proceedings, and it is a thing of which they complain constantly, they feeling themselves injuriously affected by the existence of such practices.

5046. I am afraid those endeavours have not been altogether attended with success? —Far from it; I am sure the solicitor will be able to tell you the difficulty which he has found in collecting evidence upon those subjects.

5047. Do you think those protracted polls have any tendency to increase the expense of elections, and to give rise to bribery and corrupt practices?—I have no doubt that a protracted poll of itself increases the expenses, but I think the poll is, if anything, rather a correction with respect to bribery and corruption, because the bribery and corruption is very often applied to persons who have no right of voting at all, but who are persons who come to the hall and get in improperly, and hold up their hands and conduct themselves as if they were liverymen, not being so; the moment the poll is demanded, all that is put an end to, except in cases of direct personation, where one individual personates another. Then also I ought to say, that perhaps the first and second day of the poll do increase the temptation to bribery. A vote is thought to be more valuable, and then those person who are ready to receive bribes or who are ready to personate other individuals, press themselves upon the candidates. I only meant to qualify my answer so far that the poll generally has a tendency to check the practice, except with that reservation.

5048. Does not it happen in City elections, as is notoriously the case in Borough elections, that the portion of the electors who are disposed to receive bribes, hang back to the last, and then attempt to sell their votes at a high price when the numbers are pretty evenly balanced?—I have no doubt it is the case as was stated by Mr. Scott, the day before yesterday, that there are a certain number of persons who hold back in that way. To such persons the continuance of the poll affords an increased facility, but I think the general effect of a poll is to alarm them, and particularly now the corporation have expressed their dissatisfaction at that which has been brought to their notice distinctly.

5049. If there were one list of electors for all municipal purposes, and that list were carefully revised, would not that have the effect of diminishing personation at all events? —I have no doubt about it.

5050. That system might be altogether put an end to by a proper list being kept?— By vigilance and perseverance, and its being distinctly understood that persons would be punished who committed the offence, I have no doubt that would mitigate the evil.

5051. Is there any authentic register now of the voters, either in common hall or in the wards?—Under the Act of Parliament which I have referred to, there is a provision for making a municipal list, and if that Act had been effective for all its purposes, no doubt the good which the question contemplates, would have been to a certain degree ob tained. This is the provision in the 12th and 13th of Victoria, "Be it enacted, that on "the 1st day of November in every year, the aldermen and common councilmen of "each ward shall make or cause to be made out an alphabetical list of all persons who "shall be entitled to vote as freemen occupiers under this Act;" the previous clauses having specified the qualifications, "such list to be duly signed by the alderman of the "ward; and the ward clerk shall keep a true copy of such list, to be perused by any per- "son, without payment of any fee, at all reasonable hours between the first and fifteenth "days of November in every year, and shall at all times deliver a written or printed copy "of such list to any person requiring the same, on payment of a reasonable price for each "copy; and the said list shall be the list of freemen occupiers entitled to vote, after the "passing of this Act, at any election for aldermen or common councilmen, or ward officers "for any ward." It is obvious that all this taking place under the eye of the inhabitants of the ward where the parties are generally known to each other, personation is not likely to be committed there, nor do I believe that bribery takes place at all. I think you have had that stated in evidence'; if not, it is my duty to state, that at those wardmote elections I believe bribery and personation are very rare; either by the circumstance of the persons attending the wardmote being known in that ward, or by the operation of this Act, I think an entire stop has been put to them in the wards. The same probably would be the case if the qualification were the same for voting at common hall, but I cannot abstain from observing that one of the great difficulties at common hall is, that the liverymen of the different companies are not known to the corporate officers, they are elected in the liveries, many of them living at a distance out of town; those are all ingredients which would give facility both for bribery and personation.

5052. Is there any authentic list of the liverymen who vote at common hall?—None at all in the possession of the corporation; whether there are any lists in the possession of the respective companies I do not know, but I should presume that in all well regulated companies, there are lists.

5053. When a man presents himself and tenders his vote at a contested election at common hall, is there any authentic list to which the poll clerk can refer to ascertain whether he is entitled to vote?—None I believe.

5054. Do you believe that the circumstance of electors living at a distance, having a right to vote at the City elections, has a tendency to increase the expense and the possibility of personation?—I have no doubt it has a tendency to increase the ex-

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pense, and I have no doubt also it has a tendency to increase the possibility of personation, and it operates as a considerable inducement or opportunity for bribery on the one hand, as on the other to a certain extent it would have a tendency to check bribery; inasmuch as if non-resident voters were brought up in large quantities, the votes of the resident persons who are at all disposed to be bribed, would be neutralized and rendered of less value. Perhaps that is a remote contingency; but it is one.

5055. In the event of one general electoral franchise being adopted for all municipal purposes in the City of London, have you any objection to state any opinion which you may have formed as an individual as to what the electoral franchise ought to be?—I have generally abstained from expressing opinions; but I can have no hesitation in expressing one upon that subject; because the corporation have themselves expressed an opinion in the Bill which they brought in, in 1851.

5056. Will you have the goodness to inform us what were the proceedings of the corporation with respect to the promotion of the Bill of 1851?—For a great length of time, committees of different descriptions had been appointed in the corporation of London to consider this subject, and those committees had made different suggestions; but before this Bill was presented to Parliament there was another committee appointed, and that committee went item by item into everything which had been before suggested to the corporation as the basis of a Bill. In conferences of that kind, some had strong objections to one view of the subject, and some to another. Eventually they agreed in the adoption of a certain number of propositions which are embodied in this Bill.

5057.—The plan of the Bill was adopted by a committee of the council after much consideration?—Yes; I think also with the assistance of a committee of aldermen.

5058. Was the plan ever formally adopted by the common council as a whole or by the court of aldermen?—The Bill was laid before the common council and presented to Parliament with the sanction of the common council.

5059. When the Bill was brought before Parliament it embodied the views of the entire corporation?—No doubt it was the decision of the majority of the body.

5060. Will you have the goodness to state what were the leading provisions of the Bill?—The preamble recites the 11th of George the First, which is the stumbling-block which has always stood in the way; it recites that other Act of Parliament which I have just noticed, the 12th and 13th Victoria, and it recites, "whereas it is expedient that the said Acts should be repealed, except as hereinafter mentioned. And whereas in the City of London a custom has prevailed and bye-laws have been made that no person not being free of the said City shall keep any shop or place for putting to show or sale any or certain wares or merchandize by way of retail or otherwise, or use any or certain trades, occupations, mysteries, or handicrafts for hire, gain, or sale, within the same: And whereas the Mayor, aldermen, and commons of the City of London in common council assembled, considering that the said ancient custom and bye-laws are injurious to occupiers within the said City, not being free of the said City, and are in restraint of trade, are desirous that the said custom and bye-laws shall cease and be repealed: And whereas the Mayor and commonalty and citizens of London are seised of or entitled to tolls on carts and other carriages belonging to non freemen conveying goods into or out of the said City of London, and on carts and other carriages belonging to freemen conveying goods of non freemen into or out of the said City, which are payable or are collected at the several bars of the said City of London, or at the places where such bars formerly stood, and the corporation are willing to give up the same." The first provision is for the repeal of the 11th of George the First. The second is as to the right of voting at elections, "that from and after the passing of this Act every freeman and every male person of full age, and not subject to any legal incapacity, who shall have occupied within the said City or the liberties thereof for the period of a year and a day next previous to the first day of September in any year, either solely or jointly with any other person or persons, any house, ware-house, counting-house, office, chambers for business, or shop, and shall, in the case of a sole occupation, be rated in respect of such premises, in his own name, on or to an amount of not less than ten pounds per annum, or in case of a joint occupation, be rated in the several names of the occupiers on or to an amount which, when divided by the number of occupiers, shall give a sum of not less than ten pounds per annum for each and every such occupier to the police rate for the City of London, in respect of such premises, shall, whilst continuing to occupy the same, if on the list herein-after directed to be made, be entitled to vote in any election for alderman, or common councilman, or ward officer, in the ward in which such premises shall be situate, and also at any election for Mayor, sheriffs, chamberlain, bridge-masters, auditors of chamberlain's and bridge-masters' accounts, and for any and every other officer now chosen in and for the said City by the livery-men thereof; and it shall not be necessary for any freeman, or for any person entitled to vote as aforesaid, to take up his livery, or to be admitted a livery-man, in order to qualify himself to vote at any such election."

5061. If that Act had passed, there would have been, in fact, but one constituent body for all civic purposes, with the qualification which you have stated?—That is the effect of it.

5062. That electoral franchise is not the same as the one adopted by Parliament for the boroughs of England generally, is it?—I think it is rather more extensive.

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5063. Do you believe that it includes more people?—Yes; it would include more people.

5064. It fixes a limit of 10*l.*, does not it?—Yes; I dare say the Commissioners are aware that an occupation of 10*l.* in the City of London is, in fact, no restraint whatever. The commonest room in a house would let for 10*l.* a-year.

5065. If no mention had been made of any sum, but the clause had merely said the constituency should be occupiers, paying rent and taxes, it would have come to the same thing, you think?—Except that it is required that they shall be rated to the police rate; it was found practically that 10*l.* was the lowest sum that would ever be rated to the police rate. The object is to give some ready test whether a man was a proper person to be admitted.

5066. You think except for that purpose the mention of 10*l.* would be mere surplusage?—It is almost that; it is surplusage in effect; a room without a bed or any furniture in it would cost 10*l.* a-year.

5067. Do you mean that the clause introduced into this bill was preferred to the clause in the general Municipal Reform Act, because it extended the franchise more widely?—Yes; that was the intention.

5068. Do you think except for that object there would have been, on the part of the corporation, any objection to the simple adoption of the clause, as it stands in the Municipal Reform Act?—I believe it was considered by a committee after due deliberation that the clause in the general Act hardly applied to the description of persons which they were desirous to include in the franchise in the City of London. The Commissioners must be well aware that one very important class of persons in the City of London consists of those who hold a single room for the purpose of an office or a counting-house; perhaps one single house would be occupied by fifteen or sixteen people, and this clause is rather drawn with reference to that state of things in the City of London, than with reference to the general clause applicable all over the country.

5069. Is there anything in any of those enactments with reference to the distance at which voters may reside?—Residence is not at all mentioned; they must occupy premises, and those must be within the walls, and must be rated to the police-rate. The principle upon which the bill is constructed is, that they shall be at liberty to reside where they will, it being the well-known habit of almost everybody in the city of London to reside out of London and in the suburbs.

5070. Was that distinction adopted with reference to the peculiar nature of the occupancy in the City of London which consists so much of persons who live at a distance, but where business is transacted in the City?—Yes; the clause was drawn certainly with reference to that particular distinction. The object was to increase the constituency; to give the fullest qualification that would be consistent with the habits and every-day transactions of the people in the City.

5071. Have you any notion what the number of the constituency would have been if this bill had passed into a law?—No; I do not think that has been ascertained. I gave in yesterday a list of voters and of householders; but that was made under the Act of Parliament 12th and 13th Victoria.

5072. Was there any other important provision in the bill?—The others may be regarded as subsidiary enactments.

5073. Will you tell us how that Bill came to be defeated?—Really, it is very difficult to say. The cause of its being lost was the active opposition of several of the livery companies. They determined to oppose it, and did so strenuously. All the officers of the corporation who could prove the facts contained in the preamble were called as witnesses, and they stated the difficulties of the election by the liverymen, and all the circumstances connected with it; and matters of that kind were gone into. I must confess I was present all the time, and it did appear to me that the preamble was proved beyond all possible controversy, and therefore, however here might be a question as to the detail of the bill, and the alterations necessary to be made in it, the preamble, I should have thought, was proved; but upon the ordinary process of our being turned out of the room, and called in again, to the astonishment I think of everybody, it was declared that the preamble was not proved.

5074. The result was that the bill, being a private bill, was referred to a select committee of the House of Commons, and that committee found that the preamble was not proved?—Yes.

5075. That was in the session of 1852?—Yes.

5076. Would not this bill have been what is called a hybrid bill, partly public and partly private, or was it altogether a private bill?—It was dealt with I think as a private bill. Notices were given for it as such.

5077. Since that bill was rejected I presume no steps have been taken by the corporation with respect to the constituency?—The corporation were, no doubt, extremely sorry that this bill did not pass. The constituency was so gradually being reduced that they felt they were bound to take some steps to increase it. The course which had been adopted before had been that of obliging people to take up their freedom, and they therefore fell back upon the transactions which had been taken with respect to that measure. They had all the returns of the inquest juries of persons residing in the

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different wards who were not freemen, and they being brought before them, they desired that a certain portion out of each ward should be selected in order to begin the proceedings, and see whether they would be effectual or not. Such a selection was made with extreme caution, in order to avoid all poor persons, to whom the payment of the small sum now necessary for obtaining freedom might be inconvenient, and more inconvenient than having a vote might be an advantage to them. They were all avoided. Others were selected; two, I think, from each ward, in order that it might be done with perfect indifference, and those persons the chamberlain was directed to summon. He did so. He heard their cases. The moment a person said it was not convenient for him to do it at that moment, or made an excuse of poverty, or any other valid excuse, that was attended to, and eventually, proceedings were taken only against a few, those proceedings being thought to be necessary in order to satisfy the public that there was a right of doing it if it was insisted on. Of the persons against whom those actions were brought, as the commissioners heard the other day, a considerable portion took up their freedom immediately, and others were proceeded against. There was one instance of a person who persevered to the last, and whose property was taken. I believe I should be justified in saying that that individual was rather anxious to be a martyr; he is a person who, I believe, could have paid the money without difficulty; at least, so I am informed, for I had nothing to do with it.

5078. The effect of the bill would have been, to deprive the livery companies of their monopoly of the elections at common hall?—That would have been simply the effect of it.

5079. They would have lost nothing; but others would have been entitled to vote at those elections?—Their votes would have been mingled with those of a larger class of people than they had been before.

5080. Supposing a liveryman happened not to come under the description of the new franchise, he would not then have had a right to vote as a liveryman?—Supposing he resided away from the City, and had no occupation within City, he would have lost his vote.

5081. Do you think there would have been any misfortune in that?—None at all. On the contrary, I should conceive it to be exceedingly difficult for a non-resident liveryman to support his right to vote at all.

5082. You stated that there were only a few persons proceeded against for the purpose of obliging them to take up their freedom. Were not there a great many afterwards proceeded against?—I observe, in the evidence before you, there has been a misapprehension in that respect. A witness spoke of the proceedings against them, and of that step being the first step of the proceeding. It was, in fact, nothing but a summons from the chamberlain for them to come forward and show why they did not take up their freedom.

5083. Do you know what number of threats of this description was issued?—I do not know that they can be called threats, because this is the ordinary mode of proceeding, and is not regarded at all as a threat.

5084. It was a hint, was not it, if not a threat?—It was, no doubt, a hint, and intended to be so. It must always be remembered that persons who are not freemen are, to a certain extent, carrying on their trade to the disparagement of those who are.

5085. Do you know to what extent, in point of number, those notices were issued?—There were a great many.

5086. Do you mean thousands?—I really do not know. I am so little acquainted with the number at this moment, that I should be afraid to mention it, lest I should overstate it or understate it, but there were a great number. The whole case was put in a course of inquiry in what I may call an amicable suit with Mr. Sturt. The Court of Aldermen had previously directed the chamberlain to abstain from summoning them. The Court of Common Council did the same. But when this bill was lost the ordinary course of proceedings was adopted. Of course there had been an arrear of persons who had failed to take up their freedom, and the number presented by the jury was very great. Of course there is a difficulty in making a selection, which would appear to be invidious, except it was on the score of poverty, in which case directions were given to abstain from proceeding further.

5087. I suppose those notices were issued without any distinction being made between rich and poor, were not they?—I imagine they were; but when the committee met together, they had to select some persons to be proceeded against. A common councilman of each ward, who would know them, was placed on the committee. It was said, for instance, John Thomas is a poor man, it will not do to proceed against him; and his name was passed over; and so on.

5088. Do not you think it is rather an objectionable mode of proceeding to constitute yourselves judges whether a man can afford to pay or not?—I can venture to say that it was never done in a single instance in which it was not charitably and beneficially intended. The duty was necessarily cast upon them, but the anxiety of the corporation was not to proceed against such parties.

5089. The object of proceeding against persons to compel them to take up their freedom, after the loss of that bill, was not with a view to raise money, but with a view to increase the constituency?—It is quite clear that it was not for the purpose of raising money. At that very time, all the fines which could be taken off with propriety had been taken off,

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and what was left was transferred to purposes of charity, and was not suffered to go into the corporate funds.

5090. Still that would not effect the object that the Act was intended to effect, because it would not bring into the constituency a vast number of persons who merely occupied shops, but were not resident?—Quite so; it would not do that. The words of the Act 12th & 13th Vict., were "shall occupy within the said City, or the liberties thereof, either "solely or jointly with any other person or persons, any house, warehouse, counting-"house, office, chambers, or shop."

5091. Without requiring residence?—Being a freeman, the probability is that he would be resident.

5092. If the bill had not been thrown out, but had passed into a law, it would almost have done away with the necessity of any man taking up his freedom?—It would have done away with the necessity of it for the purpose of the franchise, and that was the intention. The corporation were really anxious to do all they could to increase the constituency, and to relieve trade from any supposed interference with it, by requiring persons to be freemen, leaving the question respecting the freemen as open as possible.

5093. Do you suppose that the opposition of the companies did not merely rest upon the object of the bill being to deprive their freemen of the monopoly of the City franchise, but also because it would have operated to take away one inducement to persons to take up their livery, and so diminish their income?—It might be so.

5094. Do not you think that that operated upon their mind quite as strongly as the alteration of the franchise?—I do not really know, and have no inclination to say what were their motives. I dare say that formed an ingredient.

5095. Can you tell us whether that bill would have disfranchised a considerable number of the liverymen; that is to say, are there a considerable number of liverymen who are not occupiers under the description of that bill?—I imagine a great many. I speak with little actual knowledge, but I imagine there are a great many companies, the bulk of whose liverymen live out of London, in all parts of the country.

5096. That bill would have had a double operation upon the livery with respect to the franchise. It would have admitted freemen, not liverymen, to vote at common hall elections, and it would have disfranchised liverymen who were not occupiers?—It would.

5097. Would that bill have affected the Parliamentary constituency of the City in any way?—The Act of 12th & 13th Victoria, I believe, makes the Parliamentary registration necessary; the bill did not do so.

5098. At present the liverymen vote for members of Parliament, do not they, under certain circumstances?—Yes.

5099. Will you state what is the relation of the Parliamentary franchise to the municipal franchise, so far as the livery is concerned?—No doubt it would be a different class of persons, in some few instances, who would vote on the Parliamentary register, from those who would vote on the municipal register.

5100. Can you state what portion of the liverymen of the companies are upon the Parliamentary register?—I cannot state that. I have no means of knowledge. I have before me the Parliamentary register, and it is exceedingly difficult for any one to find out how many voters there actually are. There is a separate return of the householders and of the liverymen in the different companies, but many are both. Some of them have different residences in the different wards, and they are again repeated

5101. Would the disfranchisement of the liverymen for municipal purposes affect the Parliamentary register?—Not at all.

5102. The two are quite distinct, are they?—Quite distinct, except that the Act of 12th and 13th Victoria, certainly made the Parliamentary qualification a portion of the municipal qualification. There is to be a rating "of not less than 10*l.* per annum for each and "every such occupier, to the police or any other rate; and a registry in the register of "voters for the City of London in use at elections for members to serve in Parliament." It was, therefore, necessary that the occupiers specified here should be also upon the Parliamentary register. That was introduced, and it was thought a great disparagement of the Act.

5103. Is there any instance in which the Parliamentary qualification depends upon the municipal qualification?—I imagine none at all. The Parliamentary register does operate upon the municipal register, but I believe there is no operation the other way.

5104. No alteration of the municipal franchise would affect the Parliamentary franchise?—I think I can give a distinct answer to that question; that according to my knowledge it would not.

5105. In dealing with the municipal franchise, we may be sure that we are not affecting the Parliamentary franchise?—I should say certainly you would not affect it in any way, except that if this bill had been passed, instead of the previous Act, the necessity of being upon the Parliamentary register would have been put an end to; and so far the Parliamentary register would have been affected.

5106. It would affect the relation of the Parliamentary register to the municipal franchise, but not the converse?—Quite so.

5107. That bill, if it had passed, would have conferred the franchise upon persons who were occupiers in London, but not freemen?—Quite so.

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5108. Is there any other clause in that bill which would have exempted persons, who were carrying on business in London, but were not freemen, from being liable to be sued under the bye-laws for so doing?—Yes; because one of the objects of the bill was, to put an end to those bye-laws. The preamble states "And whereas in the City of London a "custom has prevailed and bye-laws have been made, that no person not being free of the "said city shall keep any shop or place for putting to show or sale any or certain wares "or merchandise, by way of retail or otherwise, or use any or certain trades, occupations, "mysteries, or handicrafts for hire, gain, or sale within the same. And whereas the "mayor, aldermen, and commons of the City of London, in common council assembled, "considering that the said ancient custom and bye-laws are injurious to occupiers within "the said City, not being free of the said City, and are in restraint of trade, are desirous "that the said custom and bye-laws shall cease and be repealed."

5109. The bill would have destroyed the necessity of parties becoming freemen of London altogether?—It would have destroyed the necessity for it. It would have been optional with them to have become so if they thought fit, as many do from other considerations. I ought to state to the Commissioners, that since this has occurred a vexatious proceeding upon another portion of those bye-laws, which required that persons should not employ servants who were not freemen, has taken place. The Court of Common Council immediately interposed, and referred it to a committee. That committee met and reported, and the bye-laws, as far as that part of it is concerned, will be put an end to by an Act of the common council, the bill having been ordered to be prepared.

5110. What will be the effect of that?—It will put an end to all proceedings of that description. The bye-law had been used vexatiously.

5111. You are referring to the case in which some complaint was made to the Commissioners by the butchers?—I am. The cause which led to that complaint will be put an end to by the passing of this bill.

5112. When that bill is passed will it be competent to the butchers or any other tradesmen in the City of London to employ under them any one whom they think fit, even if he is not a freeman?—Certainly; that is the object of it, and also to shield a tradesman so employing him from the penalties which were imposed by that bye-law.

5113. There will, then, remain no power in any company to restrict a tradesman living in the City of London from employing any person whom he may think fit?—I do not know how that is; it depends upon the charters of the different companies, and bye-laws applicable to them. I do not believe that such a power exists, or, if they have it I do not believe it is exercised now at all; however, it would not be in the power of the corporation, nor could they promote or prevent it. The corporation, I believe, have done all they can to remove any cause of complaint which exists.

5114. Can you explain to us the origin of the rights of the city with respect to metage and porterage?—Yes; the right will be found properly described in the Charter of James the First, and it is subsequently repeated in the Charter of Charles, and after that it was confirmed by Parliament. As the right was stated most distinctly in the coal Act, it may be most convenient for me to draw your attention to that Act. This is an Act of Parliament which was passed in the 1st and 2d of William the Fourth, chapter 76, for regulating the vend and delivery of coals in the City of London and Westminster, and in certain parts of the counties of Middlesex, Surrey, Kent, Essex, and so on. After many provisions regulating the subject of coals, there is this clause. It should be distinctly understood that the duty which is paid on coals was heretofore a fee, paid to the Corporation of London in consequence of their having the right of measuring all articles within the port.

5115. It was a metage due upon coals originally?—It was a sum paid for the measuring of coals.

5116. It was in the nature of a commutation then?—It was in the nature of a commutation under this Act. The Act provides that there shall be a new market, and it puts an end to the old market, and then it says:—"Be it further enacted, that for the purpose of "defraying the charges and expenses of such market, and of the purchase of the tenements "and hereditaments hereby authorized to be purchased, and of erecting and supporting "convenient buildings thereon, and for defraying the salaries and allowances of the "several clerks and other persons employed in the execution of this Act, and for defraying "the other charges and expenses of carrying the same into execution, and for paying the "compensations hereinafter directed or authorized to be made, and the monies hereinafter "authorized to be borrowed or raised, and the interest thereof, and for creating a fund "for the purposes hereinafter mentioned, it shall be lawful for the said mayor, aldermen, "and commons, in common council assembled, to demand and take, or cause to be "demanded and taken, of and from every master of a ship or vessel laden with coals, "cinders, or culm, or other person having the care or command thereof, arriving at her "moorings within any part of the Port of London at or to the westward of Gravesend, "the sum of one penny per ton."

5117. The effect of that is, to impose a duty upon coals and culm?—For the purpose of establishing that market. That market has been established, and the City of London, upon a recent occasion, when those duties were before Parliament, abandoned their claim to that penny. The expenses of the market had not been quite paid off, but they were

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in such a situation that the corporation felt themselves justified in abandoning that penny. The Government thought it was expedient to continue the duty, and they now receive it for the purpose of applying it to public improvements. The 60th clause is this: "And whereas, by a charter of His Majesty King James the 1st, bearing date the 20th "day of August, in the third year of his reign, after reciting that the Mayor and commonalty and citizens of London, from all the time whereof the memory of man was not to "the contrary, had had and exercised, and ought and had been accustomed to have and "exercise, the office of bailiff and the conservancy of the water of Thames, to be exercised "and occupied by the Mayor of the City aforesaid for the time being during the time "of his mayoralty or by his sufficient deputies, in, upon, and about the same water of "Thames (to wit) from the bridge of the town of Staines, in the county of Middlesex, "westward to London Bridge, and thence to a certain place called Yendall," and so on "had had and taken, and ought and had been accustomed to have and take, to their own "use, by the Mayor of the City aforesaid for the time being, during the time of his "mayoralty, or by his sufficient deputies, all the wages, rewards, fees, and profits per-"taining and belonging to the same office of bailiff; and also reciting that the same "Mayor and commonalty and citizens, from all the time aforesaid, had had and "exercised, and ought and had been accustomed to have and exercise the office of "measurer and the measuring of all and singular coals, and grains of every kind, and "also of all kinds of salt, and all kinds of apples, pears, plums, and other fruits whatso-"ever, and of all eatable roots of every kind, and also of onions, and of all other "merchandises, wares, and things whatsoever measurable, and the measuring of the "same whatsoever, landing, conveyed, and brought in or to the port of the said City of "London upon the said water of Thames," and so on "exercising and occupying the "same office of measurer, and the measuring aforesaid by the Mayor of the City afore-"said for the time being, during the time of his mayoralty, or by his sufficient deputies, "and also by all the same time had had and taken, and ought and had been accustomed "to have and take, to their own use by the Mayor of the City aforesaid for the time "being, during the time of his mayoralty, or by his sufficient deputies, all the wages, "rewards, fees, and profits to the same office of measurer belonging and appertaining, "and nevertheless the same Mayor and commonalty and citizens, then a short time "ago were disturbed therein and were unjustly hindered," and so on. Then it goes on to confirm this prescriptive right to the office of measurer, and the fees resulting from it to be applied to the use of the City itself.

5118. It appears to be quite clear that King James recognized the existence of the right of measuring those different articles?—Yes, as a prescriptive right; and it is equally clear that this Act of Parliament confirms both.

5119. Are the dues charged for metage reasonable?—I imagine that, to a certain extent, they are reasonable. I qualify that by saying to a certain extent, because the matter is now under the consideration of the corn trade on the one hand, and the corporation the other, whether some arrangement may not be made which would have the effect at least of making them more conveniently collected and more simply imposed than they are at present. Of course, being a prescriptive right, it has been exercised in a particular manner by the corporation, and the corporation have been advised, as no doubt is the case, that they cannot make an alteration in that prescriptive right, and be secure as to the receipt of what is due to them for the future, without an Act of Parliament.

5120. Those metage dues are not merely a payment for services performed, I apprehend, but are charged as a tax upon all goods that come within the port of London, whether they are measured or not. Is not that the case?—I think that is not quite a true view of it. I was about to say, that this matter was under the consideration of the corporation and the corn trade, and all other persons interested either have been or will be consulted upon the subject, the view of the corporation being to relieve the trade from any unnecessary embarrassment.

5121. How was the amount of the dues fixed?—The amount of the dues has been fixed, as it necessarily would, be by usage.

5122. Has it ever been regulated by acts of the common council?—I think in some degree it has been regulated by acts of the common council. I was about to state that the dues have varied upon different articles, and they are collected to a different extent upon different articles; so much upon British corn, and so much upon foreign corn. Some of the dues are upon light corn and some upon heavy corn, and there are as many as fifteen different modes of charge which have arisen from the new cargoes which have been brought in and the new arrangement of the dues. The object at present is, to simplify all that, to bring it to one plain charge to be made upon all articles, and to have it paid by the seller, instead of some being paid by the seller and some by the buyer, which leads to great inconvenience. In truth the object is, to put it upon such a footing as that, it will be agreeable to the trade, and moderately remunerative to the corporation.

5123. Do you conceive that this grant was made to the City in order to enable them to raise a revenue, or for convenience to the public, by providing a class of meters whose honesty and accuracy could be relied on?—I have no doubt whatever that the latter was the object, and not the former. It was not intended for the purpose of giving a revenue to the corporation, but the office was given, as all offices of that kind are, by the Crown, in order that the duty which properly belongs to the Crown should devolve upon some

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individual who would carry it out. I imagine that the principle upon which those grants were at all times made was that the duty should be performed,and of course the expenses connected with the duty met, and also a profitable surplus should be left in the hands of the grantee of the Crown. The grantee of the Crown is an officer substituted to perform duties which otherwise would belong to the Crown. It has been in early times, in almost all countries, the duty of the sovereign to look to the execution of certain offices; that of measuring and weighing is at all times of most essential importance to the public, and was always superintended by the King, through the means of officers doing the act, or in presence of his beam and scale; first, in order that the duties to the King should be correctly ascertained, and, next, that justice should be done between buyer and seller.

5124. You consider that, primarily, this grant was intended for the convenience of the public, but that a reasonable remuneration was given to the City for their trouble in executing the duty?—Yes.

5125. How do you reconcile with that view the claim which the City make to compel persons to submit to the measurement, whether they desire it or not?—Because such a measurement was essential to the interests of the Crown; in the first instance, there being certain duties to be paid, and, next, because in all these matters general rules are laid down which do not except particular cases. The duty attaches to the execution of the office whenever the officer attends to perform his duties and has with him the proper means for discharging those duties, namely, the bushel and the shovel, and so on, and tenders himself to perform them.

5126. There are certain cases where the importer finds it necessary that his goods should be measured; there are certain other cases where it is necessary that the goods should be measured for the use of the Crown, in order that the duty may be imposed; but when goods are imported from another part of the kingdom, and are not subject therefore to duty, and the owner is aware of the quantity of those goods from his own measurement, and does not wish that they should be re-measured, is that a case to which you conceive this general rule ought to apply?—First of all that is a question of law which is now pending, and it would not become me to express my opinion here with respect to a matter pending before a court of law; it is sufficient to say that that question is raised.

5127. That question has been raised by the City itself, has not it?—The City has demanded the toll under such circumstances. In answer to the question, and in order to apply it to the facts, I ought to say that I believe that mode of carrying on trade, is comparatively speaking, of a modern date; almost all corn and grain and articles which came into the port were those which did either, with respect to the duty payable to the Crown, or with respect to the interest of buyer and seller, require to be measured. Of late years persons have made their own arrangements for the facility of their own trade. They have, for instance, either raised their own corn in the country, or bought it in the country, or partly manufactured it into malt, instead of leaving it in its natural state, and they have brought it up to London for their own consumption. It is a new case of that kind which has led to the same question between the City and Messrs. Combe and Delafield; they claim to be exempted from the toll on that ground. The City, on the other hand, say, We have always received this, and it is our duty as far as our constituents are concerned, to maintain our right. But I ought not to allow that to stand without saying that that is one of the very subjects which is under consideration at this moment; and if a new trade of that kind has sprung up and is extensive, and the old law with respect to it seems to be inapplicable to it, I believe, for I have heard the opinion expressed in the corporation, that they are ready to consider that subject, and I believe they will make such arrangements as will be satisfactory to the trade.

5128. In the mean time that case has led to very long and expensive litigation?—It has; almost all those questions do lead to long and expensive litigation.

5129. Do you conceive it is possible to justify the maintenance of any of those exclusive trade privileges, except upon the supposition that they are beneficial to the trade?—I have no doubt of this, that if one were to consider the practical utility of them upon the mere question of expediency, a vast number of rights would be put in peril. But as far as this particular matter is concerned, I am quite sure the corporation are ready to entertain it; and I have no conception that they will insist upon anything which is injurious to trade or generally injurious to the public.

5130. Do not you think it reasonable that those privileges should be considered not as the private property of the corporation, but as a trust for the benefit of the trade, and should be either modified or repealed, as the case may be, according as the interest of trade may seem to suggest?—I fear that that is such a very wide field of inquiry and introduces so many considerations, that one is very likely to be misled by what may be supposed to be the pursuit of reason into doing practical injustice to those who have titles to property. The first thing to be done, I should say, would be, for the person in possession of the right to be appealed to, and for it to be ascertained whether he will consent to such an abandonment of those rights which are inapplicable to the present state of things. I am sure the corporation of London are ready to do that; but they do not feel justified, and I do not think it should be expected of them, that in the first instance they should abandon the right which they have exercised; if the law decides that they have not got it, there is an end of the question. If, on the other hand, a remonstrance is made to them, such as is made at present by the trade upon this subject, I am confident the corporation will enter-

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tain the consideration, and will do willingly of themselves that which equity and justice, I may add, almost, reason, may require.

5131. You state that the primary object of granting those privileges to the corporation of London was for the benefit of the trade of London. You said that, at the same time, there was a wish to remunerate the City of London for any functions which were imposed upon them. Do not you think, as the condition of trade alters, it would be reasonable to reconsider the subject, and to take as the rule, and as the only rule, in making regulations in these matters for the future, what should be the interest of that trade of the metropolis which the corporation is bound to protect and encourage?—I have stated what I believe to be the impression of the corporation of London; but, holding the office that I do, and representing to a certain degree the rights of the City, I do not feel myself justified in making an admission that there is any right whatsoever to take away this privilege from the corporation of London, without making ample compensation to them for it. That would be the the proper view of the subject. If the King has at any time granted an office to individuals, and the execution of that office is found to be practically injurious to the public, and Parliament, in its wisdom should think fit to interfere with it, it has been an invariable practice at all times to give compensation for such an interference with vested rights. But I wish to add to that observation, that that which could not be effected by right, without compensation might be easily conceded by the City; and I say, again, I am sure I know so far the feelings of the corporation as to affirm that the moment a reasonable and equitable case is made out to them, their claim of compensation will not be that upon which they will stand as a matter of right, but they will yield to that which may be thought to be for the benefit of the public.

5132. Putting aside the question of compensation to individuals whose personal or private interests might be affected by any alteration, are you disposed to put the pecuniary right of a corporation to emoluments derived from the exercise of a function of this description, which was given to that corporation for the benefit of trade, upon the same footing upon which you would put their right to any estate which they might possess?—I must confess that I can see no possible distinction; it either is a right or it is not a right. If it is a right, it is as much a right in the corporation as it would be in the hands of anybody else. There are a vast number of offices all over the kingdom, which are granted in the same way. I should not regard this as a thing granted to the corporation only for the benefit of trade. I hold it is a duty to be performed by the Crown, entrusted to particular individuals to execute, and they have to discharge the duty and take from it the profit, whatever it may be. There are many rights of a similar description belonging to corporations as well as individuals, which are exactly in the same predicament.

5133. Are these not privileges in the nature of public trusts?—I must confess I cannot so consider them.

5134. Can you state the extent of the right of metage according to the construction which has been put upon the grant of James. It speaks of coals, and grain, of whatsoever kind; and all kinds of salt; all kinds of apples; plums and fruit of every kind. Is all fruit held to be subject to it?—Yes.

5135. And also all kinds of roots, eatable; and onions?—Yes.

5136. And, "all other merchandizes, wares, and things, whatsoever, measurable." Those words will apply to wares of all kinds?—That is the case.

5137. Is that the practice in the City?—Yes; I believe it goes to the full extent. This matter having been inquired into by the fruit meters and the persons engaged in that trade, and in the corn trade, they are themselves anxious that the system should be continued. They are desirous that there should be sworn meters, and that those sworn meters should perform the measurements; and as a proof of how this matter would be regarded by the public if it were *res integra*, and quite a new question, I believe the sound judgment of the trade would be that the sworn meters should be continued. At the railroads out of the City of London, where the jurisdiction does not extend, they have voluntarily sent themselves and desired that the City meters should go and measure the corn. The same observation is applied also to the porterage. It is a very sound and general opinion, that the sworn porters are also very serviceable with respect to the trade, the only difficulty being to arrange for what sum it should be done. My strong impression is, that a satisfactory arrangement to all parties will be come to.

5138. The desire of the public to have respectable meters would be satisfied, would not it, if there were officers whose services it was optional to the public to employ, without its being compulsory upon them?—I believe I can give information to the Commissioners upon that subject. It is one of great difficulty. If it were optional, the probability is, that you would hardly be able to keep up such a staff of persons as would have the power to execute it. I believe there are some of the most respectable persons in the corn trade, who would prefer that it should not be optional. I think I shall not be doing wrong by stating what is contemplated in that respect. It is thought it would be desirable, at all events upon all foreign corn imported into this country, that the metage should be obligatory, and it is also thought that upon many other articles it should be so; but in this case of Combe, Delafield, and Co., where they desire their corn to be carried to their own granary, or other cases connected with the granaries, I think it very probable it should

be optional. It is imagined that that would secure the public on the one hand, and be satisfactory to the trade on the other.

5139. Is there a negociation now going on between the corporation and the trade upon t his subject?—There is.

5140. Have you any objection to mention who are the persons conducting the negotiation on each side?—I have no hesitation in stating that, because I appear before the Commissioners to state everything which may be demanded of me when there is not a sufficient reason to the contrary. The matter stands thus:—Applications having been made to the Common Council upon the subject, the matter was referred to a committee of the Common Council. That committee took evidence on 34 days; 67 witnesses, from all branches of the trade, were examined before it. In the meantime there were two meetings of the corn trade. They met and discussed the matter among themselves. They came to certain resolutions, and those resolutions were communicated to that committee. Mr. Hales was in a great degree the organ of the trade; the Lord Mayor being the governor of the fellowship porters, and one of the deputies of the Common Council being the deputy-governor. The Lord Mayor was pleased to call the trade together to meet him at the Mansion House. They met at the Mansion House. Certain resolutions had been come to by that committee. The resolutions were read to the corn trade; many of them attended there. They sanctioned many of the resolutions, and they added others of their own. It was necessary, of course, that pains should be taken that nobody was left out in the consideration of this matter, who ought to have been taken into it; and therefore the matter has stood over, in order that other branches of the trade may be consulted. But there was such an unanimous feeling among all parties on that occasion, that I feel myself quite justified in saying that I think it will result in an agreement that a bill should be brought into Parliament, with the consent of all parties, and which therefore will be an unopposed bill. The resolutions which they have entered into being thus carried into effect.

5141. I observe in those resolutions the committee of merchants and corn factors state, that if the present system of metage were simplified, and a proper charge made, a large proportion of the grain delivered from the granaries in the Port of London and from the railway termini, which now pays nothing, would be metered by sworn meters and paid for at a fair labour price, and that great advantage would accrue to the public?—You will perceive that the statement, which I made just now of the intention of the corporation, fully carries out the whole of that. It is proposed that the charge should be one and simple; that there should be no expense in collection, but that it should be paid by one person, namely, by the seller, and not the buyer. The other arrangement is, that as far as the granaries go the metage should be optional.

5142. If this anticipation were realized, would not it be the case that there would be such a large business transacted by the sworn meters of the City of London, that it would not be at all necessary, in order to keep up the establishment, to render their employment compulsory, but that, for the advantage of the trade they would be employed so extensively that the establishment could easily be supported?—I believe that the contrary of that would be the fact. It is just possible; and it is held out by some persons, that if these alterations were made, the increase of the metage would be very great; that is purely a speculation however.

5143. It is the speculation of very intelligent and competent persons, is not it?—I do not think they are prepared to say that the matters I am now about to mention have been duly considered by them. First of all, the duty of metage is one which affects the health most considerably. It is notorious in the trade that the meters are subject to particular disorders, especially asthma and other disorders of that kind, which render them in a very short time incapacitated for work. Metage requires a good deal of personal exertion to carry on and complete, and is a work of considerable difficulty; therefore a superannuation fund is essentially necessary, in order that the public may be supplied with efficient meters; and they have established a fund of that kind themselves, and put into it occasionally certain sums of money; the result of all this is, that their remuneration at present is hardly sufficient to support them. My notion is, that some increase of their pay would absolutely be necessary. I do not, therefore, imagine that even when it is put under this new arrangement there will be any surplus fund which would be more than sufficient to pay the meters' establishment, and give to the corporation a portion of that remuneration to which they conceive themselves strictly entitled.

5144. Can you you state who has taken the most active part in this negociation on the part of the City?—The Lord Mayor, the chairman of the General Purposes Committee, and the gentleman of that committee who have attended during the whole investigation.

5145. Who is the chairman of the General Purposes Committee?—Mr. Perkins. The former chairman was Mr. Towse; he was there, and so were also some intelligent members of the committee on the part of the City. Mr. Alderman Muggeridge has taken a very active part in this matter, as well as Mr. Rathbone, who is in the trade; they are both members of the Common Council, and they presented, I think, the petitions of the corn trade when they complained upon the subject. They were immediately put upon the committee that they might be present themselves to see what was done upon thet petition, and might offer their own suggestions. Mr. Alderman Muggeridge attended there most constantly, and at last gave in to the committee a statement of what alterations he would suggest. That report of his to the committee was thoroughly considered.

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by them clause by clause; and he attended the other day at the Mansion House during the whole of the time and took a part in the negotiation; and I should say was undoubtedly as active in anticipating an amicable result as any person who was present at the meeting.

5146. Will you now tell us the origin of the right of porterage?—The right of porterage also is a prescriptive right; it is traced back as far as our documents will go. The notion has arisen that it was particularly sanctioned at some late period; that is not so; it was pre-existing, and those are only new regulations made with respect to it. It always has been considered, and I believe it is capable of proof, that that is also a prescriptive right.

5147. Is that mentioned in any of the charters?—I believe it has been made the subject of acts of the Common Council, which from time to time have passed, and which have made minute regulations on the subject.

5148. Unless it is mentioned in some of the charters it would be a usage resting upon prescription?—It would rather be a prescription proved by usage.

5149. Would not the necessary limits of a prescriptive right of that sort be the limits of the City itself?—That would also depend upon the usage; the prescriptive right would be defined in all its parts by the usage upon it.

5150. Are there any usages of that description which extend beyond the limits of the City proper?—Yes; upon the river their duties extend beyond the City proper and that is one of the difficulties they have to contend with; because as they are obliged to be ready at all times, the meters to do the meterage, and the porters to give their assistance, they are sometimes called to a great distance from the City. They may be called up to Staines or down to Yantlet, to measure and to do the porterage connected with the meterage, in the case of only a very small quantity which will not at all remunerate them.

5151. The right of porterage is held to be co-extensive with the right of meterage?—It is so held to be.

5152. The metage appears to be defined by the grant of James I.?—Yes.

5153. There is no mention of porterage in that grant?—No. I have a strong impression that I have seen it in the charters, but I will be prepared to answer that question upon a future day.

5154. What is the ground upon which the right of porterage has been held to be co-extensive with the right of metage, and to reach from Yantlet Creek to Staines?—Because it has been so exercised within those limits, and because it is found in the entries of the corporation to go as far back as the entries themselves.

5155. It is a right, resting upon usage, and you consider that usage to be good though it extends to places lying out of the limits of the City?—The places lying within the jurisdiction of the City though beyond the actual limits of the City. It is quite fit, I think, that I should here state to the Commissioners what is the peculiar position of the porters; there seems to be rather a peculiarity in the Port of London with respect to them. The charter-parties for the delivery of the freight out of ships generally contain a provision that the person who is the owner of the ship should deliver the goods; consequently that would seem by general words, to include the porterage necessary for handing the article out. If that be so the crew do it, but I believe it is the universal practice in London that it should not be so; the crews do not do it, but the porters go and perform the duty. Of course the persons who object to that, say on the one hand it is very wrong that this article of the charter-party is not carried out, and that the crew do not do it; to which the answer would be, that general words in a charter-party of that description would, like general words in a lease or otherwise, be construed by the usage and custom of the country, as it is called, with respect to leases as they would here by the usage and practice of the port; therefore those words would not appear necessarily to require that they should do it; and it is very probable that good reasons may be found why in the Port of London, the crews are not held to discharge this duty. It must be notorious probably to the commissioners that it is an essential point in the Port of London, to discharge the crews as speedily as possible; it is very expensive of course to keep them while the ship is being unloaded; besides which they are then more readily applicable for other purposes connected with their immediate occupation as sailors, for which they are very fit, instead of being employed in doing porterage duty.

5156. That observation can only apply to those ships which belong to the port of London as it were; a foreign ship coming here does not wish to get rid of its crew?—Certainly not. I am giving this as the argument which is constantly brought forward, that this duty ought to be done by the crews. Mr. Alderman Muggeridge, I know, has a strong feeling of that kind; but, on the other hand, there are persons who think it would be introducing a great alteration in the Port of London if it were done away with.

5157. Would not it be reasonable to leave it to the option of the captain, and the owner of the ship to do it by means of the crew, or to employ other persons, as they think best?—Then arises the other difficulty, that if you do that you will not have this body of men ready to discharge the duty, and I believe a very considerable portion of the trade think it is most essential that they should have at all times ready for them porters to discharge the duty, and that there should be a class of persons acting under regulation

and under oath who would not be likely by any strike or combination among themselves to leave those ships in a difficulty when they came into a port.

5158. Do not you think if there is a considerable portion of the ships engaged in trade in such a port as London, which require the service of men to act as porters in the discharge of their cargoes by the common operation of the laws of the labour market, they are quite certain to obtain such persons?—As far as I can collect the opinion of the corn trade there is a very great doubt of that. Of course all these institutions have about them some difficulties which render them more or less inapplicable as time advances, but which are capable of modification. It is supposed that the establishment of porters, at present, is rather expensive. It is the earnest wish of the Lord Mayor, as the governor, and of the deputy-governor, that all that should be put upon a reasonable footing, and that the expenses should be lessened and the superannuation funds so increased that active and really efficient porters shall at all times be ready to be employed. At present there is a great evil existing, which is contrary to the regulations that have been made for the discharge of the duty by the corporation, that there are a great number of persons who do not live in London at all and never discharge any part of the duty. The consequence is, that there is an application made by the trade that a larger number of porters should be provided.

5159. Do you mean that those are porters who do not live in London?—Yes; they are members of the fellowship entitled to come and vote upon particular occasions, and who, with regard to their vote and the consequences which follow upon a contested election, are then glad to come and represent themselves as porters, but who, in point of fact, do not contribute to the available labour of the port.

5160. Do you happen to know how this question of porterage is managed in Liverpool?—I do not. The committee, feeling that there was a frequent reference to other ports, thought it necessary to send a competent gentleman into the country to ascertain the charges in all the ports throughout the kingdom; they have received his report, but I do not think it touches upon the subject of porterage, further than as showing what the charges here and there in different ports are for porterage, mixed up with meterage. The result at which I have arrived from looking over the documents, and considering them fully, is, that there is no analogy which can be adopted usefully between other ports of England and the Port of London.

5161. Should you have any objection to communicate this document to the commission?—Not the least in the world. I hold myself bound to produce before you any document which you may please to call for.

5162. Will you have the goodness to refer to page 525 in Mr. Norton's book?—There is there an allusion to a charter of the 16th of Charles I. "This charter," it is said, "in "consideration of the sum of 4,200*l.* creates and constitutes the office of package of all sorts "of merchandise, with the survey of the measure, number, and weight of such merchandise, "and the survey of customable goods imported and exported, and also the office of carriage "and porterage of all such goods from the river to the houses of aliens, and from their "houses to the river, with all fees for the execution of such respective offices of package "and of porterage, as expressed in two schedules annexed to the charter; and it grants "these offices and appointment of officers for the execution of them to the citizens, without "forfeiture, by reason of not packing goods upon notice of their being ready; and it "provides that no porters not appointed by the citizens shall intrude into these "employments; and that the City porters shall receive fees for their labour, according to "the schedule annexed." Does it not seem that this grant is limited to the City and does not extend to the Port of London from Yantlet Creek to Staines?—I have not looked at that charter with a view to the question which has been just asked of me, but I will make a point of doing so.

5163. This charter has no connection with the metage, but it is a grant of porterage limited to the City proper?—There are two or three classes of porters in the City of London. There are those porters who go with the meters, who are called the fellowship porters; besides which there are porters who used to attend at the places where the beams were, who were called tackle porters; there is also another set of porters who are called ticket porters. I believe it will be found that the clause which you have referred to in this charter, applies either to tackle porters or to ticket porters; it appears to me, from the allusion to carrying to the houses of aliens, that must be the nature of it, and that it does not refer to those porters who are engaged with the meters. It is necessary that the commissioners should understand the manner in which the metage is performed, and they will then see the necessary connection between the porters and the meters. The metage is performed by a different number of porters, according to the circumstances of the ship, such as its being a ship with a deep hold, or a less deep hold, and the weight of the corn, and a variety of considerations of that kind. Sometimes a meter and six or seven porters are necessary, but ordinarily speaking, a meter and four porters would be sufficient. The mode of transacting the business is, that the moment the ship arrives and is reported the information is sent to the meter's office. A meter is appointed for the particular duty, and that is afterwards communicated to the placeman, as I think they call him, of the porters; he orders a gang to go with the meter to discharge the particular ship. When they go on board the ship one of the porters holds up the sack, another of the porters dips the bushel into the corn, and then it is turned up, and it will require a

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little more to fill it. I am assured that that filling is rather an important part of the metage. Supposing the corn were taken from the lower part of the heap where the lighter corn would be the heavier corn, having sunk to the bottom, injury might be done in that respect. And so, also, as to the mode of putting in the additional corn; but that is done by the meter. The bushel having been partly filled by being thrust into the heap, the meter then fills it up to its proper height, and then the porter, standing by in the presence of the meter, strikes the bushel. That is the operation; so that it will be seen that the meter performs the general supervision, and that part of the duty of filling the bushel and keeping a tally of the quantity. It would therefore appear that there is this natural sort of affinity and union of the two bodies, that it is not to be wondered at that there is a provision that no meter shall employ any but one of the fellowship porters.

5164. It is quite conceivable that there may be a class of services which it is necessary to perform in connection with the metage; but it does not necessarily follow that the City should have the monopoly of those services, does it?—I ought to say that the City have nothing to do with the monopoly; it does not belong to them further than that they superintend it for the public good. The fellowship porters are a distinct body. They are incorporated, and have a certain number of rulers, and assistants, and officers, for the discharge of their duties and the collection of their funds.

5165. You do not consider the porterage as a City right?—No, certainly not. It is not dealt with by them in any respect except in the way of superintendence. When they have any difficulty they come to the Common Council to legislate for them, and they have sometimes done so. The alderman for the ward of Billingsgate is vertute officii governor of that society, and the deputy of the ward the deputy governor.

5166. If the privilege of the fellowship porters were abolished, what would be the consequence?—I am not likely to be very well acquainted with the subject; but the consequence, I imagine, would be a very precarious supply of persons to discharge the duty in the river, and that those persons would not be under oath; the opinion having been expressed by many of the trade that it is a source of great satisfaction to them that the duty should be performed by sworn porters, under those restrictions. Every porter being amenable to the court of rulers for his conduct, complaints may be made against them. One of the rulers sits every day in readiness to receive the complaints which may be made; and if the ruler cannot dispose of them to the satisfaction of the parties, reference is then made to the deputy governor, and occasionally to the governor. All those restraints operate upon the men. If they were to be removed, and the porters were to be merely persons to be caught up at the moment, I imagine, and I ought not to use a stronger term, considerable inconvenience would be produced to the trade by that precarious supply of precarious labour.

5167. Does the City derive any revenue from the fellowship porters?—I believe none at all. Whether there is any fee paid when an act of the Common Council is passed or not, I am not sure; but it is no part of the establishment that the corporation should derive any benefit from it. I believe they have no more cannection with it than I have stated.

5168. In the prosecution which is going on, for instance, by the City against Messrs. Combe and Delafield, do not the City prosecute for porterage as well as metage?—I think I have heard that there are two bills pending; that the porters applied to the corporation, and the corporation agreed to make them parties to one of the bills with reference to porterage; and that the other is a bill in equity, solely with reference to metage.

5169. Have the charges of the fellowship porters been reduced lately by the Common Council?—They have by their own body.

5170. Is not there some dissatisfaction expressed by the porters themselves upon that subject? Is there not a dispute going on?—There is, I believe, no dispute going on. They complain, and complain bitterly, because they describe themselves as persons in a starving condition, which I believe is very much the case.

5171. Are those questions of compensation to the porters entertained by the City? We were told that when the docks were established, a system of compensation to the porters was caried out?—That would not come to the City. I was not cognizant of the fact, but they have so little connection with it, that it would have been monstrous for the City to have asked for compensation for the loss of that in which they had so little interest.

5172. There is a fund belonging to the fellowship porters, is not there?—Yes.

5173. How is that fund created?—By voluntary subscription amongst themselves; it is with a view to superannuation, and I believe there is a considerable amount in their hands. There is some dissatisfaction among them, I believe, as to the administration of it.

5174. They form a sort of benefit society?—It is a society of that nature.

5175. What are the rules now followed by the corporation with respect to preventing persons exercising a retail trade in the City who are not freemen?—They are bye-laws; one passed, I think, in the reign of James I., and the other in the reign of Queen Anne.

5176. What is their effect?—That no person shall carry on trade within the City (and all modes of evading it are tried to be met) unless he is free.

5177. By trade is meant retail trade, is not it?—I individually think that is not the meaning of it; I think it means trade generally.

5178. According to that view the wholesale trader would come within that bye-law?—I think so. I think the distinction between wholesale and retail trade was with reference to merchandise. Formerly a merchant who came in was obliged to sell all his cargo without breaking bulk; such a person was not bound to become free, nor was he allowed to become free; but, as was stated to the commissioners yesterday, he was not allowed to reside more than forty days in the City, and was obliged to be at a hostel, express provisions being made against his selling any of his articles in the inns. When they went to their hostels they were prohibited from selling their articles. Those bye-laws appear to me to have sprung out of that state of things. But with respect to Manchester warehousemen who come to London, certainly not acting merely in the way described, of cutting a piece of goods out for the accommodation of a particular customer, but almost substantially dealing in a retail manner, I cannot think but they are within the bye-law.

5179. Would a merchant carrying on a wholesale trade in the City, according to your view, come within the bye-law?—I am very much inclined to think that he would not. The laws prohibiting his residence are obsolete, but according to the general law of the City, he would be compelled to be enrolled as a freeman.

5180. What is the construction which is acted on at present?—A great number of the bankers in Lombard Street and those places are not proceeded against; and a number of professional men in Doctors Commons are not proceeded against; that is the practice at present. A great deal has been said about the bankers, and so on, not becoming freemen. I cannot help thinking myself but that is rather to be attributed to their disinclination to give up their valuable time to corporate purposes, and, I must add, to public duties.

5181. What is the reason why the City do not enforce their bye-law against them with respect to their carrying on trade?—Because, inasmuch as their proceedings would seem to come still less than those of wholesale dealers within the bye-law, the corporation have never tried to carry it out against them.

5182. Is it because they are powerful and rich?—Not at all; there is no feeling of that kind at all. I am quite confident, if the other circumstances made it necessary for the corporation to proceed against any gentleman, they would as soon proceed against the first merchant in the City as against the humblest individual.

5183. I am not speaking of what the present corporation would do; this is a construction which has been acted on for a great many years. Do you think that reason may have actuated the corporation in former times, and that the present corporation merely follow the rule which they find in existence?—I do not think any feeling of that kind has existed. I think the real feeling has been, that their time, engaged as they are in such extensive concerns, is too valuable for them to give up their services to the public. I must say, myself, that I think that is a great dereliction of public duty. I do not think they regard it so themselves. It does not occur to them; their minds are so engaged with the business before them, that they overlook the obligations of public duty.

5184. Does a person give up his time to the public by being made a freeman?—They are afraid of being by that means made officers of the corporation; as, for instance, sheriffs. It did appear to me, when I first came into the City, an extraordinary thing that persons of great property, making large fortunes in the City, should live there, make those fortunes there, go to Temple Bar, shake the dust off their feet, and have no more to do with the City. I therefore made it my business to call upon several of the considerable bankers to put that case before them. I think, almost invariably, the answer I received was, "You know how badly the corporation have behaved by making gentlemen sheriffs, in order to get their fines out of them." I said, "It is improper; it was a "disgraceful proceeding, but I think it will never be attempted again. I am sure you may "rely upon it that will not be the case." I told them I knew the corporation were going to enforce this for certainty; when I first entered the office it was the intention that the bye-laws of the corporation should be enforced. I said, "Will not it be more agreeable to you to do it yourselves rather than that it should be enforced upon you." I went to the bankers in Fleet Street, and to a few of the bankers in Lombard Street, and to the credit of all those gentlemen I never had a single refusal from any of them. They said it had not occurred to them in that new point of view, but they would be pleased to take up their freedom. At that time a committee was appointed to inquire into those bye-laws, and what should be done with respect to them, and the corporation did not seem inclined to enforce the matter. I therefore felt that I had no right to go any further to any gentleman and point out to them that the corporation were intending to enforce them, as it did not seem to me that they were, and there the matter dropped; but that is my thorough conviction as to what has produced the present state of the City of London.

5185. Can an alien become a freeman of the City?—Only the son of an alien (British born), with the assent of the Common Council.

5186. If an alien were to attempt to set up a shop in the City of London he would be prevented, unless he were able to take out his freedom, would he?—No; he would not

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be prevented, because aliens are all over London carrying on their trades. I am not aware of any proceeding being ever taken against an alien.

5187. Practically, aliens are allowed to exercise a retail trade in the City?—Quite so; I am not aware of any restriction being put upon them at all.

5188. The City derives a considerable revenue from Billingsgate market, does not it?—Yes; and from their other markets.

5189. In what way is their revenue derived from Billingsgate?—By small tolls paid upon all articles bought and sold in the market, like market tolls elsewhere all over the kingdom. I do not know that there is anything particular.

5190. Under what title does the exaction of those tolls rest?—The grant of all the markets.

5191. Does not it rest upon any Act of Parliament at all?—Yes? there has been an Act of Parliament connected with Billingsgate market recently. All the markets are under the supervision of the comptroller. All I know about the markets I recollect from the business which is ordinarily going on before the Common Council.

5192. Are you acquainted with the provisions of that Act?—I am not.

5193. Who can give the Commissioners authentic information upon the subject?—The Comptroller. Perhaps the Commissioners may be aware that recently great additions have been made to that market, and the accommodation to the public is wonderfully increased; that has been done by the application of the City cash, to be repaid by the tolls, without interest. The work has been executed by the architect of the corporation, and the funds applied by the Markets' Committee.

5194. Was there no provision in that Act by which the market was declared to be a free and open market?—I do not think there was, but I believe now, in fact, it is a free and open market?

5195. Certain tolls are exacted?—Yes; I am quite confident that there is no provision that it should be a free and open market, in the sense of its being exempt from the ordinary market tolls.

5196. What is the nature of the inspection on the part of the City over sworn brokers?—The jurisdiction of the City over sworn brokers has been, I believe, another of the immemorial enjoyments of the City of London. It is chiefly the admission of the brokers, and the superintendence over them after they are admitted which forms the connection of the City of London with them. They are admitted—they pay a certain fee on admission—and they enter into bonds for the due execution of their duties, and provide sureties also for the same object.

5197. It was a right created by Act of Parliament in the reign of George II., was not it?—I do not think it was created at that time.

5198. The fee was imposed by an Act passed about the middle of the last century?—It was fixed.

5199. In lieu of a suppressed office?—I am not quite aware of the facts. I am chiefly aware of the jurisdiction which is exercised by the Court of Aldermen over those brokers.

5200. What is the extent of the jurisdiction?—Having taken a bond of them, and sureties for their good behaviour, the Court of Aldermen are open to petitions from any person who is injured by the proceedings of a broker. Upon a petition of that kind being presented to the Court of Aldermen, a direction is given that the party charged shall be summoned at the next court, that he shall be called on to give his answer in writing to the complaint made against him, and that he shall produce his brokers' book and the documents required by the bond to be kept, in which the real nature of the transaction between him and the complaining party ought to be entered. Upon that matter being discussed, such steps are taken as the Court of Aldermen shall think fit, frequently resulting in the bond being directed to be put in force against the party himself and his sureties, if the court so decide. If his conduct were sufficient to justify it, he would be discharged as a broker by the Court of Aldermen.

5201. Are complaints, such as you describe, against brokers of frequent occurrence?—I cannot say that they are very frequent; since I have been in office there may have been twenty or thirty instances.

5202. One or two a year?—One or two a year. Sometimes they are more numerous; lately there seem to have been great delinquencies among the brokers, and the consequence is that many complaints have been made, particularly against one broker. They have been much more numerous within the last two months than they were before; indeed, I should say of late years they have been more numerous in consequence of the court taking considerable pains upon the subject of brokers. The times of speculation produced a class of persons whom it was very necessary to keep in order, and the court and the officers connected with the brokers have taken greater pains to prevent misconduct.

5203. Is it your belief that an efficient protection has been given to the public by the Court of Aldermen in the cases of complaints which have been made?—It is very difficult to say it has been sufficient. I must say that I think upon the whole the jurisdiction which they exercise over the brokers is very beneficial; and if it is not more extensively applied, it is because parties do not make their complaint to the Court of Aldermen; but from recent circumstances that have occurred, it is more than probable, I think, that the

complaints will be more general than they have been. Perhaps I may take the opportunity of saying that it has appeared to me in the course of the investigations which take place upon this subject, that it is of great importance that there should be in the court of aldermen gentlemen connected with the business of brokers in London. I have seen practical benefits result from it.

5204. What power has the court of aldermen in cases of this kind?—Only the power of admission and rejection.

5205. Can they strike a pension off the roll of brokers?—Yes, and they do so. They keep a roll of brokers; that roll is stuck up on the outside of the Guildhall; so that if any person, not duly admitted as a broker, acts as such, anybody may ascertain whether he is a broker or not.

5206. In case of a complaint against a sworn broker, what redress can the Court give?—It is referred to the solicitor to put the bond in force against him and his sureties.

5207. Are the sureties, generally speaking, responsible persons?—Great pains is taken in that respect. I should think, in all probability, the bond is ordinarily effective. The common crier, one of the officers of the corporation, is specially entrusted with the duty of making inquiry into the sufficiency of the sureties; and a broker is never admitted without the positive certificate of the common crier that he has made due inquiries, and that the sureties are responsible.

5208. Is the number of brokers limited, or is any person who can satisfy the Court of his respectability admitted as a matter of right?—Any person who is a freeman, and who can satisfy the Court of his respectability, is admitted. Admissions pass through my office. The form is this:—a person comes and makes his application; his documents are looked to; his sureties are ascertained, and then his name will be put down, as will be seen from the paper I have given in to-day in a summons to the court of aldermen; he is called to the bar of the court; the documents are read in open court; he is examined by the Lord Mayor whether he has been in business; if he has been, of course inquiry is made whether he has been a bankrupt, or so unsuccessful as to be under any liabilities which would disqualify him from being a broker. Upon his answering in the negative that he has not been in business before, and has not been a bankrupt, it is then put to the vote of the court of aldermen that he be admitted.

5209. What is the expense to the party of admission?—I am told about 18*l.* including the freedom.

5210. Is there any annual expense besides?—Yes. He pays a rent of 5*l.* a year.

5211. Is the amount of the bond the same in all cases?—I believe it is. The amount of the bond of the broker himself is 1,000*l.*, the sureties 250*l.* each, and a further bond in the sum of 50*l.* to ensure the annual payment.

5212. A witness well acquainted with the business of a broker has expressed the opinion that the superintendence of the City over the brokers is wholly worthless, and that no protection whatever is afforded to the public by it. Is that an opinion which you consider to be mistaken?—I think decidedly mistaken as going to that extent. Whether it could be made more serviceable than it is at present I will not take upon myself to say. The court of aldermen have from time to time considered this subject very much. A committee was appointed to investigate the matter; there was some difficulty in the commencement of the proceedings, and it has not advanced; but the present Lord Mayor is quite determined that the matter shall be further inquired into; and my impression is that alterations will be made. Of course from time to time it is found that there are defects in the form of the bond, which cases that arise may lead to the correction of. I think some alterations may be made in that respect. The bonds of both the principal and the sureties may be made more stringent or more explanatory than they are, but the intention certainly is to make the supervision effective, and I imagine it is so to a considerable extent.

5213. But for the payments to the City do you think it would be desirable to perpetuate the jurisdiction?—I think it would be desirable to perpetuate the jurisdiction, and I am not quite clear whether some payment or other is not necessary for the purpose of ensuring the respectability of the party applying. I do not imagine if anybody could for asking be permitted to be enrolled as a broker it would be otherwise than injurious. I am reminded that a short time ago the subject of these brokers was before the Court of Queen's Bench; they are occasionally brought before the Court, and serious questions have arisen respecting them; but upon the subject being brought before the Court, the Lord Chief Justice (Lord Campbell) expressed his approval of the system, and that it was expedient it should be continued.

5214. Did Lord Campbell express his approbation of the system, or of the conduct of the court of aldermen, in some particular instance?—I just recollect hearing what passed. My idea is that it was a general observation of Lord Campbell's.

5215. The tolls which are taken upon carts upon their entrance into the City have been objected to?—They have. I read the preamble of a Bill, in which the corporation have themselves expressed their willingness to give them up. Those tolls have been mortgaged heretofore, for public improvements; one was connected with the continuation of Farringdon Street. That money is either paid off, or it very soon will be; and whenever it is so, before any inquiry of this kind was suggested, it was the wish and intention of the corporation to get rid of it. The Commissioners are,

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no doubt aware of the nature of the toll. It is a toll traverse, and has existed from time immemorial, and is not peculiar to London, but is common in other places. The freemen of the places in which the toll is demanded are generally exempted from it, and that is the case in London; but stangers coming in are subject to it. I believe it has been found by the corporation that though it is a source of considerable revenue to them, a collection of so small a toll as it is in the streets is accompanied with inconvenience, and sometimes with dissatisfaction, which leads to unpleasant disputes; and on the whole, whatever he sacrifice may be, the corporation of London have declared their willingness to give it up.

5216. Do you recollect what the average amount of the toll is?—About 5,000*l.* a year.

5217. As you say, a toll traverse exists in other places than in London; but, generally speaking, is not it the case that where they have that right in other towns, the jurisdiction embraces the whole town, and is not, like the jurisdiction of the City of London, confined to a comparatively small space in the heart of the town?—That is, no doubt, the case.

5218. Must not that make the toll in London more oppressive than it is in such places; there being a vast population which has grown up outside the City; if a man is coming from Hackney with his cart to Covent Garden, he cannot come through the City without paying?—That is so; and it is a consideration of all these circumstances which has induced the corporation to think that they ought to give it up.

5219. That sort of inconvenience would hardly arise in such a town as Manchester where the whole place is under one jurisdiction?—Certainly not. I think the of Cambridge underwent a long investigation.

5220. The ordinary case of tolls taken by boroughs is, that they are taken upon veh cles entering the town?—Yes.

5221. In this case, from the accident that the City is now only a small portion of the metropolis, the tolls are taken in the centre of the town; in what is, in fact, a long continuous line of streets?—The tolls are taken at the limits of the City,—London Wall, Aldersgate Street, and other places of the same description. I spoke just now of Farringdon Street. Formerly, as the Commissioners are aware, Farringdon Market used to be held in the middle of the public street. It was removed from thence, leaving the wide street unoccupied; and money was raised for that purpose, under the City's seal, and charged upon the street tolls.

5222. Is there any connexion between the Waterman's Company and the corporation?—The master and warden are sworn before the court of aldermen, and the court of aldermen have the approval of the bye-laws, under which they act. I was asked yesterday, with respect to the accounts of the sheriffs. I beg to put in the following return upon that subject.

The same was delivered in.

SHERIFFS.

ALLOWANCES.	From City's Cash. £	s.	d.	From other Sources. £	s.	d.
Payment out of the package and scavage, *per* order Common Council, 3d March 1656	150	0	0			
——— out of the tolls of Smithfield Market, *per* order said Court, 27th October 1704	260	0	0			
——— out of the tolls of Bishopsgate and Aldgate, *per* order ditto, 18th June, 1735	60	0	0			
——— out of the duties of waterbailliage eastward of London Bridge, *per* order ditto, 29th June 1721	60	0	0			
A petty toll, *per* order ditto, 29th October, 1555, 2 and 3 Ph. and Mary	2	0	0			
For wax, herring, and sturgeon, formerly paid by the Easterlings, *per* order 20th September 1577	5	6	8			
In lieu of the sale of certain officers' places, *per* order Common Council, 22d September 1749	150	0	0			
To be applied for the benefit of the poor prisoners in the City Prisons, on the eves of Christmas and Easter, *per* order Common Council, 11th December 1782	50	0	0			
For payment of the toll on London Bridge and the fee-farm rent payable to Bromley College, the bequest of Sir John Rainwell	18	0	0			
	755	6	8			

	From City's Cash. £ s. d.	From other Sources. £ s. d.
Brought forward - - - -	755 6 8	
Also an allowance for buckets, paid by the Hallkeeper, of 4*l.* 14*s.* 6*d.* each - - - -	9 9 0	
[The sheriffs are entitled to venison from the King's parks, *viz.* three brace of bucks and three brace of does.]	- - -	- - -
Allowance from Bridge-house, 25*l.* each - - -	- - -	50 0 0
	764 15 8	50 0 0
		764 15 8
Total -		814 15 8

PAYMENTS.

¶ The above allowances are chargeable with the payment to the Exchequer for the shrievalty and the fee-farm rents to Bromley College and Queenhithe, amounting, after sundry allowances to the Sheriffs (as under) to 265*l.* 6*s.* 7*d. viz.*

Fee-farm rent for shrievalty, as *per* charter - - - -	315 0 0	
Deduct payment to Warden of the Fleet 18 4 3		
Serjeant-at-arms, London - - 18 5 0		
Liberty of St. Paul's, London - - 7 0 0		
For cheque cloths, Westminster - 2 10 2		
Land-tax - - - - 53 14 0		
	99 15 5	
	215 6 7	
Payment of fee-farm rent for Queenhithe (Charter, Hen. III.) - - - - -	40 0 0	
——— to Bromley College (Charter, Edw. VI.)	10 0 0	
[The Sheriffs have the appointment of their Under Sheriffs, and also of Serjeant-at-Mace, and Yeomen.]		- -
By the Return of *Samuel Wilson*, Esq. and Alderman, his expenses of serving the office, in the year 1833-4, amounted to 2,865*l.* 17*s.* 11*d.*		
And by the return of *James Harmer*, Esq. and Alderman, for the same year, 2,295*l.* 5*s.* 3*d.*		

UNDER SHERIFFS.

To Samuel Wilson, Esq. Charles Stokes, Esq.
James Harmer, Esq. - John Sandell, Esq.

Receipt of office - - - - - -	- - -	2395 6 11
¶ Subject to expenses of - - 319*l.* 8*s.* 11*d.*		
Also to the further expenses of hire of carriages and horses, extra servants, liveries, taxes, court dresses, &c.		

INCOME.

1833-4.—Account of INCOME, *&c.* of Mr. Alderman WILSON.

	£ s. d.
17th May. One half of cash received of the Chamberlain, after deducting the fee-farm rents - - - - -	142 6 4
15th Oct. One half ditto, ditto - - - - -	107 7 4
25th June. Of Bridgemasters - - - - -	25 0 0
	£574 13 8

The rent of the galleries at the Old Bailey went towards paying the wages of the Sheriff's Yeomen and Door-keepers, for attendance at the Old Bailey, but was not sufficient; the Under-Sheriff has a balance still owing by the Sheriffs. This account may be obtained from Mr. Under-Sheriff Stokes; it is unsettled, on account of the Lord Mayor claiming one half.

The Green-Wax Fines and Fees Account, received from the Secondaries, is sent herewith: after the City Solicitor has taken his share, it is expected that the balance will be divided between the Ex-Sheriffs.

Mr. Sergeant Merewether, D.C.L.

13th Jan. 1854.

Note, added *per* order Committee, 18th April, 1836.

The balance of the Green-Wax Account here referred to by Mr. Alderman Wilson, after deducting the disbursements made by the Secondaries, *&c.* is 118*l.* 15*s.* 8*d.* as *per* return in the possession of the Committee, subject, as stated by him, to the City Solicitor's charges, and which the Committee, from information they have obtained, find it likely to realize about 100*l.* after deducting such charges.

EXPENDITURE.

	£	*s.*	*d.*
One half of fees on being sworn in, *&c.*	16	3	6
Use of State Carriage	160	0	0
Rent of Stables, City Mews, for state horses, keep of horses, new second carriage and harness, harness-maker's bill, repairs, horse clothing, *&c.*	490	6	6
One half of dinners	1,090	8	0
State Servants' outfit; Liveries, state, second, and third, ditto mourning box-coats, great coats, *&c.*	408	10	6
Stewardships, charities, charity sermons, and dinners	206	15	0
Board of state servants, banners, swords, taxes, expenses on state days, *&c.*	475	3	0
One half expenses of meat for prisons on Christmas day	18	11	11
	£2,865	17	11

This account does not include the gold chain, scarlet and purple gowns, or any of the dress provided on being elected an alderman, and is entirely exclusive of usual family expenses.

INCOME.

1833-4.—Account of INCOME, &c., of Mr. Alderman HARMER.

		£	*s.*	*d.*
May.	Received from the Chamberlain's office, beyond the payment made by Sheriffs for fee-farm rents	142	10	0½
Oct.	Ditto ditto ditto	107	7	5
	From Bridgemaster	25	0	0
		£274	17	5½

The sum received by Mr. Under-Sheriff Stokes for the galleries in the Sessions House were, I believe, more than counterbalanced by his payments to Ushers, &c.

EXPENDITURE.

	£	*s.*	*d.*
Hire of state carriage and harness	160	0	0
Ditto for second carriage and state horses	166	1	6
Extra dresses, swords, buckles, &c.	50	0	0
State and other liveries for servants, and other articles furnished to them	300	0	0
Keep of state horses, farrier's bill, extra harness, and sundries	130	0	0
Moiety of Terry's bill for breakfasts at Weaver's Hall, and Mr. Bleaden's, for inauguration dinner	167	9	6
Paid for banner, case, &c.	20	0	0
One fourth of the expenses of the entertainment at Guildhall on the 9th November	481	6	0
Moiety of the expenses of the dinner to the Judges at Vintners' Hall	57	12	10
Half of the expenses of engraving and printing the tickets for Guildhall Inauguration, and Judges' dinners, messengers, &c.	15	0	0
Moiety of wine accounts for the dinners at the Old Bailey	70	9	0
Moiety of Terry's charges for Old Bailey dinners	196	4	3
Moiety of the breakfast, newspapers, &c. provided by Crawford, and his wages	39	14	0
Moiety of the wine butler	18	17	9
Ditto of coals sent to the Old Bailey	4	7	6
Ditto of charges for meat, bread, &c. for prisoners in Newgate	18	11	11
Ditto for coals sent to Whitecross Street prison	150	0	0
Wages to state servants, and board			
	2,045	5	3
The above account is exclusive of gratuities to charities, stewardships, extra taxes, &c., of which I have kept no account, but which my colleague, as I understand, estimates at about 250*l.*	250	0	0
	£2,295	5	3

UNDER SHERIFFS.

Mr. Sergeant Merewether, D.C.L.

13th Jan. 1854.

Return of Messrs. STOKES and SANDELL, Under-Sheriffs, 1833-4.

The emoluments attaching to the office of under-sheriff are derived from the proceedings which pass through the Sheriffs' office for the county of Middlesex, such as executions, fees on writs of inquiry, and other process, naming special juries, &c. The business of this office is under the management of Messrs. Burchell, and from the accounts furnished by these gentlemen to Messrs. Stokes and Sandell, the respective under-sheriffs of Aldermen Wilson and Harmer, the receipts of the office during their sheriffalty amounted altogether to the sum of - - - - - - 2,395 6 11

From which Messrs. Burchell deducted (for Justices' wages, apprehending felons, commission, &c.) - - - - - 1,311 8 11

Leaving a balance of - - - - - - £1,383 18 0

for division between the under-sheriffs, and which is all they have as yet received.

The deductions for Justices' wages and apprehending felons amount to 692*l.*, which is to be repaid by the Treasury; and, when the same shall be received, the emoluments of each under-sheriff will be 1,038*l.*

The expenses attendant on the office consist principally of the hire of carriage and horses for the year, extra servants and liveries, taxes for carriage, horses, and servants, court-dress and the appendage, gratuities to charities, &c.

The emoluments received by Messrs. *Pearson* and *Hardwick*, under-sheriffs to *Alexander Raphael*, Esq. and *John Illidge*, Esq. in the year 1834-5, were as follows:—

	£	s.	d
Emoluments of office in Middlesex - - - -	1,792	9	8
Bill of cravings - - - - - - - - -	509	6	10
From Chamber, amount of allowances after deducting payments chargeable thereon, as *per* agreement with the sheriffs - - -	472	0	2
Supposed balance of uncollected poundage - - - -	200	0	0
Estimate of produce of Fines and Forfeitures under the process of the Green Wax - - - - - - - -	80	0	0
	3,053	16	8

Each under sheriff is entitled to one moiety of the above sum of 3,053*l.* 16*s.* 8*d.* subject to indispensable expenses of 605*l.* each, and subject to such losses as may be sustained by the sheriffs from actions now pending, or which may hereafter be brought against them, from which they are indemnified by the under sheriffs.

Sir, Guildhall Yard, January 16, 1836.

The fees and emoluments, as under-sheriff of London and Middlesex during the shrievalty of Messrs. Raphael and Illidge, which have been received by me from our agents, amount to the sum of 896*l.* 4*s.* 10*d.*, out of which I have had to pay 605*l.* as the indispensable expenses of my office. By my arrangement with Mr. Sheriff Raphael I am entitled receive the half of 472*l.* 0*s.* 2*d.* the balance of the allowances from the chamberlain's office and also the moiety of the bill of cravings, which has been made out at 509*l.* 6*s.* 10*d.*

The amount which the treasury may allow out of the latter sum is uncertain; accounts are seldom audited and paid till two or three years after the expiration of the sheriff's year of office, and the deductions made are so uncertain, that no calculation can be fairly made of the amount which this branch of the emoluments of office will really yield.

I am also entitled to a moiety of the fines and forfeitures received under the process of the Green Wax; this is estimated by Mr. Newman, the City's bailiff, to amount to 80*l.* per annum; some years it being considerably more, and some less.

I shall likewise be entitled to receive a moiety of uncollected poundage, still outstanding and uncollected in Middlesex: these may amount to about 200*l.* The sum is uncertain, as is the time of its payment; it is retained by the agents to meet any demands that may be made upon the late sheriffs from the defaults of their officers. Verdicts have already been recovered against the sheriffs in two actions, for amounts greater than the balance of poundage, and other actions are pending to a considerable amount. The under-sheriffs take securities from the officers, and they indemnify the sheriffs from all losses; till all these matters are settled, it is impossible to say what are the net profits of office. It is possible, though not probable, that these losses may exceed the whole of the profits. I would cheerfully have given 10*l.* per cent. premium upon the gross receipts as an insurance against these losses.

This return should have been made at a much earlier period, but that we did not receive our last account from Messrs. Burchell till the end of December, and we could not make up our accounts till we had received it.

I have the honour to be your most obedient servant,

CHARLES PEARSON

The Chairman of the Revenue Committee.

Mr. Sergeant Merewether, D.C.L.

17th Jan. 1854.

	£	s.	d.
Amount received by me as emoluments of office in Middlesex - -	896	4	10
Moiety of Bill of Cravings as made out, the time of its payment, and the amount uncertain - - - - - - -	254	13	5
Moiety from Chamberlain's office - - - - - -	236	0	1
Moiety of supposed balance of uncollected poundage, subject to actions and losses; moiety of fines and forfeitures - - - -	100	0	0
	£1,486	18	4

Adjourned to Tuesday next, at 12 o'clock.

Tuesday, 17th January 1854.

The Right Honourable HENRY LABOUCHERE, M.P., in the Chair.

Henry Alworth Merewether, Esquire, D.C.L., Serjeant-at-Law, Town Clerk, further examined.

Mr. Sergeant Merewether, D.C.L.

7th Jan. 1854.

5223. Are there any points with regard to the evidence you have already given, to which you are desirous of further calling the attention of the Commissioners?—On a former day, I spoke of the number of charters. I have since had the list which I made of them corrected, and I believe this which I can now deliver in will be an accurate list of the whole of them.

The same was delivered in.

5224. Are all those in the custody of the City?—No; some of them are in the Tower of London, but this list is a complete one.

5225. Have you copies of those charters, of which the originals are not in your custody?—Yes; a great many of them. There are some of which we have not copies. Mr Hardy, as I stated the other day, did not entirely complete the work he was engaged in. But those charters are chiefly repetitions of former charters. I have also an account of the sums which were paid for each of the charters, which is not long, and probably I had better read it. In 1139, in the reign of King Stephen, one hundred marks of silver were paid by the corporation, to have the privilege of chosing their sheriffs for one year. In 1158, the fourth of Henry II., 1,043*l.* was given as a donum. In 1159, the fifth of Henry II., 1000 marks was also given as a donum. In 1170, the sixteenth of Henry II., 666*l.* 13*s.* 4*d.* was given; and in 1172, two years afterwards, the nineteenth of Henry II., a similar sum was also given. In 1197, the 14th of July, the eighth of Richard I., 1,500 marks were given. In 1150, the 12th of June, the thirty-fifth of Henry III., 600 marks. In 1256, the fortieth of Henry III., 3000 marks. In 1267, the 26th of March, the fifty-second of Henry III., 20,000 marks. In 1270, the 21st of June, the fifty-fourth of Henry III., 100 marks, and subsequently, the sum of 500 marks. In 1307, the first of Edward II., 1,700 marks, and 1,000 marks. In 1314, the eighth of Edward II., 600 marks. In 1319, the twelfth of Edward II., 1,000 marks. In 1322, the fifteenth of Edward II., 2,000 marks. In 1339, the twelfth of Edward III., 20,000 marks. In 1371, the forty-fourth of Edward III., 4,601*l.* In 1383, the seventh of Richard II., 4,000 marks. In 1378, the eighteenth of Edward IV., the charter granted package carriage, portage, garbelling, and gauging, and coroner, in consequence of the City realising a debt due from the crown, of 7000*l.* Another charter, respecting mortmain, in consequence of the City realising a further debt. In the sixteenth Charles I., 1640, there was a charter respecting porterage, for which the sum of 4,200*l.* was paid. Upon the subject of sewers also, it would be very material that I should lay before the Commissioners a plan of the sewers of the City of London, because, at a glance of the eye, the Commissioners will see that every person in the City of London may have an opportunity of ascertaining how near a drain comes to his house. There is no person in the city of London, who may not know where he can get immediate access to a drain.

5226. When was this plan made?—That plan was made in 1841. Of course, the sewers are from time to time lengthened, and a fresh plan was completed in 1847. This is now made up to the year 1853. This report (*producing the same*), which I referred to the other day, is the report of Mr Walker, Mr William Cubitt, and Mr Brunel, upon the subject of the sewers. It will at once bring the subject to the attention of the Commissioners if I read this passage, explaining the mode in which individuals, wishing to have drains, are dealt with. It is in a report by the engineer of the Commissioners, page 17. "House Drainage Plans.—The registration of the houses drained is now made upon "a more comprehensive system than it hitherto had been. Upon the 17th of June last, "I had the honour of submitting to you a report upon this subject, which at once received "your acquiescence, and in accordance therewith, I immediately organized, and commenced "the system which has since been carried out. It is as follows:—Immediately after "application is made at the Sewers Office, for a drain to a house, the application is referred "to the surveyor, for his estimate of the cost of the construction of that portion which "will be beneath the public way; a plan of the premises to be drained is there taken, and

" laid down in his office, upon which is marked the course, size, inclination of the drain, " and its various inlets. A tracing is then made, and placed in the hands of the inspector " of the district at the same time that the estimate of the cost is transmitted to the clerk. " Upon payment of the cost the drain is built, and the internal works entirely constructed " under the supervision of the inspector, who has for that purpose general rules and in- " structions issued him for his guidance. When the works are completed, the inspector " marks upon the plans any deviation or alteration that may have been made, fills in upon " the required form the date of the completion of the works, and his signature, as verifica- " tion that the works have been properly constructed, and returns it to the surveyor, who " registers and keeps it in his office for future reference. During the six months, ending " Christmas, 1851, 109 house drainage plans have been made, comprehending the plans of " 159 houses. They form the nucleus of a large amount of information that, through the " commission, may be made of much future value to the public, who can at all times have " reference to the plans when it may be necessary." All of this, I should add also, is done without fee of any kind, so that any person wishing to have a drain communicating with the drains specified in this map, has only to pay the cost of the drain to his own house, minus the cost of making it under the public ways. He has a plan thus recorded in the office, and all without fee of any kind. I was examined the other day, upon the subject of traders' freedom, In the year 1844, a very elaborate inquiry was made into the entries in the corporation books, with reference to freedom, tracing it up from the earliest time, explaining who were, and who ought to be, citizens, and extracts were made, to show their different characters, and how they were, from time to time, admitted. I think probably this may be a document material for the Commissioners to see; but I do not propose to trouble you further with it than to draw you attention to page 74, where a minute account is given of the fees which were then payable, which, contrasted with the fees which are now payable, as I stated the other day, will point out to you the gradual reduction of them. At the close of this report, there are conclusions drawn from the facts previously stated, and at the end of them there are suggestions for proceedings which led to some of the proceedings which were enumerated the other day.

5227. Is that the report of a committee to the common council?—It is. I believe it really contains all that is to be found in the books on the subject. I think it was the wish of the Commissioners that I should go next to the question of the soil and bed of the river, and the suit which has been instituted respecting it. I hold in my hand a report which was drawn up in the year 1842, made by Mr Walker, the engineer employed by the government in different works, by Captain Bullock, with the permission of the admiralty, he also having been lately employed by the admiralty and the officers of the corporation, the water bailiff, the engineer of the navigation committee, and other subordinate officers. This report goes at great length into the question of the management of the stream of the river, and to describe it generally. I should say it is founded on the assured necessity of giving to the stream as direct a channel as possible, with a view of keeping it at a constant depth, in order that a uniform depth may, as far as practicable, be preserved throughout the whole length of the stream. It is quite obvious that all the projecting banks, or wharves, or irregular projections of any kind, on the side of the river, must have a strong tendency to interfere with that operation of the stream. The scour is materially interfered with by those projections, and the uniform force of the stream is lessened. It will probably also be quite obvious to the Commissioners, that it would be impossible, from the greatness of the expense, to carry out a plan of the uniform embankment of the sides of the river. As the Commissioners may be aware, Sir Frederick French, at one time, meditated a beautiful plan for the regulation of the banks of the Thames, but that which only extended from Westminster Bridge to London Bridge, would have cost so much, that it would have been quite impracticable that it could be carried out. This, which goes still further, both higher up the stream and lower down the stream, would have involved the expenditure of a much larger amount. It was, therefore assured, and I believe justly, that to do it as a whole and at the same time, was a thing which was absolutely impracticable, but to bring it about by degrees, by getting a certain frontage, wherever any alteration was wanted to be made, and by maintaining that frontage, inexorable from time to time, thereby gradually increasing the bank of the river, which should be properly embanked, was a feasible plan, and Mr. Walker recommended that it should be done.

5228. What are the limits, within which Mr. Walker's plan was proposed to be effected?—Mr. Walker's plan went up to the first lock upon the Thames, at Teddington, and from thence down to a considerable distance below Gravesend. The line laid down by Mr. Walker, which can be seen in either of these plans, is denoted by a blue line.

5229. Is there any estimate given by Mr. Walker, of what would be the ultimate expense of effectually embanking the river for that distance?—I do not think he gives the amount, but he speaks of it as so large, that it was quite impossible to be contemplated.

5230. He probably then did not go very accurately into the details of the estimate?—No; because the engineer arrived at the conclusion, that it could not be done, as one act, but it might be done by degrees, by persevering in the line. That line, the navigation committee to whom is entrusted by the Lord Mayor, under the Common Council, that portion of the duty, have endeavoured, as far as they possibly could, inexorably to

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enforce, never allowing, where they could avoid it, anything either to be within or without the line laid down by Mr. Walker. By that means, they have effected a great deal of the good which was contemplated in different parts of the river. In carrying out that plan, the committee, of course, were too glad to adopt any opportunity which occurred of having as long a space of embankment made by any person as they could, and therefore they have granted to Mr Parke to make a considerable embankment, a little above Battersea; and they have granted to Mr. Cubitt, down by the Isle of Dogs, a license to make an embankment for nearly a mile, involving a very material part of the Isle of Dogs, where the banks being of a soft kind, are liable to be washed away. The banks are not only rendered insecure themselves, but likely to fall into the river, and with the matter washed away, of course accumulations are made in other parts of the channel. It was, therefore, very material to carry out the plan in that part of the river. All those embankments are required to be made, either upon piles, or of solid materials, so that there shall be no washing away of the banks. That has become of much more importance since the frequent use of steam-boats, because the motion of the steam-boats, the current they produce, and the action upon the water, have a strong tendency to wash down the banks of the river. The corporation, therefore, very gladly availed themselves of the arrangement with Mr. Cubitt, and they did the same with the Atlas Insurance Company, they made a considerable grant to them of an embankment. Those grants having been made, then began the proceedings against the corporation. The disposition to put the matter into a course of legal investigation arose to a certain degree out of a bill which was pending in Parliament for a pier at Greenwich. The hospital, I believe, were much interested in that pier, and it has been the practice of the Navigation Committee not to take any payment with respect to any government, or any public works. I believe the Ordnance at Woolwich and at the Tower have had grants made to them from time to time, without any sum being paid. The Greenwich Pier Bill was brought in in the year 1837. I was in hopes that I had with me the clauses which were proposed to be introduced at that time into the bill. A considerable discussion took place with the government upon the subject, and the government law officers were seen. Mr. John Tyrrell, the very celebrated conveyancer, was advised with by the corporation on the subject of the clauses, and an appointment was made for him to meet the attorney-general of that day in consultation; a clause was introduced by the crown, reciting the right to the soil of the river. That clause was strenuously objected to, and was eventually determined to be struck out; but clauses of other kinds were discussed with the attorney-general, and at last the bill was agreed on. There was a letter from Mr. Pemberton to Mr. Tyrrell, and the answer of Mr. Edward Tyrrell, the brother of Mr. John Tyrrell, to it as to the alterations. Eventually it became a matter of arrangement, but this, coupled with the grants which I have alluded to, seems to have made an impression upon the government, and they consequently filed an information in the Court of Chancery a year or two afterwards, for the purpose of having the point decided. In the evidence which has been given by Mr. Pemberton, he seemed rather to make complaints against the corporation of London. Mr Pemberton's evidence certainly had a tendency to cast censure upon the conduct of the corporation in that case. The fact is, the corporation feel most strongly, that they have grounds of complaint as to the manner in which that suit was commenced. Of course, there would be a disinclination to go much into that matter, it being, in point of fact, before the court to be decided; but I know I am justified in saying, that the course which was adopted, was one, I believe, of entire novelty, It was novel, in some respects, from necessity, because the jurisdiction of the Court of Exchequer having been superseded, the proceedings, instead of being in the Exchequer, where informations by the king were usually filed, were transferred into the Court of Chancery. It was contended thoughout by the corporation of London (a substantial ground of complaint, as it would seem), that this proceeding was very unusual, and particularly so, inasmuch as it tried to cast upon the corporation the vindication of their title, instead of the question being raised as to the title of the Crown. Nevertheless, the information began with the positive allegation of the general title of the Crown to all the sea-shores. This is an extract from the information. "By the royal prerogative, the ground and soil of the coast and shores of the "sea round this kingdom, and the ground and soil of every port, haven, and arm of the "sea, creek, pool, and navigable river thereof, into which the sea ebbs and flows, and also "the shore lying between high water mark and low water mark, belonging to Her "Majesty." I am sure I need not say that that is a strong, and rather startling proposition, which involves and claims the right to actual property, at the lowest computation, in about 700,000 acres of land. I would not state that to the Commissioners hastily, without pains having been taken to ascertain it. It was measured as well as it could be, from the ordnance map, taking care always to make the calculation rather under than over the mark; and I have no conception, if it were measured all over the kingdom, but that it would considerably exceed the quantity I have mentioned. Probably the Commissioners will recollect the immense tracts of sands in Lancashire, between Lancaster and the opposite coast.

5231. The claim of the Crown does not by any means exclude any right which any subjects of the Crown might have to that space between high and low water mark, either by grant or by prescription?—I should think it would be difficult to set up the right of prescription; no doubt a grant might be set up.

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5232. If it be assumed that the assertion in the information of the general right of the Crown be correct, then, of course, it would lie upon the corporation of London, who claim the right of the soil between high and low water mark in the Thames to show by what title they have it?—No doubt.

5233. And that was the object probably?—I presume that was the object; the information sets out with the assumption that the title was in the Crown. If that is conceded, of course anybody who claims the above must show it to be in him.

5234. Do the corporation contest that maxim of law, that the soil between high and low-water mark is in the Crown?—They most certainly do, thus far. The information was against me as the officer of the corporation, and I have denied it. I denied it before the chancellor. I tried to support the doctrine which I set up, by an address which I made to the chancellor, of which I have a copy here, which I only refer to for the purpose of satisfying the Commissioners that I have not taken up the opinion slightly; of course it is not my intention to detain you upon the subject, but I do feel justified in saying this, that in the abundant stores of historical and legal information which there are in this country, there is no trace whatever in any of the early records of a right so extensive and so pervading the whole kingdom as this which is here claimed.

5235. What is the doctrine maintained by the City with respect to soil so situated?—The doctrine maintained by the City is, that this proposition cannot be supported by the Crown, if it seeks to take the river out of the possession of the City, which they clearly have, by acts of possession exercised for years upon it. They say it must be done in the ordinary course by a process of intrusion; the Crown would then have to establish its right, instead of beginning with an assumption of the title of the Crown, and calling upon the City to shew that it is out of the Crown.

5236. What the Crown maintains is this, that the City having been conservators of the river, have, by necessity, been forced to do certain acts in reference to the shores of the river, which may be considered as having some resemblance to acts of ownership and authority over the soil between high and low-water mark; that such acts however, have only such resemblance, and that no acts of possession of that soil have in fact been exercised by the City, how is that met by the City?—First of all by the fact that possession has been exercised over and over again; acts of ownership and of interference with the soil have been done. Then again, it is impossible for anything to be more distinct than the claim of jurisdiction, which would give them jurisdiction as conservators, and any act done interfering with the soil. Acts interfering with the soil must be attributed to the ownership of the soil; an act of conservancy would be attributable to the jurisdiction which is given. I must confess therefore, that I look upon that as a mere abstract proposition, which cannot at all be tenable, when the facts as to the acts of ownership be looked into. It is quite out of the question for any party to turn round and say, those are acts of ownership, but we attribute them to the jurisdiction.

5237. What description of acts of possession have the City exercised, as distinct from acts involved, as consequences of their right of conservancy?—They place and regulate the steps for the use of the river in all parts of it. They had altercations with the Crown in the reign of Henry the Eighth, when a grant was made of a particular spot by the Crown; it was resisted by the City, and abandoned by the Crown. They established the well-known water works at London Bridge for the supply of London with water.

5238. Does that appear to be an act of the ownership of the soil?—The machinery was placed upon the soil.

5239. Was there no Act of Parliament authorizing them to make the water works?—None at all; but a grant was made by the City to a particular individual, that he should erect his machinery there, which he did. I have some reluctance to go into that description of facts, because they are facts in controversy between the Crown and the City, and I do not feel justified, in the position I at present stand in, in asserting the facts upon which the City would rely on the one hand, or disputing those on which the Crown would rely on the other. I am only at present saying that as far as I can judge there are most distinct acts of ownership to be shown. Looking to the record of Doomsday Book, which is a record giving all the property in the country in minute detail, beginning always with property which belongs to the King, there is no trace throughout Doomsday Book of any *terra regis* of this kind on the sea shore; but on the contrary, there is an instance of a mill at Dover, on the sea shore, which belongs, I think, to the Bishop of Bayeux.

5240. If the Crown have the general ownership of all lands between high and low-water mark, it would not be specifically mentioned in Doomsday Book, would it, that the Crown was the owner of the soil of the Thames so situated?—I think it would, because there are properties of that kind mentioned in Doomsday Book. I may refer to one particularly, the salt pans all round the kingdom.

5241. Has the City any grant or charter affecting the origin of the right to the soil of the river?—None. I am of course sent here to answer any questions which the Commissioners may ask me. But I think in any statement of this kind, I ought to feel disinclined to answer any questions which might in any degree prejudice the rights of the corporation at present.

5242. What do the City consider to be the origin of their right to the soil of the river?—I could suggest an origin, but I really would rather not, because I should be affecting those rights *pendente lite*.

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5243. This is a public right, which may be the subject of legislation, may it not, as well as of a judicial inquiry? Is not it important, that the public should know what is the origin of a right of that extent affecting the whole bed of the Thames?—I imagine it can only be a matter of legislation, subject to the ordinary rules of compensation to those who are in possession.

5244. Still it may be a matter for legislation, subject to any conditions which Parliament may impose?—That previous condition always being performed by compensation, I should be doing wrong if I were to contend that a public river of such extreme importance to the trade of the country as the Thames, could not be the subject of legislative enactment, because it has been so, and may be so again. But that is altogether distinct from the question of property in the soil and bed of it; and if that question is gone into, then the persons who are in possession would claim according to the ordinary practice of Parliament compensation; but the Crown stepped in and said, Now let us dispute this point, and settle first of all the title to the river before any other step is taken; to which the City say, We have no objection to your doing that, only proceed in the ordinary course, proceed by a Writ of Intrusion, and we are ready to meet you, and will give every facility for putting the question in issue as soon as ever you like; we will do it in the cheapest and readiest manner that can be proposed. But this information began with the extraordinary allegation which we think is not of a nature to be found in many proceedings. When there was a charter granted upon the assumed right of the Crown in the Isle of Wight, it was resisted, and never has been put in force.

5245. You consider that, in legislation, Parliament would proceed upon the ordinary ground of giving compensation to any persons who may be affected by the proceedings in question, but of course the right to that compensation you consider should be tried by the ordinary courts?—Yes; and that the City of London are desirous of.

5246. An inquiry by the Commissioners as to your mode of supporting your title in those ordinary courts, might, you think, prejudice the case of the corporation?—Yes; I must confess that I am very much astonished that Mr. Pemberton, a lawyer, and other gentlemen who are lawyers, in the case of Delafield and Company, should have come before the Commissioners in the way they have done.

5247. This is not the first time the question has been raised, is it?—It is not the first time that the right of property to particular spots in the river has been raised, but it is the first time this general allegation has been introduced. This claim to the soil between high and low-water mark I believe to be new. I do not believe such a doctrine has ever been maintained before.

5248. Was it not raised in a suit in the eighth of Charles First, about some premises at Wapping?—Yes; it was, I think; but that was not upon a general claim of this kind, but upon a claim to a particular spot.

5249. As being between high and low-water mark?—Yes; I think it was. There is no doubt that there are cases in which the soil between high and low water may belong to a particular individual, independently of such a general claim as this on the part of the Crown.

5250. In the suit with regard to Wapping, was not the question between the Crown and the City?—I do not at this moment recollect whether it was so or not; I rather believe it was.

5251. If that suit were decided in favour of the Crown, on the ground that the spot in question was between high and low-water mark, I suppose you would contend that it was a wrong decision?—I am quite prepared to contend that, and I think the circumstances connected with the suit would not give it much weight in a court of law. All I confine myself to at present is the observation, that tracing through the statutes, through the cases, and through the year books, and the immense mass of information which is to be obtained upon that description of rights, there is no mention whatever of a general right of this description. There are two celebrated cases of Sir John and Sir Henry Constable in the year book, which are in my judgment directly against it; and a recent case has been tried also, in which the late Duke of Beaufort was a party against the corporation of Swansea, in which, according to my reading of the case, the same point was decided.

5252. We do not of course wish to ask you for any specific evidence as to the title of the Crown or the title of the City in the case which is now in dispute, but it is material that the Commissioners should ask you generally what is the nature of the claim which the City make to the soil and the bed of the Thames. Do they claim to hold it by prescription, or by grant, or any other general description of right?—By prescription indicated by successive acts of ownerships from a very early period.

5253. Has your attention been called to the complaints made by Mr. Matthews of the conduct of the City, in the character of conservators of the river Thames, with regard to obstructions?—I have been a party in point of fact to some of those discussions, and I believe I am particularly competent to give a general answer, which will cover that case and others. The Master of the Rolls directed that the Navigation Committee of London and the corporation should do no act at all interfering with the river without sending notice of it to the Woods and Forests. That notice has ever since been sent, many hundred embankments and accommodations have been granted upon the river, and there has been no complaint whatever made to the Master of the Rolls with respect to any one of those grants.

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5254. The complaint of Mr. Matthews, on the part of his client, was that an obstruction was made in the river to his prejudice, that he complained of it, and that he called upon the City, in their character of conservators of the river, to remove the obstruction; that delays took place, and that he has not been able even now to get the City to remove this, which he represents as injurious to him, though the City claim to be conservators of the river, and receive a revenue in that capacity?—I am perfectly acquainted with the whole of the case. It was a case of this description. Two persons adjoining to each other quarrelled about a small inlet; there was an indent in the shore which had been used from time to time by one party for the purpose of depositing timber, and other parties had also used it for boats. Those parties were in conflict one with the other; it must be obvious to the Commissioners that the conservators of the river Thames have only a jurisdiction over it. The jury of the conservancy go from time to time to all those places, and if parties have a complaint to make, which they can substantiate, they would go to the jury, and they would present it to the court. I do not believe there was any presentment of that kind. There was a complaint to the committee, but after due inquiry, they thought they could not with propriety interfere. I believe that there never was a case about which more pains were taken than that one, and no case in which the corporation had less interest to mislead their judgment.

5255. The statement of Mr. Matthews is that the City, in this particular case, do not deny that the obstruction is improper and ought to be removed, but they will not remove it?—I am confident the case does not rest in that way at all.

5256. Mr. Matthews says: "What I complain of is that the City do nothing where a "difficulty arises. They are very polite and kind, but when a case comes before them "like this, where two parties cannot agree, and which is incapable of compromise, and "the City are called on to exercise their power, nothing is done."—I ought to say with respect to the revenue, which it is said the corporation receives, that in point of fact they derive no benefit from any right of that kind, the revenue they receive is applied for the benefit of the river.

5257. Do not the corporation receive any revenue in respect of the ownership which they claim in the soil of the river?—That would involve a question, which was put to me before, whether the acts are attributable to the ownership or the conservancy.

5258. Do they receive any revenue from the relation which they sustain to the river?—No.

5259. How then could any question of compensation arise, in case it was thought fit to deprive them of that relation?—That would be in reference to the soil; they keep a separate account of the funds which they receive, and apply them to the improvement of the river.

5260. From this power, in respect of the conservancy of the river, or the ownership of the soil of the river, if they possess it, they derive no revenue?—With respect to the right of the soil, there are some rents which they receive in fact, however—they are all carried to an account for the benefit of the river; the amount is very small.

5261. Less than 1,000*l.* a year?—£1,100 a year, I think, was the statement of it. Whatever the amount is, the revenue is applied to the benefit of the river, and so, I presume, it would be if it were to get into the hands of the Crown.

5262. It is a question of jurisdiction, not of property?—That is the view I take of it. If the right were to-morrow in the hands of the Government they would have a very onerous and very distasteful duty to perform without any actual benefit, a sort of duty that I am quite sure could not be performed by any body with so little dissatisfaction as by the members of the corporation, who are supposed to be so well acquainted with the facts that whatever they do is acquiesced in by those who come before them.

5263. The complaint which has been made against the City in this respect is, that they are inert, and do not really exercise their jurisdiction to the extent which would be desirable for the public interest?—I do not believe they are at all liable to that charge. I have no doubt in the world but that there is a great difficulty in putting their powers of conservancy into due operation. I had the occasion once to see whether the decision of a petty jury could be obtained or not. The grand juries meet every year, and receive presentments. There was one case in which there was a question of fact. I rather think Mr. Matthews was the attorney in the case on one side or the other. A petty jury was empanelled for the purpose of trying it; when it came to a prospect of a trial the matter was settled between the parties; and I ought to say that generally speaking, though presentments of all kinds are made of steam-boat piers, of piles put in and of wrecks left, they are almost always obviated in some way or other. The parties are remonstrated with and they yield. In this case which Mr Matthews speaks of the parties on both sides were very firm and resolute. I might be justified in using another word, and saying they were obstinate on both sides, and in the mean time they wished to throw the burden of the litigation on the corporation. That however is not in my department; that will be with the solicitor, who, I have no doubt, will explain it to your satisfaction.

5264. Does not it seem somewhat natural that a body like the corporation, in the exercise of those rights which are of an onerous and invidious kind and appear to bring to them no profit, should be rather unwilling to act with vigour?—I assure you they do act with vigour, and wherever they think they are justified in doing it they do it, and abide all the consequences. There is a small channel which runs round an island lower down the river where stakes and posts were put up improperly, and the Lord Mayor went with the

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strong hand and removed them. And so I could mention many other occasions of the same kind. I do not believe they are in any degree reluctant to put their powers in force when they think they are called on to do so, and public opinion will go along with them, but they are certainly very tenacious of not making their power vexatiously injurious to persons who are brought before them.

5265. When there are two litigant parties brought before them who will not agree, one or other of those parties is probably in the right, and if his rights are not protected, it is a denial of justice, is it not?—I assure you in that case I believe nothing could be more uncertain than with whom the right was. I know a good deal of the circumstances of the case, but in order to put it beyond all doubt, I think you had better have before you from the solicitor the real circumstances of that particular case.

5266. How many of the members of the Navigation committee are practically acquainted with the matters concerning which they have to determine connected with the state of the river or harbour?—Having been frequently present there, I should say that the bulk of them have a certain degree of knowledge on the subject; some of them are most intimately acquainted with it, probably no persons in the country more so.

5267. Will you name some of those members whom you consider to be intimately acquainted with such matters?—I will take care that the information shall be given to the Commissioners.

5268. The harbour master is universally acknowledged to be a very competent officer?—I believe he is. I am quite sure the committee expect that all their officers shall be competent and effective. Mr. Saunders is the water bailiff; Mr. Leach is the engineer, a most skilful person, who receives constantly the approbation of the committee.

5269. Do you think those visits of inspection which the committee occasionally make to places upon the river can be considered as anything else but the performance of a nominal duty?—I fancy that they are. When I first came into office, I made a point myself of going with them from Windsor down to Kew Bridge, and I am quite sure that the investigation which we made was practically useful.

5270. What kind of points did you investigate?—Wherever there was a shoal accumulating, Mr. Leach, who was with them, pointed it out. Wherever there was a bank washed away, and injury likely to be done, it was pointed out. Whenever piles were put out further than they ought to be it was noticed; and where they have, down the course of the river, posts put out to denote the extent of their property, if they were interfered with, it was looked into. There are certain preserves of fish, and it was inquired whether they had been encroached on.

5271. Do you think gentlemen engaged in commercial pursuits could really arrive at any satisfactory decision upon such points from a cursory inspection of that kind. Must they not necessarily have been compelled to rely upon the advice of their officers?—I have no doubt the object of their going on such visits of inspection is that they should not be altogether under the control of their officers. Throughout the corporation there is a strong, not I think misplaced, but reasonable jealousy of all their officers, and they choose to judge for themselves. Of course I do not go upon those inspections generally, but I went on this occasion to see what was done, and I came away with the idea that the investigation was practically useful.

5272. Is it your belief that the powers of conservancy are exercised by the corporation in an efficient manner, and in a manner to give satisfaction to the public?—I believe that they are. I do not of course mean by that answer to preclude the consideration of further improvements, but it is the expectation of the corporation that their officers will not volunteer any suggestion as to what alterations may be thought of, they rather hope that the Commissioners will be satisfied with that being left till after they have vindicated themselves from any supposed misconduct. The corporation undoubtedly mean to be prepared to make such suggestions as may occur to them.

5273. Do you mean that the Commissioners are to expect from the corporation a paper similar to that which has already been put in suggesting certain improvements which they themselves think desirable, or do you mean that separate officers of the corporation may be prepared to make suggestions of that kind?—I really must speak with the greatest hesitation, but I know it was not thought to be expedient, till the corporation was relieved from imputation, to make any suggestions for the future, but if you have any suggestions made to you, I fully expect it will be from the corporation generally.

5274. As a body?—Yes, either from the committee which at present represents the corporation, or from the Common Council themselves.

5275. Has the Admiralty any claim with regard to the river which comes into collision with the claim of the City?—None at all. The question was settled years ago. I believe in the reign of Henry the Eighth there was an effort made by the Lord High Admiral to interfere with the City authorities, which attempt was unsuccessful.

5276. The only claim which the Crown has in reference to the river is represented by the Woods and Forests?—That is all.

5277. Is there no claim by the Admiralty with regard to ballast?—With respect to ballast there is a sort of jurisdiction claimed by the Admiralty. That more particularly refers to the Trinity House.

5278. The Admiralty is the general conservator of tidal harbours in this country, is not it?—As far as jurisdiction goes.

5279. Has the Admiralty any jurisdiction, or does it claim any jurisdiction on the Thames in that respect?—None; there the conservancy of the City would override the Admiralty authority.

5280. That is acknowledged by the Admiralty, is it?—I believe so. Since I have been in office I have had no communication to a contrary effect. At present I believe the Admiralty are calling for some returns with respect to the river.

5281. The property of the City with respect to the conservancy is tolerably well ascertained and undisputed; is not that so?—Yes, the conservancy of the river is beyond all dispute in the corporation. In the reign of James the First, I think, there was a question pending, and the Attorney-general for the Crown admitted that the corporation of London were the conservators of the river by prescription.

5282. The controversy which has arisen with the Crown has been limited exclusively to the property in the bed and soil of the river, has not it?—Quite so, under this allegation that the property of the bed and soil of the river Thames is claimed by the Crown by virtue of the general proposition that the Crown is entitled to the soil in all ports and harbours between high and low water mark.

5283. To what extent has the corporation been concerned in the construction of bridges over the Thames?—I believe the City of London have nothing to do whatever with Westminster Bridge. The City of London have to do with Blackfriar's Bridge, and in point of fact they built it. I am not very familiar with the dates, but a gentleman who will be called before you with respect to the bridges will be able to give you every possible information upon that subject. There are reports as to Blackfriar's Bridge, of the original cost of it, and the cost which has since been incurred in modifying the bridge and in repairs. At this moment the Commissioners are probably aware that there is an inquiry going on with respect to the bridge, and with respect to another bridge being erected if the exigencies of the public should seem to require it.

5284. London Bridge also was built out of the revenues of the Bridge House estates?—The revenues of the Bridge House estates and some other properties, in one way or another, by money raised by the City, as well for the purpose of building the bridge as making the approaches to it.

5285. Southwark Bridge abuts upon the City, does not it?—One abutment is in the City proper, and the other abutment is in Southwark; that bridge, as the Commissioners may be aware, was built by a private company. Some questions have of late arisen between that company and the City as to the expediency of its being purchased by the City, and thrown open to the public. I believe the great difficulty between them is the sum for which it is to be sold, the proprietors of the bridge thinking it is a valuable possession, at least that it would require a considerable sum to be paid for it, and the City thinking that it is not so valuable. The difference between them is so considerable as to have impeded the purchase.

5286. What was the origin of the separate police for the City?—When the scheme for the establishment of a police was adopted, it became a question whether the police established by Sir Robert Peel should extend over the whole of London or not. The citizens of London, who always had the care and custody of their city by train bands, by the watch and ward, which was a part of the old law, and by their own watchmen both night and day before that took place, thought themselves justified in requiring a separate police; they thought it of the most essential importance to them that they should have it, and in that respect they made a strenuous opposition to being included in the general measure, and succeeded in obtaining an Act of Parliament to give them a separate police. I believe I may say with confidence that nothing can work better than the police does within the City of London. I speak with respect to its efficiency, which is carried out in an excellent manner by Mr. Daniel Whittle Harvey, who is the commissioner, there being a greater number of policemen upon a given area than there possibly can be in the Metropolitan Police, and which is a most essential point. I believe it is well carried out with respect to economy, for I believe, though they have a larger amount of property under their care than the other police, and are obliged to have a greater number of policemen upon a given area, the cost to the City of London is not more than it is in the metropolitan district. I believe the rate is the same, 7*d.* in the pound in both cases; it is an out and out 7*d.* in the City, but I believe it is clogged with some other matters in the metropolis.

5287. Is not it the case that 7*d.* in the rest of the metropolis pays the whole expenses of the police, whereas in the City an additional sum is voted out of the City estate towards the maintenance of the police?—I imagine they are pretty nearly in the same situation in that respect; in the county at large I believe the government pay a portion of the expense. It certainly was a stipulation in the City of London that the City should pay a considerable portion, and they do so, very much to the relief of the inhabitants.

5288. Is the proportion which is paid out of the corporation funds in the City the same proportion of the entire expense of the police in the City which the government subsidy bears to the money levied by rate in the rest of the metropolis?—I believe so; it is one fourth in the City, and I think it is the same out of the City. This I am sure, that one was formed very much upon the model of the other.

5289. The City obtains no portion of the government grant?—None. There are so

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many individuals in the City who do not contribute to the corporate funds, that the corporate funds are charged in a larger proportion for some of the items than any county fund would be. For instance, for prisons and the administration of justice, the money all comes out of the corporate funds, and not out of the pockets of the general inhabitants. Till a county rate becomes necessary, the persons who reside in the City and make their fortunes there, have all the advantage of a lower charge upon them, than those in the country at large.

5290. Estimating the expenses of a police upon the footing of a charge upon property, the City is as cheaply watched as the rest of the metropolis?—I believe fully so, and I think with a greater probability of a reduction than there is in the other case.

5291. Measuring it upon the principle of area, probably the result would be different?—I dare say in point of area it would be, because the proportion of valuable property upon any given spot in the City of London, is so much greater than it is likely to be out of London, that they have in point of fact a larger number of policemen to take care of those properties than they have in the country. I believe it very often happens, indeed in my official employment it has come under my notice, that bankers and others occasionally finding that there are a number of bad characters associating in a particular place, make application to the Commissioners to have a larger number of police in attendance; it is granted and so the evil is prevented.

5292. A complaint was made to us as to the way in which the police in the City is conducted, which involves a legal point. It has been stated that the City police do not watch the banks of the river, which is between high and low water mark, neither do the Thames police, nor the metropolitan police. The consequence is that it is altogether unattended to, and becomes the resort of thieves and vagabonds?—I never heard of the complaint till I saw it in the evidence. I do not think the complaint can have assumed any very tangible shape before the corporation.

5293. Is there anything in the state of the law which you think would give rise to difficulty in that respect?—I must confess it astonishes me that there is any difficulty, because I should suppose the same sort of difficulty would arise all over the country. When the land is covered with water it is under one jurisdiction; when it is uncovered with water it is under another.

5294. When it is usually covered by water but occasionally dry, which is the case with the portion of land we are speaking of, it seems that in the rest of the metropolis, the metropolitan police watch it, but it was stated to us that in the City they do not watch it?—I think that the witness was speaking of a particular case; it was some place near Blackfriars Bridge. I believe the omission to watch it really turned upon other circumstances; I believe it was because it was private ground, and the police did not think themselves justified in entering it. I think upon further inquiry it will be found that in point of fact the City do watch the shore between high and low water mark, so far as it is accessible.

5295. Will you state the grounds upon which the City desired to have a separate police of their own, at the time when the metropolitan police was established?—Just that which I have already stated, that as far back as history goes, the care and custody of the police of the City of London has always been in the hands of the citizens, either through the medium of the train bands, through the watch and ward, or otherwise.

5296. In the rest of the metropolis it had usually been in the hands of the parishes, had it not?—It had.

5297. When the general system was established for the rest of the metropolis under the control of the Commissioners appointed by the Crown, what was the reason why the City wished to be made an exception to that system?—They thought they could do it better themselves.

5298. Do you think experience has confirmed that anticipation?—Indeed I do. I hear of course, how this matter goes on. There is a police committee; that police committee is under the presidency of one of the most practical men in the corporation, Mr. Alderman Lawrence, and I fancy that nothing could be carried on more satisfactorily than it has, with no more dispute than ordinarily in cases of that kind. There has been in one or two wards a little dispute about the rate; it has been referred to the surveyors, and in every instance, I think, it has been settled to the satisfaction of all parties.

5299. Is the Temple included in the jurisdiction of the City police?—There is a particular clause to include all places of that kind; the Temple, I believe, pays its police rate in an aggregate sum; it is not taken upon each set of chambers.

5300. Before the City Police Act was passed, how was the watching in the City done; was it by parish watchmen?—By the ward watchmen; there was a particular rate in each ward for the purpose.

5301. Was there a day watch at that time?—Yes, there was. There had been always something like a watch in London in the day I believe, but a short time before the police Act was passed, the City of London established both a day and a night watch.

5302. If they were parish watchmen, the Temple, being extra parochial, contributed nothing?—They watched for themselves; they were not, practically speaking, included in any ward.

5303. By the City Police Act the rate is made upon all the houses in the City, is it not?—Yes.

5304. And among them upon the chambers in the Temple?—Yes.

5305. Therefore they now pay a very large sum, but they choose to preserve their own watchmen, is it not so?—The city police are ready to go into the Temple, but they do not.

5306. Do you know what the police of the Temple costs them, besides the sum which they pay to the City?—I do not, there are many parishes in London still which keep up their old watchmen.

5307. Am I right in supposing that the effect of the Police Act, as far as the Temple is concerned, has been to saddle them with a very large police rate, to which they did not contribute before, whereas they do not as yet derive any benefit from it?—They do not, but they might if they pleased; it is by a particular clause in the Act of Parliament that the Temple and many other places are included within the Police Act.

5308. Do the inhabitants of any of those other places to which you have referred protect their own premises by their own private police, at the same time that they contribute to the City police fund?—I do not know how that is. My impression is that St. Bartholomew's closes its gates, and so far keeps the police out.

5309. It would be fair if that is the case, in estimating the cost of the City police, to add whatever expense the maintenance of the Temple police throws upon that society to the charge of the City police, would not it?—Perhaps it might, but I do not think that has ever been suggested.

5310. If the Temple wished to have had nothing to do with the City police, you imagine that they ought to have watched the bill, and applied to have a clause inserted to exempt them?—I am rather inclined to think that they were vigilant in that respect, and made some effort of the kind, but were unsuccessful.

5311. The remembrancer, probably, had the conduct of the bill?—He had.

5312. What was the ground for having a separate commission of sewers in the City?—It was very much of the same kind as the ground for having a separate police, they thought they could do the business better for themselves, and they have had a very strong opinion that in point of fact they do so. Their sewers, rate is low, I believe, and a further reduction is now meditated. They certainly do believe that scarcely anything could be more perfect than their sewerage is at present—a few improvements still remain to be carried out. The object has been to improve it to perfection, and they still are trying to do it at as small an expense as possible. Inasmuch as part of the corporation have the regulation of that department, it may be assumed that the object of all of them is to keep the expenses as low as they possibly can, consistently with an efficient system.

5313. Are not both the police and the sewers managed by commissioners appointed under the corporation?—The sewers are managed by a commission which is appointed every year.

5314. Under the seal of the common council?—Yes; it is passed in common council, there being clauses in the Act of Parliament which require that a certain class of the corporation should be commissioners, the deputies of the different wards for instance, one deputy from each ward is always included.

5315. Is the police governed by a commission?—The police is not governed by a commission, but is managed by a committee which is sanctioned by an Act of Parliament.

5316. Instead of the police and the sewers being governed by the corporation, or by portions of the corporation, they are so governed that the accounts are kept distinct from those of the corporation, are not they?—Perfectly so. As it was stated to you the other day, the object of the system of the chamberlain's office, as far as I understand it, has always been to keep all those accounts separate and distinct in order to avoid confusion.

5317. What has been the object of breaking up the business of the City into various departments and placing them under separate commissions and committees, rather than under the corporation as one body, or under officers of the corporation and so bringing them into one account?—I think the only answer to that is that the system has gradually grown up as usage and the result of experience, and I am very much inclined to think now that any dispassionate looker on at the proceedings of the corporation would say, that the several duties are better performed by those committees, than they could possibly be by any other body. Whether the number of the committees, which, generally speaking, arise out of some circumstance existing at a particular time, is too great or not, is a matter which probably may be considered hereafter.

5318. You think the system of dividing the branches of business as much as possible and placing them under separate commissions, and keeping the accounts as separate and distinct accounts, is one which it is desirable to continue?—My experience, as far as I hear of the proceedings of the different committees, would certainly justify that conclusion.

5319. Do you believe the burden of local taxation, taken as a whole, to be higher or lower in the City than in other portions of the metropolis?—I believe it will be shown that in point of fact it is lower. I think the unity of action, as it were, of the corporation, and the unity of interest of those who have the administration of the funds, would both have a tendency to produce that effect.

5320. The conduct of prosecutions which are instituted by the City is directed by the court of aldermen, is it not?—That is to say, whenever an occasion arises when they think they ought to institute a prosecution, that is done by the court of aldermen.

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5321. Does that occasion often happen?—Not very often.

5322. What are the cases in which they interfere, in order to conduct prosecutions?—I think it is generally where the parties who have been injured are so poor that they think it ought to be done; or where the enormity of the offence is such that they think it ought to be done; or where it is a particular case of fraud, which seems likely to spread and become general. It is upon considerations of that kind that they interfere; and I am justified in saying that it is always watched with great jealousy. They are disinclined in the first instance to appear as prosecutors, where their appearance could not be perfectly justified. They try to keep as much as possible in accordance with the feeling of the public upon that point.

5323. The corporation of London have certain powers with regard to the constitution of some of the municipalities in the north of Ireland, have they not—They have.

5324. Will you have the goodness to state to us exactly what those powers are?—The connection between the corporation of London and the Irish society is not very intimate; it is a separate establishment in point of fact, but some of the members of the corporation form the governor and assistants of the Irish society; the recorder being one, and the common serjeant another; and certain portions of the aldermen and common council.

5325. Before we enter upon the relation of the corporation to Ireland as the owners of property or as the managers of property there, I wish to refer to certain powers which I understand the corporation of London to have over the municipalities of Londonderry and some other towns. Have not they some jurisdiction over the corporations of those towns?—I do not think any is exercised. I know, a short time ago, there was a petition from some parties in Londonderry to the court of common council. It was considered, as all petitions which are sent to them are, but I think it was followed by no result; they were not able to do anything.

5326. What was that petition about?—I really forget at this moment, but I can of course lay it before you.

5327. Is not it necessary that any bye-law passed by the corporation of Londonderry should be confirmed by the corporation of London?—I have never known such a power exercised. I do not think there is any such authority in actual use. The petition which I refer to would seem to imply a doubt whether the City of London had not jurisdiction with respect to it; but in that instance I know the jurisdiction was not exercised; whether it was because they had not the power, or because the occasion did not seem to justify the interpretation I cannot at this moment recollect.

5328. You cannot recollect to what that petition referred?—I remember it was a long petition. My impression is that there was a particular party at Londonderry who wanted their interposition for some purpose of their own. I will have the petition produced to you.

5329. Has your attention never been directed to any powers or privileges which the corporation of London possesses with reference to those other corporations in Ireland?—Never further than that. I remember that occasion because I saw the parties. They corresponded with me, and I wrote to them.

5330. What is the relation of the Irish Society to the corporation?—I hold in my hand a complete statement of the charters, and of what has been done in respect to the Irish Society, which I obtained from the secretary of the Irish Society, for the purpose of laying before you. But I think, if I may be allowed to say so, anything respecting the Irish Society will come much better from the society itself, than from me. We have really very little to do with it. I have this book here, which contains, amongst other things, Lord Lyndhurst's judgment upon the case which was before the House of Lords a short time ago, which created a great interest; and I have also the accounts which are, from time to time, delivered by the Irish Society to the corporation of London, and are printed and circulated every year.

5331. Will you have the goodness to explain to us the nature of the Gresham fund?—The nature of Sir Thomas Gresham's will is to give the property mentioned, between the corporation of London and the Mercers' Company; both those bodies appoint committees, who act together, and, occasionally, separately; they each have their particular department. Under their care the Royal Exchange of London was rebuilt after the Fire of London; and again, after its destruction by fire, in the year 1835. There has been an elaborate report made with respect to the building of that establishment; but I do not know whether it would communicate any particular information to the commissioners. The City's moiety of the last rebuilding, to the 31st December, 1846, was 84,267*l.* 3*s.* There have also been one or two reports made by the committee of the corporation of London, which I endeavoured to obtain this morning, but I was unsuccessful, which would give you all the information respecting it which you can desire. The Commissioners are probably aware that there are a certain number of professors appointed under this will, who give their lectures at Gresham College. Those lectures used, many years ago, to be given in one of the rooms of the old Exchange; but upon the rebuilding of the present Exchange, it was thought expedient to detach them from the place of business, and keep the college by itself. It has therefore been rebuilt as a separate building, at the corner of Basinghall Street, and there the professors during certain terms give their lectures. This was done during the years 1842, 1843, and 1844, at a cost to the City for their moiety of 6,955*l.* 15*s.*

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5332. How many professors are there?—The Rev. Henry John Parker is the professor of divinity; the Rev. Joseph Pullen is the professor of astronomy; the professor of music is Mr. Edward Taylor; of geometry, Mr. Robert Pitt Edkins. These are appointed by the Gresham committee of the corporation. The others are appointed by the Mercer's Company. They are: civil law, Mr. William Palmer; rhetoric, the Rev. Edward Owen; physic, Dr. Henry Herbert Soutey.

5333. Are their lectures well attended?—I believe not, with the exception of one or two, which are rather more attractive than the rest. The music lecture, I believe, is very well attended; certainly, occasionally it is so.

5334. Are the lectures gratuitous?—The lectures are quite gratuitous; they are usually in the morning; but Mr. Taylor was enabled to make some arrangement that his should be in the evening, when people are more disengaged, and that seems to have been successful in making his lectures more frequented. I know that many of the professors very much regret that their lectures are not more attended, and they would make any effort in their power for that purpose.

5335. Can it be considered that Gresham College is at all efficient as a place of education?—I am not prepared to say that; the great difficulty is getting people to attend the lectures. As far as I can learn from the professors, I believe the deficiency arises from the great occupation of everybody in the course of the day, which leads to their not being better attended.

5336. The City have spent more money in building the Exchange than they have derived from the Gresham estate, is not that so?—Yes, there is a considerable debt.

5337. The Gresham fund is in debt to the corporation?—Yes; I believe it has been applied and managed as well as it possibly could be, and the corporation have not hesitated to advance their money for what was necessary. The building of the Exchange necessarily caused a great outlay, and particularly the approaches to it The value of ground in that particular neighbourhood is so great, as to make anything like the provision for sufficient area for the frequenters of the Royal Exchange involve a very considerable expense.

5338. There seems to be a difference of opinion about the state of the law on the subject of the customs of the City, as to whether legal and valid customs of the City can be repealed by the general words of an Act of Parliament?—That has been, and is still, a point in dispute. That was, to a certain degree, brought under the consideration of the court in the application for a mandamus by persons to be admitted into the Mayor's Court, to which I have already referred. The provision being express in the Act of Parliament, that in all inferior courts, any person duly admitted in the superior courts should be allowed to practice, it became one of the ingredients in the argument against the application of that Act to the Mayor's Court in the City of London, that the Mayor's Court of London existed by the custom of London; and a general Act of Parliament, with only general words, would not override that custom. I believe that argument was put before the court by the late recorder, Mr. Law. Inasmuch as there was a peremptory mandamus in that case, the decision of the Queen's Bench was against that view; they decided that the Act did apply, and therefore ordered that the attorney should be admitted. There was an appeal from thence to the Court of Exchequer chamber; and there the proceedings upon the mandamus were stopped, by a defect pointed out in the return to the mandamus.

5339. So far as the opinion of the Court of King's Bench went, it was given in such a manner as to show that they did not admit the doctrine, that the general words of an Act of Parliament would not defeat the customs of the City?—It involved a denial of that proposition.

5340. Still the point has never been decided by the highest courts?—I believe it has never been decided by the highest courts. I am not aware of any case which has decided either the negative or the affirmative. I ought to say that the question was involved in a little more doubt, because, I believe, in the course of the argument, some of the judges in the Court of Exchequer chamber expressed an opinion upon the subject; the others declined to state any opinion, but confined themselves to that which was necessary to enable them to come to a decision upon the case.

5341. So far as the point may be considered as resting upon decisions now, the view of the courts would be that the general words in an Act of Parliament do override the customs of the City?—I should think a proposition of that kind would involve many distinctions. In some cases it might be so, and in some it might not. I think it would be very difficult to extract from the cases a general proposition either one way or the other.

5342. The question would very much depend upon the wording of the particular Act, and the nature of the particular custom?—Precisely so.

5343. It would be open to argument in each case as it arose?—Yes.

5344. Every member of the livery of a company who takes out his freedom is entitled to vote at an election in Common Hall, but do you consider that the circumstance in any way constitutes the companies a portion of the corporation?—That really is a very difficult point. Whether the companies are so connected with the corporation that they may be said to be a part or an adjunct of the corporation, is a point which I never have been able to satisfy myself convincingly upon. Considering that all the institutions of

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London have more or less connexion with trade, and that those companies were originally established for the regulation of particular trades, one can hardly suppose that they were entirely separate and distinct from the corporation. And again, inasmuch as the corporation have from time to time granted liveries, and otherwise dealt with the companies, and have enrolled some of their charters in their books, it would seem to indicate the existence of a connexion between them, but, in point of fact, there is very little control exercised over them. Those companies who have resorted to the corporation still seem to keep up a sort of allegiance to the corporation, and from time to time resolutions are passed with respect to them by the Court of Aldermen, and ordinances are made in relation to them, but the instances are rare, and I should think it difficult to say that the corporation was connected with the substantial constitution of the companies. They manage their own funds, and elect their own rulers, and, in every respect, act almost wholly independently of the corporation.

5345. The companies, for the most, have no connexion with the trades whose names they bear, have they?—With the exception of the Goldsmiths' company, the Stationers' company, and the Apothecaries' company, I believe that is the case. Those three companies do substantial service in their respective trades. The goldsmiths in assaying, the stationers in superintending the publication of books, and keeping copies of all books, and the apothecaries, I believe, in the regulation of drugs and of some of the practitioners. The Vintners' company have also some control in respect to the licensed victuallers; but it does seem to me that it would be a very easy thing, and, I should think, a desirable thing for the public, if some of those companies did interfere with their trades, at least in the way of inspecting articles which are matters of sale, and putting a mark upon them by voluntary interposition.

5346. If the companies are not largely connected with the corporation of London, suppose all the companies were dissolved, where would be your Court of Common Hall?—If all the companies were dissolved, the elections under the 11th George I. could not take place.

5347. The Common Hall would be, in fact, dissolved; the constituency of the Common Hall being the liverymen?—So it has been conceived.

5348. The constituency, in truth, consists of the liverymen, does not it?—Supposing the liverymen were removed, the operation of the Act of the 11th George I. would be limited, but I think no one would be quite prepared to say that there would not, nevertheless, be a Common Hall of the City of London.

5349. Consisting of whom?—Of the freemen.

5350. That would be contrary to the present constitution of the Common Hall?—They would not have a right of election. The right of election is regulated by that statute of George I., but I do not see how that could possibly prevent the whole body of citizens from being an existing body, though the liverymen should all be destroyed.

5351. Does the Common Hall ever assemble for any purposes except those of elections?—Yes; they assemble for other purposes, and, in point of practice, the livery, I believe, only attend there; but that was not the original constitution of London. All the citizens, no doubt, formed the Common Hall, but they used to meet in so large a number as to be inconvenient, and that body, which was repeatedly called *immense multitudes*, were prohibited from attending. Then the inquests from the wardmotes attended for a time. Then there came a bye law, which directed that the liverymen should attend.

5352. Is that restriction to the liverymen confined entirely to those elections?—It is not, in point of practice. If the Lord Mayor thinks fit to call a Common Hall for any purpose, the liverymen alone attend there.

5353. Supposing a man who was not a liveryman, but a freeman of the City of London, and a freeman of a company also, were to insist upon attending a Common Hall so called by the Lord Mayor, would he be entitled to be there or not?—Of course, I have difficulty in answering that question, but, according to my impression, I should think he would be entitled to be there. I know of nothing to exclude him but that Act of Parliament.

5354. Is not it the fact, that, taking the practice and the bye laws which had been made before the 11th George I., and that Act of Parliament of the 11th George I. together, there could not be now any elections in Common Hall if there were no companies?—Certainly, as long as that Act of Parliament subsists.

5355. So far, therefore, they are connected with the corporation?—Yes. But I dare say the anomaly strikes your mind of only that class of freemen being allowed to act who are selected by other people not immediately connected with the corporation.

5356. Does not that very circumstance bring those companies into connexion with the corporation, as far as those elections go?—Certainly; and there are regulations of the corporation to secure the attendance of the liverymen, and nobody but the liverymen.

5357. Is there anything which you wish to add to your previous evidence?—There is one point to which I should wish to refer—it is with respect to the forty feet way upon which evidence was taken by you at some length. After the fire of London there was a clause introduced into an Act of Parliament which required that a passage or way of forty feet should be continued from the Temple to London Bridge. It was the other day made a ground of complaint against the corporation of London that they had not maintained that forty feet way. In the clause is the exception that certain buildings may

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be continued there, and such other buildings as His Majesty should license. Now as that power appeared to be in the Crown of licensing houses to be built there, I must confess it does not appear to me how it can be made a subject of complaint against the corporation of London that houses have been built there. They were not, directly or indirectly, trusted with the guardianship of that ground, and it would seem more than probable that the ground had been built on by individuals from time to time as connected with their own property; but, in point of fact, some persons in the City were very desirous that this way should be kept open, and there was a considerable agitation continued for some time, to insist upon its being kept open. That to a certain degree, I believe, alarmed Mr. Calvert, whose extensive brewery is upon the line, and he applied to Parliament for a bill to repeal that clause in the Act. The City of London, though not called on to keep this forty feet way clear, thought, nevertheless, that it was not quite justifiable to repeal that clause in the Act of Charles II., and, accordingly, they opposed as strongly as they could the bill of Mr. Calvert. On the 22d of February, 1821, "The Remembrancer, " attending, stated to the court that on Wednesday, the 21st instant, Mr. Charles Calvert, " one of the members for the Borough of Southwark, gave notice in the House of Commons " that on Monday next he would move for leave to bring in a bill to repeal that point of " the Act of Charles II., chap. 11, passed after the rebuilding of London, which restricts " any proprietor of wharves between London Bridge and the Temple from building or " creating any walls of a particular description on that line of quay." It was resolved, " That it be referred to the committee for letting the City lands to consider the com- " munication of Mr. Remembrancer, and take such immediate steps as may be necessary " thereon, and to report thereon to this court." In consequence of that direction the City of London opposed the bill to their utmost strength, but were not successful. Therefore it is undoubtedly clear that no blame can be attached to the corporation of London for submitting to that which the legislature thought proper to enact. There was a point which I deposed to before, with respect to the duties of the aldermen. There was one which was so far prominent that I could easily have laid it before you, but, I am sorry to say, the book has not been brought here this morning. Perhaps you will permit me to describe the book, and have it produced before you another day. It is with respect to the proceedings of the aldermen in the Guildhall. There is a meeting every Saturday for the purpose of taking cab cases, omnibus cases, and cases more or less connected with the police and the weights and measures. There is an elaborate return kept by them constantly of the cases which are brought before them.

5358. By whom is that meeting attended?—The meeting is attended by Mr. Wood, the clerk of the magistrates.

5359. How many magistrates attend?—One only, when the cases are fit for the determination of one magistrate, and two where two are required. The number of police cases heard by the City magistrates sitting at the Guildhall on Saturday of each week has been 2,553 per annum, on the average of the last five years, or forty-nine cases at each sitting. The result of them all is drawn out every quarter, and the fact certainly appears distinctly from them, bearing upon the evidence which was given before you as to the character of the magistracy of the City of London being likely to lead to different decisions, that there is a striking correspondence in the decisions made by one alderman and another, almost to the very sums which are imposed as penalties.

5360. They are all advised by the same legal officer, are they not?—They are.

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Edward Tyrrell, Esquire, having been sworn, was examined as follows:

5361. What office do you hold in connection with the corporation of London?—I hold the office of City remembrancer.

5362. How long have you held that office?—I was appointed in the year 1832.

5363. Did you hold any office connected with the City of London before that time?—I held the office of deputy remembrancer from the year 1827.

5364. Who was remembrancer before you?—My father.

5365. How long did he hold that office?—He had held the office, I think, from the year 1793.

5366. What is the amount of the salary and emoluments attached to the office you hold?—The emoluments are derived from two sources—one is a certain annual payment of 1,000*l.* a-year from the corporation of London, and 250*l.* for office expenses. That includes the payment for all business done for the corporation, which is paid out of the corporate case. I am also entitled by the terms of my appointment to charge for parliamentary business done for funds under Acts of Parliament, or otherwise not chargeable upon the City cash, the amount of which for the year 1852 will give the average of the previous five years, about 700*l.*

5367. If there were any business done by you for the police fund, or for the sewers fund, there would be a separate charge?—There would.

5368. The amount of the receipts under that head varies probably in proportion to the quantity of parliamentary business which happens to be transacted within the year?—Some years there is scarcely any, and in others there is a large proportion of business done.

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5369. Would there be anything objectionable in point of principle, in your opinion, in the whole of the emoluments belonging to your office consisting in a salary, and the system of payment by fees being altogether abolished?—I think, on the contrary, it would be desirable.

5370. It would be more satisfactory to yourself probably?—It would.

5371. At present you receive a certain sum in the form of salary, and the amount of your receipts upon parliamentary business varies from year to year?—Yes.

5372. There are certain outgoings, are there not?—Yes, the annual expenses of my office have exceeded the allowance of 250*l.* by about 300*l.* a-year; therefore, in order to obtain a correct estimate of what the value of the office has been, about 300*l.* should be deducted from the 1,700*l.*, leaving a net income of about 1,400 a-year. The corporation allow 1,000*l.*, and 250*l* for office charges; the office charges are about 300*l.* beyond that sum of 250*l.*; therefore, that forms a charge against the other part of the income.

5373. Have you any patronage?—No.

5374. Will you have the goodness to proceed to describe the duties of your office?—The principal duty is that of parliamentary solicitor for the corporation in the two houses of Parliament. That includes a daily attendance, and also an inspection of all the proceedings of both houses. The corporation consider that I am responsible for everything that passes there which affects them, and they expect me to report to them anything which appears to me to affect their interest in any manner.

5375. Have you any other duties?—I am expected also to attend on Courts of Common Council, and all Courts of Aldermen, the presentation of addresses to the Crown, and the business of the corporation at the government offices, are in my department.

5376. You are a solicitor, of course?—I am.

5377. Is that the whole catalogue of your duties?—There are a variety of other duties, but they are all defined in the report of the royal commissioners, which you have before you, at page 88. If there is any question upon them, I shall be happy to answer it.

5378. Perhaps you will have the kindness briefly to enumerate them all?—"The duties "of the office of remembrancer may be generally stated to be those of solicitor for the "corporation in Parliament and at the council and treasury boards. He gives a daily "attendance at the houses of Parliament during every session, to examine all bills and "proceedings of the houses of Lords and Commons, and to report on such as may be likely "to affect the interest or privileges of the City." "In this capacity he has to watch "from 100 to 200 bills every year." As the quantity has now very considerably increased, I should say I have to watch from 400 to 500 bills every year, "and there are few years "in which the corporation have not at least one bill of their own in progress."

5379. Do you mean that there are now between 400 and 500 bills every session of Parliament which more or less affect the City of London?—No; but the whole of the bills brought before Parliament amount to that number.

5380. I suppose with respect to the vast majority of those bills, when you first see them you know at once that it is impossible that they can affect the City of London?—That is so as to a very large proportion of them.

5381. Can you at all state to us what is about the number of bills which usually have, either directly or indirectly, some relation to the City?—Last year, the number was 50.

5382. Was that an unusually large number?—It was rather a larger number than usual.

5383. Those were private bills, were they?—Some of them private and some public. "His duty is further to take the necessary steps to procure the presentation of all "addresses and resolutions of the corporation to the King and Queen, and all the branches "of the royal family. To make copies of the addresses, and deliver the same and to "attend the sheriffs when the appointment is made to receive the address or resolution, "and the corporation when the same is presented. To engross all petitions of the corporation to be presented to either house of Parliament. To make copies of the petition, "and deliver the same, and to attend when the petitions are presented. If the petition "be to the house of Lords, the remembrancer, with the sheriffs, waits on some peer of "Parliament and requests him to present it." He *had* to make application for obtaining the City impost for duties on wine. That I have not now to do, as the payment has not been made for some years. "It is the duty of the remembrancer to make an appoint "ment with the cursitor baron, for the presentation of the sheriffs elect, to him in the "Court of Exchequer, at Westminster, to give notice to the necessary parties of the "appointment, and to attend with the sheriffs where they are presented. To make applications for, and obtain, the summer and winter venison warrants, and to deliver the "same to the parties entitled thereto, when received. To obtain an appointment from "the Lord Chancellor for the presentation of the Lord Mayor elect, for his Majesty's "approbation. To give notice to the necessary parties of the appointment, and to attend "the Lord Mayor elect when he is presented. To attend and assist the committee "appointed by the Lord Mayor elect and the sheriffs for conducting the entertainment at Guildhall, on Lord Mayor's day. To attend and assist all committees appointed "in respect to public entertainments given to royal and illustrious personages, and on "other public occasions in the Guildhall. To take the necessary measures on the demise "of the Crown with respect to the accession and the proclamation of the successor. On "public thanksgivings at St. Paul's Cathedral, and public funerals, he has to take the "requisite measures for preserving the privileges of the corporation, and obtaining their

" due precedence in the processions and in the cathedral. To attend the court of claims " appointed at coronations, and support the claims of the Lord Mayor and citizens. To " obtain the allowance and orders in relation thereto, and to preserve their rights on " such occasions. The remembrancer has to attend at all Courts of Aldermen and Courts " of Common Council, and on the committees of those courts when the attendance of the " remembrancer is required in any of the previous matters."

5384. In short, your duties seem to be comprised mainly under two heads; one the conduct of Parliamentary business, which affects the City of London, and the other attending to all points of form and ceremony?—Exactly so.

5385. What may be called the remainder of the legal business of the City of London is transacted by their solicitor I presume, and not by you?—And by their Comptroller. The common law, chancery, and other legal matters are conducted by the solicitor, and the conveying by the Comptroller. When I was appointed to the office, a very considerable reduction was made in the emoluments. The former remembrancer received 700*l.* a-year for his official duties, and was entitled to charge for all his Parliamentary business besides. Under those circumstances the emoluments would now amount to at least 3,000*l.* per annum. I have also since I have been in office been enabled to effect a considerable saving to the corporation. In the year 1835 the House of Commons made an order that the clerks of the House should no longer be employed as Parliamentary Agents. Up to that period the City remembrancer had always employed a parliamentary agent. While the clerks of the House were the parliamentary agents, there was decidedly a great advantage to the corporation in doing so. I felt after that I could transact the business for them I have since that time acted as their parliamentary agent, and I calculate that it has effected a saving to the corporation of from three to five hundred pounds a-year.

5386. You mean if there were no officer holding the situation you hold, the City would still be obliged to incur great expense in Parliamentary business;—Yes. Parliamentary business is generally divided into two heads; there is the solicitor and the parliamentary agent. The great majority of solicitors who are engaged in Parliamentary proceedings employ a parliamentary agent, who makes a charge in addition to their own. I do not do so; I do the whole of the business.

5387. In watching a Bill which affects the City, if you have occasion to take some important decision in regard to the course which ought to be adopted, do you exercise your own discretion, or refer to any parties connected with the corporation as your guides in the course which you should adopt?—My usual course is, at an early period of the session of parliament, to report to the common council any Bill which I think likely to affect their interest. Their practice is, to refer that Bill to one of their committees, in whose department it may happen to be. If any proceeding takes place upon those Bills, I immediately put myself in communication with the chairman of the committee; he either acts upon it with his own individual authority, or, if he thinks it of importance, calls the committee together, who give me instructions what to do. In case any proceeding should arise in Parliament, of which I have not apprised the Court before, I then apply to the Lord Mayor, and act upon his orders.

5388. Take the contest with respect to Smithfield market, which is perhaps the most important contest on the part of the City which has rececently taken place; what steps were taken with respect to that bill?—The course pursued on that bill was, that immediately I knew there was to be such a bill brought forward, I reported it to the Court of Common Council, and they referred it to the Markets Improvement committee.

5389. We have heard that in that instance, there was an extraordinary expenditure incurred by the City in opposing the Bill; had you anything to do with the control of that expenditure, or the management of it?—The management of it was generally in my hands: that is to say, I knew from time to time what was going on, and everything was done in a great degree under my authority.

5390. Take that part of it which may be called the irregular expenditure in that case; had you the management of that?—I had the management, so far as receiving the money and paying it to Mr. Scott, who paid it over to the parties.

5391. Do you mean that you were not the party who determined how the money should be spent?—In some degree I was, because there was no very large outlay incurred, without a communication between me and Mr. Scott with respect to it.

5392. What was the total amount of that outlay?—2,750*l.*

5393. Mr. Scott stated to us, that out of that sum of 2,750*l.*, professional gentlemen were employed who did not appear before the committee of either house?—I believe there were.

5394. Were any of those professional gentlemen retained or employed by you?—I think not.

5395. By whom were they employed?—I am not sure that I know the names of the parties; it was represented to me that it would be desirable to have the aid of some literary gentlemen, and I gave my sanction to some small sums of money being applied for that purpose.

5396. It was only 100*l.*, was it?—That was all.

5397. How was the rest of the money spent?—The main part of it went to the parties who got up petitions. I believe, as far as my memory will carry me, that about 2,200*l.* was spent in that way.

5398. Did you apprise the court of that expenditure?—In a certain degree I did

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Whenever any considerable amount was paid, the bill was brought to me, and when I was informed that the money in hand had been expended, I applied to the committee, who drew warrants from time to time for the money required.

5399. You probably selected the agents whom you thought best able to carry your purpose into effect?—I did not personally select the agent, though I gave my sanction to his being employed.

5400. Was it an unusual occurrence to devote a certain sum of money to an object of that kind in conducting parliamentary business, or is it a common occurrence, when any important parliamentary question affecting the interests of the City of London comes forward?—It was a most uncommon occurrence. There have been, I think, upon two other occasions small sums expended, but I may call it altogether an uncommon occurrence. It was a very uncommon proceeding altogether.

5401. You can state to us, can you, from your knowledge of parliamentary business, that it is not a usual thing for the City of London to devote a considerable sum of money to what may be called private modes of opposing a bill in parliament?—Certainly.

5402. What was the total sum expended by the corporation of the City in opposing that measure?—There was the sum of 2,750*l.*, which I have named to you; and then there was a sum of 3,169*l.* 11*s.*, which was the amount paid by me for council, witnesses, and the other usual legal charges.

5403. Those two items constituted the entire expenditure on that occasion?—Yes; I believe from what I have observed of the parliamentary proceedings, it is rather under the sum which was paid by the Government for the same purpose.

5404. Did you select the counsel whom you thought it expedient to employ?—I did.

5405. Is it your habit to do so?—When I think counsel ought to be employed, I inform the committees, and I name the counsel. If the committee approve, I engage them.

5406. The bill of the solicitor employed by the Government was printed by parliament was not it? and every item was set out at length?—I never saw it. The corporation, it should be observed, have, under the terms of my engagement, the whole of my time without any charge.

5407. Are the accounts of the expenditure incurred by parliamentary business laid fully and in detail before the court?—Every one.

5408. Are they published?—No. As soon as any parliamentary matter is over, I prepare a detailed account of all the expenses, and lay it before the committee, under whose order and direction the proceedings have been conducted. The account is examined by the committee and chairman, and if the business charged for has been ordered by them, the bill is signed by the chairman. When the bill is so signed, it is laid before the Court of Common Council; and it is referred by the court to the Law Bills' committee, composed of the legal gentlemen of the court, with a few others. The bill is then referred by the Law Bills' committee to one or two of their members, who are legal men. They go through it, they see all the vouchers and all the papers, and they either sanction the bill generally, or they sanction the bill with some charges taken off. When they report again to the Law Bills' committee, if that committee is satisfied with the report, a warrant is ordered, and the bill is paid by the chamberlain.

5409. How does it appear in the City accounts?—It appears in the City accounts in a single item in general, as money paid to the City Remembrancer for his account of disbursements.

5410. Does it specify the particular measure in respect of which the charges have been incurred?—Yes.

5411. Should you see any objection to those accounts being laid before the corporation in extenso, and in detail?—None in the least.

5412. You think there would be no objection?—None at all.

5413. Were you remembrancer at the time when the recent Police Act was passed?—I was.

5414. Is the description which one of the witnesses, Mr. Rogers, gave of the manner in which that operation was conducted, borne out by your own recollection. He says, "In that case the minister of the day, Lord Melbourne, brought in a Bill to unite the City police to the metropolitan police. It was objected to by the corporation; they petitioned the House of Commons; they saw that the minister was determined; they then addressed the Crown, and a gracious answer was given; but they understood its nature. The minister was still determined, and they then acted on the French maxim, 'Help thyself, and heaven will help thee.' They immediately fixed their town clerk in New Palace Yard; they gave him a large body of assistants, and instructed him to communicate with every corporation in the United Kingdom. The consequence was, by the influence of those country corporations, the minister found that his support fell like a rope of sand?"—I should say that that is an overcharged description of what took place. There was a committee of the corporation to whom the Bill was referred, and they engaged a room in Palace Yard. I believe there were communications made to some portions of the country; but I am enabled to inform you what the whole of the charges were upon that occasion. For that part of the business they were 306*l.*

5415. Do you mean that 306*l.* included the charge for rooms and for communications?—Yes, and everything of that description.

5416. Were there any literary gentlemen engaged on that occasion?—I think not; it was a very rare occasion when they were employed, an occasion of the confiscation of the property of the corporation.

5417. Will you explain, as you are competent to do, what are the principles laid down by the City in respect of what they consider the confiscation of their property, and their claim for compensation under such circumstances. What do you consider to be the meaning of the term property as applied to the revenues of the City?—I imagine they consider that their property in the markets, which was the property then in dispute, belongs to them, and is exercised by them for the benefit of the citizens at large.

5418. They consider the tolls of the markets in the same light as the rents of land?—Yes.

5419. And as strictly falling within the designation of property?—Yes.

5420. Any measure which took away the tolls of a market without compensation from some public fund, they would consider in the light of confiscation, and contrary to justice?—They would; they would act like any other parties who have property.

5421. Would they apply that doctrine to the tolls upon carts now levied on their entrance into the City?—I am enabled to say that they do not apply that doctrine to those tolls now, because, in an application to Parliament in the year 1852, it was part of their plan to give up those tolls.

5422. That would have been a voluntary surrender?—Yes.

5423. Supposing they were not consenting, would that be a portion of their revenue to which you would apply the term property?—Certainly.

5424. How would it be in respect to the tonnage dues?—That is a different thing. They are dues established by virtue of an Act of Parliament, and granted to them for a particular purpose. They might probably object to the management of those dues being taken away from them; but I apprehend in that case there would be no claim of property.

5425. How would it be with respect to the 4d. coal duty?—That is decidedly property.

5426. You consider that the 4d. coal duty is property, and that in case of a repeal or a reduction of the duty, the City would be entitled to compensation?—I should say so: in support of which I would bring forward a case which occurred some years ago,—the charge for coals payable to the Richmond family. That was a grant to the Richmond family of 1s. on every chaldron. Parliament thought it ought not to be continued, and they passed an Act to abolish it; but gave a fair compensation to the parties entitled to it.

5427. You put the right of the City to the coal duty on precisely the same footing as the grant to an individual out of a duty?—It appears to me very much to rest upon the same principle.

5428. Do you consider the metage duties as property?—I should equally consider them to be so.

5429. In case of any one of those duties being either abolished or reduced, from what fund do you consider the compensation ought to come?—That would be a question very much to be considered by the parties who proposed to abolish or reduce them.

5430. Is there any other fund than the consolidated fund available for the purpose?—I do not know of any other fund. When the docks were established in the port of London, there was a very large claim for compensation, made by the wharfingers, the lightermen, and the warehousemen. It was ultimately decided that those parties should receive compensation, and that they should be paid out of the consolidated fund; and they were so paid.

5431. You do not think it would be an equitable compensation if the corporation came upon the rate-payers of the City?—I think that would be no compensation. It would be giving them the power of obtaining money in some other way in lieu of the money which had been taken away from them. I am very much afraid if the money were left to be raised from the rate-payers for public improvements, there would be a very small sum raised.

5432. Do you think any distinction could be drawn between the right to levy dues of this description conferred upon a public corporation for public purposes and a similar right given to any individual for his private benefit?—It would depend upon the terms of the grant. If the grant was to the corporation for public purposes, the dues must be so applied, but otherwise the dues would form part of the general funds of the corporation, as any other property which they possess.

5433. Is not every right and every property enjoyed by a corporation necessarily one belonging to them for public purposes, and not for private purposes?—It belongs to them for the purposes of the corporation.

5434. Do you mean for the benefit of the individual members who compose the corporation or for the benefit of the community in so far as the corporation represents that community?—I should say that it was for the benefit of the parties by whom they were chosen.

5435. At the time when this 4*d.* duty was granted to the corporation of London, the corporation of London represented the entire metropolis, did not it?—Exactly the same metropolis, or that part of it which they do now.

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5436. That is to say the whole of London was then comprised pretty much within the boundaries of the City?—There was not so large a portion outside the walls then as there is now.

5437. Do you think it probable, if London in those days had been as large as it is now, that the right of levying a duty of this sort on the consumption of coal by the inhabitants of this great metropolis would have been granted to so small a portion as is now contained within the walls of the City of London?—That is a question which I can hardly answer; it would very much depend upon the peculiar circumstances of the case.

5438. Is not it reasonable to conceive when a right of levying a duty of this description on the coal consumed by the inhabitants of the metropolis was granted to the City of London, knowing as we do, that at that time the City of London was really the whole metropolis, or almost so, that it was granted to it because it was the metropolis, and that it would scarcely have been granted to it in perpetuity, if it had been anticipated that it would become so much less a portion of the metropolis than it was then?—That is impossible to say. I believe that when the coal duty was first granted there was no idea that the buildings outside the walls would become so numerous as they are, but the coal duty has for some time been employed for the general advantage not only of the City of London property, so called, but of all that part of the metropolis which surrounds it.

5439. I distinguish the 4*d.* duty from the rest of the City fund. I believe the City holds that the 4*d.* duty is to be considered as their own particular property?—It has always formed part of what they call their general funds.

5440. Yet that 4*d.* duty is contributed by the whole metropolis and the country round it?—It is.

5441. With reference to the principle which you would follow in watching Parliamentary business in the House of Commons, I think the general principle which you adopt is to insist upon the exemption of the City from the operation of any Act of Parliament which you think would control and interfere with the rights and privileges enjoyed by the corporation?—We have done so.

5442. You adopt that principle with regard to the Charity Trusts' Act, did not you?—No; I think the course taken by the corporation of London was in no way injurious to the passing of that Bill, but the contrary. The statement that I, as the officer of the corporation, applied for the insertion of any clause in that Bill, is wholly unfounded. I have here the Bill as brought in by the Lord Chancellor in the House of Lords, and in section 38 it contains the clause which has been complained of. That clause was inserted in the Bill without the smallest communication with, or suggestion from, the corporation of the City of London. When that Bill was brought in, I laid it before the Common Council, and they referred it to the parliamentary committee. They asked me what course I recommended the corporation to take. My advice was: The Bill is so much improved compared with the former Bills, you had better not oppose it. The committee thought it was a matter of so much importance that they ought to have other advice, and they referred it to the town clerk, myself, and Mr. Scott, to peruse the Bill, and to report to them respecting it. I have in my hand a copy of our report on the 25th of July, 1853, "To the worshipful the parliamentary committee—Gentlemen, in pursuance of your "resolution of the 11th day of May last, whereby it was referred to us to consider the "Charitable Trusts Bill, and to report to you our opinion thereon, we have considered "the same, and beg to state that in our opinion the present Bill, by charging the "expenses of the Charity Commissioners upon the Consolidated Fund, instead of the "funds of the charities, is a material improvement upon the former Bills, and obviates "many of the objections entertained against them. That, although the delivery of the "annual accounts of the income and expenditure of each charity, and the other clauses, "giving the Charity Commissioners and their officers power to enquire into the conduct "and management of charities may be unnecessary with respect to the charities under the "management of the corporation of London and other great public bodies, yet in many "places they will be found useful and beneficial. We do not, therefore, recommend that "the said Bill should be opposed." There was no objection on the part of the City. Several of the parties who had opposed the former Bills applied to me as the officer of the corporation; finding that the City of London did not oppose, they did not oppose, and in consequence, the Bill passed in the very quiet way in which it did.

5443. Does the bill now include in its operation, the charities of the City of London?—Every one of them.

5444. Is there any difference with regard to the jurisdiction?—The Lord Chancellor has not applied the same process to charities, the incomes of which are under 30*l.* in the City of London, as he hae to charities outside the City of London. In charities outside the City of London, the resort is to the judge of the County Court. The charities of the City of London, the incomes of which are under 30*l.*, do not go to the judge of the County Court, but to the Court of Chancery in the ordinary way.

5445. Was that difference acceptable to the City. Did they prefer the clause as it stands in the Act to the general law?—They would have been perfectly satisfied with the reference of those charities to the judge of the County Court of the City of London.

5446. There never was any exemption clause in this bill?—No; not for the City of London.

5447. It was not in the bill when it was referred to you?—No.

5448. The distinction of jurisdiction, with regard to charities in the City of London and charities elsewhere, was not put in at the instance of the City?—Not in any respect, nor desired by them.

5449. You do not think it was ascertained beforehand, that such a clause would be acceptable to the City, and that it was put in in consequence of their wishes?—I have no knowledge of any such circumstance.

5450. When a bill is introduced into Parliament, on behalf of the corporation itself, is it part of the duty of the remembrancer to draw up that bill?—It is.

5451. In the Police Act, the 2d. and 3d. Victoria, chapter 94, local and personal section 59, it is enacted that "All precincts and places within the City of London, or the "liberties thereof, or adjoining thereto, not included in the limits of the metro-"politan police district, shall, for the purposes of this Act, be deemed to be parts of the "City of London, and of the wards which the same respectively adjoin." Was not the effect of that to make the Temple a part of the adjoining ward?—It was.

5452. And so to bring them within the Police Act, whereas before they were extra-parochial and watched themselves?—Yes. The Commissioners will probably like to know how those words were inserted in the Act. The clause is not as drawn in the first instance, that part of the clause was inserted by the Select Committee of the House of Commons. It was not at our request that it was so done. Finding that the clause was put in, I drew the attention of our late recorder, Mr. Law, to the clause, he being a bencher of the Temple at the time, and having done so, I thought I had discharged my duty.

5453. There was no direct communication with them?—No.

5454. Another Act of Parliament was brought to our notice the other day, the City County Court Act, in which there is the word "employment" inserted, creating a difference between that and the general County Court Act, in which there is no such word. It has been represented that great inconvenience arises from that circumstance, by reason of parties not being able to ascertain whether any particular individual has any employment in the City of London, though they might be able to ascertain very well whether he generally carried on business in London?—Those words were introduced into the clause at a consultation between Mr. Russell Gurney, the judge of the court, and Mr. Ogle, of the Queen's Bench Bar. The facts which were brought before them were, that there were a great many persons in the employment of the Bank of England, the Excise, the Custom House, and other large public establishments, who did not carry on business within the City of London, and a legal decision of the Courts had been given, that a person so employed as clerk did not come within the meaning of a person carrying on business. In order to meet those cases, amounting to some thousands in number, the words "or having employment" were introduced.

5455. Do you know whether that has occasioned any inconvenience?—We have had no complaints about it at Guildhall, and I have not heard that it has occasioned any inconvenience.

5456. It has been suggested that that would embrace many persons besides those who are employed in establishments like that of the Bank of England, and that there is great difficulty in ascertaining whether a man is or is not in employment in the City of London; the plaintiff being liable to the severe penalty of the loss of costs if he sued him elsewhere, though he had no means of ascertaining the fact?—We have not heard of any inconvenience arising from that circumstance.

5457. In case the corporation should instruct you to oppose any private bill, probably you take the ordinary course of opposing it before a select committee of the House of Commons?—Yes.

5458. If you fail before the House of Commons, you then go before the House of Lords?—Yes.

5459. Would your practice differ in any respect from the practice of any other public body opposing a private bill?—In no respect whatever.

5460. Supposing on the other hand the corporation instruct you to oppose a public bill, what is the course you then adopt?—The same course as would be taken by other parties. They would endeavour to see members of the House of Commons. They would prepare statements to be circulated among members, and endeavour to procure petitions to be presented either for or against the bill, as the case may be.

5461. Does either the practice of the house, or the habits of the door-keepers, or of the officers of the house, give you as remembrancer any peculiar faculties of access or any advantage for opposing Parliamentary bills?—None, except that by virtue of the office of remembrancer, I am entitled to a seat behind the Serjeant-at-Arms in the House, which gives me the means of access to Members of Parliament in a very convenient way.

5462. Is that an ancient privilege of your office?—It is.

5463. What are the maxims which the City follow in deciding to oppose either private or public bills? What do they consider to be an interference with their interests or their privileges?—The general principle would be if any bill proposed to take from them that which they possessed they would oppose it.

5464. Do not they go a good deal further than that?—I think not.

5465. Would they not oppose a bill, for instance, which made any alteration in any

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custom of the City, which was not in the nature of a possession and did not give them any pecuniary advantage?—They would not, unless they thought the repeal of it would be injurious to the City of London.

5466. Take for example any bill making an alteration in the law of debt or the remedies against debtors, interfering with the custom of foreign attachment. Would they oppose a bill of that sort?—I think they would, and with a great deal of justice. It is a very valuable law for the inhabitants of the City of London, and a law which a great many merchants and bankers would be very sorry to see abolished.

5467. Are not they in the habit often of procuring the insertion of clauses excepting them from the operation of general Acts of Parliament?—They are not in the general habit of doing it; the clauses of that sort, which have occurred in my time, are very few.

5468. Will you mention to us the cases, so far as you remember them, in which clauses have been inserted in general Acts of Parliament, shewing the peculiar customs, or privileges, or rights of the City?—I have an account for the last ten years. The first instance is the Small Debts Act, which has been mentioned. In 1848 there was a general exception of the whole of the metropolis from the Health of Towns Act.

5469. What was the ground on which those exceptions were made?—The ground for applying to Parliament was that the bill proposed to interfere with a vast number of sanitary arrangements, which belonged to the Commissioners of Sewers and were exercised by them. At that time a bill was before Parliament for the Commission of Sewers which, probably, led the way for the Health of Towns Bill, because it appeared when that bill was printed a great many of the clauses of the Commissioners of Sewers Bill, or similar clauses were inserted in it. The objection to that bill was that general powers should be given out of the City of London for purposes which it was thought ought to be exercised and could be advantageously exercised by the Commissioners of Sewers within the City. The next instance is the Metropolitan Sewers Act. That was opposed because it proposed to deprive the corporation of London of the management of their own sewers, which had been carried on in the manner which has been laid before you by the town clerk. The next instance was the Common Lodging-House Act. We procured an exception of the City from that, because more stringent powers were contained in the City Sewers Act for the same purpose.

5470. That Act has been considered and found to be a very beneficial Act, has not it?—Yes; stronger powers were contained in the City Sewers Act, which have been exercise for some considerable time before the Common Lodging-House was brought in, and which are now exercised. The next instance was the Smoke Prevention Act of last year. That Act will not come into operation till August next. We have much stronger powers in our Sewers Act for the same purpose, and we obtained a clause to be inserted in the bill of last year that the Act shall not interfere with the powers in the Sewers Act. Those are the whole of the cases which occur to me in the last ten years. Therefore the charge of continually, and in all cases, slipping in clauses exempting the City of London is not true, nor has it any foundation in fact.

5471. Have there been any clauses of exemption in private Acts?—No clauses of exemption. There have been a good many clauses inserted in private acts, as far as the navigation is concerned, that the parties shall carry out works in the Thames according to a plan seen and approved by the corporation. There have been a good many Acts in which clauses have been introduced that pipes shall be laid down in the City of London as the Commissioners of Sewers shall direct.

5472. Have there been clauses inserted in Dock Acts and Railway Acts with regard to the privileges of the City?—Yes. There have been clauses in some of the Dock Acts with regard to the metage dues; and there have been clauses in some of the Railway Acts with regard to the coal duties.

5473. Those clauses have not gone beyond the preservation of the existing rights of the City?—No. That is the general principle upon which such clauses have been inserted.

5474. Will you state whether there has been any disposition on the part of the corporation to create a separate system of legislation in the City, and to exempt it from Acts of general operation?—There has been no such feeling or disposition on the part of the corporation of London. What they have been anxious to do, is to preserve within themselves the management of that which they have managed for years, and which they believe has been carried on for the advantage of the citizens of London.

5475. You state with great confidence to the commissioners, being aware of the proceedings of the Court of Aldermen, and the Court of Common Council, that in instructing you to oppose public Bills they have not been influenced by any general view of that kind?—I am quite sure they have not.

5476. Are there any other points which you would wish to bring before the commissioners?—The commissioners were desirous of having the cost of the entertainment on Lord Mayor's day, and the cost of the procession. I find, upon looking back, the average cost of the entertainment on Lord Mayor's day has been 2,000*l.*; and a sum of 200*l.* beyond that has been paid by the corporation of London. Therefore that makes an average of 2,200*l.*

5477. In what proportion is that defrayed?—This sum of 2,000 is defrayed in equal moieties by the Lord Mayor and by the two sheriffs. The usual cost of the procession has

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been under 200*l*. Last year, when there was a revival of the ancient show, it cost a good deal more. It cost 490*l*., but the general average has been under 200*l*

5478. Who paid the extra expense of the procession last year?—It was paid between the Lord Mayor and Mr. Sheriff Wire.

5479. Are the expenses of the procession divided into equal shares, the Lord Mayor paying one share and the sheriffs paying the other share?—They are.

5480. Was what used to be called in former times the Lord Mayor's pageant a distinct thing from the procession on Lord Mayor's day?—It was something in the style of the show last year, but it was carried still further. There were generally actors there who had a part to perform. Some of the early pageants were written by Peele, Webster, and others of our early dramatists.

5481. In those days the City had a regular poet laureate, had not they?—Yes, for some years; but there was a person usually engaged from year to year for the purpose of composing those pageants.

5482. They had no regular share in the establishment?—No.

5483. Is there any other point to which you wish to advert?—In answer to Questions 1221 and 1222. it was stated that on the occasion of the opposition to the Smithfield Market Removal Bill, large sums of money were spent by the corporation in entertaining members of Parliament. I beg leave to say that that was not the case. No such sums were spent. The only sum expended in entertainments on that occasion was the sum of 14*l*. 17*s*., which is about the usual sum expended at the House of Commons for the sheriffs when they go down to present a petition there.

5484. Is there anything which you desire to state respecting the conservancy?—Only that the corporation have been very anxious for the public interests to have the matter arranged with the Government. There are many improvements which they are anxious to carry out. There are shoals which they are anxious to have removed, but they feel that while the matter remains in its present uncertain state they cannot proceed to do so.

5485. There is no contest with the Government with respect to the conservancy; it all relates to the property of the corporation, does not it?—Several improvements which are contemplated would relate to the bed and soil of the river as well as to the conservancy.

Adjourned to to-morrow at 12 o'clock.

Wednesday, 18th January 1854.

The Right Hon. HENRY LABOUCHERE, M.P., in the Chair.

Rt. Hon. J. A. S. Wortley, M.P.

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The Right Hon. James Archibald Stuart Wortley, M.P., having been sworn, was examined as follows.

5486. You are recorder of the City of London?—I am.

5487. How long have you held that office?—I have held it since the autumn of 1850. I was elected in September 1850.

5488. What is the salary attached to your office?—3,000*l*. a year.

5489. Are there any fees and emoluments?—There are some trifling fees. I receive six guineas annually from the sheriffs for presenting them to the cursitor baron in the Court of Exchequer. I receive 2*l*. 6*s*. 8*d*. as fees for attending the Conservancy Courts. The salary I understand to include all legal advice given to the corporation on questions within itself, but if I meet foreign counsel, as we may term them, that is counsel not connected with the corporation, in consultation it is considered that I am entitled to fees, and I have received fees in that manner. I have made a return of the amount of those fees to the town clerk, which will be laid before the commission.

5490. Can you state what the amount was?—The amount in the year 1852 for which I was called on to give it, was, as far as I recollect, 150 guineas, but that would not be a fair criterion of the fees in general, for in 1851 I received but sixteen guineas, and in the year 1853 I received but fifteen guineas. In fact, it is only occasionally that there are any questions out of the corporation in which we are called on to consult with other counsel. There are also some deductions from the emoluments of my office. I have to pay a salary to my clerk and to keep chambers, which, together, cost me at present about, 85*l*.

5491. Are you debarred, in accepting the office of recorder, from private practice?—I am not, and I am not aware, inasmuch as I was elected in my absence, whether there was any general understanding upon that subject; practically, however, I am debarred in effect from practising in Westminster Hall by the nature of my duties, and the constant employment I have in my office. I have practised to a certain degree since I took office. At the time I was appointed I had been retained in more than one peerage case in the House of Lords; very heavy cases, in which it was important that the counsel who were

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already acquainted with the case should continue to act, and I have continued to attend the House of Lords in those cases. But with those exceptions and arbitrations, which I have accepted also, I have not practised at all in Westminster Hall.

5491*a*. What are the duties of the office of recorder?—The commissioners will have observed in the written statement which was handed in, that it is said to be the practice of the corporation whenever any office becomes vacant, to refer it to a committee to ascertain whether it is desirable that the office should be continued or abolished, whether it should be modified and improved, or whether the emoluments of the office should be reduced, increased, or otherwise. Upon the vacancy on the occurrence of which I was appointed, that course was taken. I thought I had brought with me two reports, one of the committee of the Court of Aldermen, and another of the committee of the Court of Common Council, with the intention of laying them before the commissioners, but I find I have omitted to do it. I can furnish the commissioners with those two reports, which will state exactly what my duties are and what is expected of me. I may say, generally, that I am the chief legal adviser of the corporation. I am expected to give them advice without fee upon all matters strictly within the corporation, all corporate matters. I attend the corporation upon all state occasions. I read addresses to the Crown, and you have an instance in this inquiry, where I was requested, though it was not in my ordinary duty, to act as the mouth piece of the corporation, in laying their case before this commission. I also sit at the right hand of the Lord Mayor in the Court of Aldermen and in the Court of Common Council. I put the question for him, and assist and advise him in deciding matters of order.

5492. It is laid down in Mr. Pulling's book that the recorder exercises most of the functions of speaker in the Courts of Aldermen and Common Council?—That is a graceful form of putting it. It is hardly that, however, because I have not the decision in my hands. I advise the Lord Mayor; he is the responsible officer who decides questions of order. I execute the formal part of the speaker's duty in putting the question, and I put the question in the form which I think right, unless I am corrected by the court. Besides that, the commissioners are aware that I am one of the commissioners under the Central Criminal Court Act, and I am considered, I believe the chief judge connected with that court, except of course, Her Majesty's judges, who only come occasionally. In that character I am expected at the commencement of every session, and there are twelve in the year, to charge the grand jury. Besides that, I have to attend as assessor to the magistrates at quarter sessions, both in London and Southwark; the latter, however, is a mere matter of form; the jurisdiction has become effete there, and that is a mere attendance.

5493. Are there any appeals at the quarter sessions in London?—There are a certain number, but not many. A good many are entered every quarter. Generally, consent is given that they shall be heard before me without the attendance of the aldermen. An adjourment day is fixed for the purpose, and on that subsequent day I try half a dozen or eight appeals probably. The first time I sat I tried between twenty and thirty, but I found afterwards that those were partly arrears, in consequence of the illness of my predecessor. The sort of business we have at the sessions is of a character which it is desirable should not go to the Central Criminal Court; but it is a matter for consideration whether it is worth while to maintain the separate jurisdiction of the quarter sessions, and call a great number of gentlemen as jurymen and grand jurymen together so frequently, and for so little purpose. The greater number of the cases which come before us at the sessions are indictments for nuisances, disorderly houses, and things of that description, of trivial character, and, occasionally, common assaults. Generally speaking, all the serious offences are sent to the Central Criminal Court. Besides that, I have the nominal duty of attending the Court of Hustings; but that court has almost become obsolete; it is still continued, but, as far as I am concerned, I have never been called on to attend it. Then there is a court which does require frequent attendance, viz., the Lord Mayor's Court. That sits every month in the year, except one. There is one month which, as far as the sitting of the court are concerned, is considered a vacation. With that exception, it sits every month. Upon the constitution of that court, and the improvements which have been introduced into it, I should be glad to have an opportunity at a future time of giving the commission some information. I should be glad on this occasion to confine my observations to what appears upon the written statement that was handed in; and at a future period, when I have had better opportunity of communicating with the deputy-registrar, I can supply the commission with statistics, and can give information which will show the improvements which have been made in the present operation of that court, and also with respect to the peculiar custom administered in that court, the custom of foreign attachment. Besides these duties, I am a justice of the peace within the City, but, practically, I am not applied to, except upon some urgent occasions. I am an ex officio member of some of the bodies connected with the corporation. I am ex officio a member of the Irish Society, but being merely ex officio I have not thought it right to interfere. The same with respect to the commission of sewers. The use of the recorder being an ex officio commissioner in the one case, and an ex officio member of the society in the other, being, that in case any difficulty in point of law arises, or they want any advice in regard to the law, or any subject connected with it, they should have the opportunity of confidentially

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consulting him. I have not attended those bodies, except two or three times, for the purpose of asserting my right to be there, and expressing my readiness to give them any assistance which they might desire.

5494. Have you any general control over the management of the legal business of the City of London?—None.

5495. You do not communicate with or direct the solicitor in his management of law proceedings connected with the City of London?—Not at all; speaking generally. It sometimes happens that a resolution of the Court of Aldermen or the Court of Common Council is passed, that the matter be referred to the solicitor and to the recorder. Then it is the duty of the solicitor to consult me, either in a formal manner or in a confidential manner. On those occasions, of course, I give him the best assistance I can.

5496. Unless there is that special reference, you do not consider it part of your duty?—No; I do not interfere unless specially called on.

5497. The commissioners have been informed that the aldermen sitting at the Central Criminal Court assist the judges there, and consult with them in the same manner as the judges themselves consult in the Court of Queen's Bench. Is that the case, according to your experience?—It is not. I have never known the aldermen interfere in the trial of a case, nor volunteer to interfere in the question of what the sentence to be passed should be, but I freely confess that I have very frequently derived great comfort and great assistance in consulting the aldermen who have been sitting on the bench with me, as to the extent of punishment I should inflict. If it be a commercial fraud, the nature of that fraud has been sometimes more perfectly elucidated to my mind by consulting the aldermen occasionally in the course of the trial, as well as in passing sentence. With these exceptions, they never interfered, and certainly, if it has ever been stated that they improperly interfere, I think that a gross misrepresentation.

5498. It has been stated that they sit there as judges. Is it the course in the Court of Queen's Bench, when an argument takes place upon a civil matter, and the judges decide it at once, that the decision is given by one judge, or by all of them, one after another, as they think fit?—By all of them, one after another. If time is taken to consider, one generally delivers the judgment.

5499. In criminal cases the sentence is passed by one judge?—The sentence is passed by one judge; the senior puisne, after consultation with his colleagues.

5500. One of the duties of the recorder is. to certify the customs of the City by word of mouth, is it not?—It is.

5501. Can you explain to us how that rule operates?—The manner in which it is carried into effect is this: I have had two recent instances, one in which I have had to certify the custom of the City of London in the Rolls Court before the master of rolls, and another still more recently in the Court of Queen's Bench. A certiorari is issued from the court in which the cause is pending, and in which an issue has been raised as to the existence of a certain custom in the City of London. The certiorari is directed to the Lord Mayor and the aldermen, and calls upon them to certify to that court what the custom is, and whether such and such a custom as stated in the certiorari exists within the City. It is brought before the Court of Aldermen as the executive body of the corporation, and they refer it by a resolution to the recorder to report. It is then my duty to consult the other officers, if I require it, and to search the precedents, and get the officers to assist me in so doing; and if there is no doubt about the point in question, then to make a report to the Court of Aldermen, of what I believe to be the custom. If there is any doubt about it which I entertain myself, or which is suggested by the parties, then it is the practice to name a day which suits the convenience of the parties, when I am attended by counsel, and hear arguments from them (they having on the part of each litigant ample and full access to all the records in the custody of the corporation), what precedents on each side they rely on, and what construction they put upon those precedents. In a recent case which came from the Rolls Court, involving a very difficult point upon the distribution of a freeman's property under the customary distribution of London, which differs from the statutory distribution, an argument was held before me by three counsel on one side and two on the other, which lasted the whole of one day and part of another. That case involved a mixed question of law and fact, the difficulty being to put a construction upon a former certificate of the custom of London made by one of my predecessors. In that instance, I certified by word of mouth, in the Rolls Court. In the other case I certified by word of mouth in the Court of Queen's Bench. The mode in which I have done this was analogous to that which I have seen adopted in the House of Commons by the Speaker, when he reports to the House of Commons by word of mouth Her Majesty's Speech, and when he says "For convenience I have obtained a copy." Accordingly I read the substance of my certificate aloud, at the same time handing in the parchment record and saying, "For convenience I have put it into writing."

5502. In fact, the certificate by word of mouth involves the preparation of a written statement of the custom, which is given to the court by the recorder himself?—That is the way in which it is practically done. He claims, of course, his right to certify it, ore tenus, and he does it formally in that way; but he hands in a written document for security.

5503. Is any record kept in the City of those certificates which are made by the recorder from time to time?—I think there is; I am not cognizant of the fact, but when

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I have made up my mind I inform the officers at the town clerk's office, and I give them the rough draft, a copy of which they, or the deputy registrar of my court, prepare for me on parchment.

5504. Have they been published in a complete form?—No; but many of them have been published in treatises upon the customs of London.

5505. Do you see any objection to allowing the public free access to the charters and documents and other records in the City, with a view of ascertaining what are the customs and what is the law in the City upon any question?—I see no objection to giving the fullest liberty to the public to have access for ordinary purposes to the records of the corporation. I could hardly go so far as to say that I can see no objection to admitting the public to the charters and title deeds of the corporation upon a subject which is in actual litigation at the time in the courts. That is a very grave question, which I observe the commissioners have pressed upon every witness connected with the City, and I should be sorry to give any very definite opinion upon the subject. There is no doubt that it might be in some cases a ground of complaint if every facility was not given to litigants contending with the City, to ascertain what the grounds of the claims of the City are. But, on the other hand, it deserves great consideration whether they would be justified in giving access to the very documents themselves upon which their title depends. In that respect, I apprehend, the corporation of London is in no different position from a corporation which manages any trust. It is contended by some that they may consider their property as strictly private property. Without going so far as that, they have, at any rate, as high a position as, and rightly as sacred as, those of the trustees of a charity. If one of the great hospitals had been in the habit of receiving certain dues by prescription, or charter, or otherwise, and if suddenly, after centuries of possession of this right, some person were to rise to dispute it, I think it would be a matter of very grave consideration whether that corporation would be justified in admitting the opposite party to a sight of the documents themselves in the first instance, in order that he might, if he chose, take technical objections to their form or effect, and so defeat that right. If they intend to rely upon them, they must produce them in a court; if they are not stamped, if there is no seal, or if there be any informality upon the face of them, they must take the consequences. But, if I remember right,—the Commissioners will correct me if I am wrong,—there was a case of some great town in which the corporation became involved in a suit in chancery, and produced voluntarily their title deeds and lost their property; and Lord Eldon rebuked them strongly for having taken that course. (See 8 Vesey jun. 141. Cock *v.* St. Bartholomew's Hospital, Chatham.)

5506. Does not the difficulty arise in this case from the very high position of the City of London in respect to its rights? Its position is certainly as high, and its rights as sacred as those of the trustee of a charity; but are they not very much higher? The City of London exercises certain rights of a very extensive character, some of which extend, for example, over the whole port of London; and its customs and charters are said to have the strength of an Act of Parliament. Under those circumstances, does not it seem reasonable that when litigation arises and an action is brought by the City, the defendant should be informed what is the nature of the public instrument, whatever it may be, upon which the right of the corporation is alleged to be founded?—No doubt the corporation is in a higher position than the trustees of the charity, inasmuch as it is a body established for the benefit of the whole community, whereas the trustees of a charity are for a specific purpose. I cannot otherwise distinguish its position in regard to litigation with other parties. I believe in the very cases in which this complaint has been made, every fair statement has been offered as to what the nature of the title of the coporation is upon which they rely. All I understand to have been refused is, the actual production of the documents till the time comes, when they must be produced in court for the purpose of the decision there.

5507. In the case of Messrs. Combe and Delafield, the City bring the defendants into Court. They claim a right which extends, or is alleged to extend, from Staines, in the county of Middlesex, to Yantlet Creek in Kent; it a right to the measuring of all measureable articles landed in the port of London. That is a right clearly of a very extensive and important kind, affecting trade very largely. The defendants say they do not know what is the ground upon which this claim is made; they file bills of discovery and they obtain what they consider no satisfactory answer. The case is carried to the House of Lords, upon appeal by the City upon the question, whether the answer made is satisfactory or not. The question is, whether in a case of that kind, involving a right of so large an extent, the defendants ought not to be put in the position of knowing exactly what is the legal basis of the claims of the City. Of course a further question would then arise as to the application of the right, whatever it may be, to the particular state of facts that the court would have to try; but ought not the defendant to be put in a position in which, without filing successive bills of discovery and having recourse to a long and expensive litigation, he should be informed of the precise legal ground upon which the City make their claim?—I have no personal knowledge of the case of Messrs. Combe, Delafield, and Company, beyond this, which I believe has not yet been stated; that for the last two or three years, while it has been in the House of Lords, as long at least as I have held office, it has been hung up there by the acquiescence of both parties, neither being anxious to bring it to a conclusion, and in the hope that some arrangement

would be made which would get rid of all difficulties of this kind. Speaking generally, I should say it would be the duty of every public body, holding its position for the benefit of the public, to give such information as consistently with the sound advice given them by those under whose direction the suit is conducted, they could give to the opposite party of the nature of the title upon which they make their claim. But I believe in that case the corporation consulted counsel wholly independent of the City, and counsel who have since filled the highest stations in judicature and in the profession, and who advised according to their sense of what the course was which the corporation were bound to follow. I cannot think that they would have advised them to take that course if they had not thought it consistent with their public duty. At the same time it must also be be observed, that if by taking a rash step of that kind, against the advice of counsel, they had disclosed any technical matter which would have been fatal to the custom, they would then (assuming, as you must, for the purpose of considering this question, that it is a laudable custom, and one which ought to be enforced) have been responsible to their constituents and to the community for having lost that which could not be restored, by going out of the usual course and disclosing that which they were not bound by law to disclose. It is, however, I admit, a question which may be put in more ways than one, and on which I do not feel I am capable of forming a definite opinion.

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1508. There is a distinction between asking the City to give copies of documents and afford the substantial information which is required and asking them for permission to inspect their charters, with a view of detecting technical errors, if there be any?—There is the distinction which the corporation draws. I do not believe that substantial information of the nature of the title which is insisted on has ever been withheld from any litigant. With regard to my office, I may be permitted to add, that you will find information stated generally, and, I believe, accurately, in the report of the former commissioners in 1837, and a pretty accurate statement also in Mr. Pulling's book, as well as, I believe, in his evidence. I was only appointed in the year 1850; before that time I had no connection whatever with the City, and never turned my mind to it; and since that time I have been so fully occupied, that I have had no time for antiquarian research or making myself acquainted with details.

5509. Is there any other point to which you are desirous of calling the attention of the commissioners?—There is one point in the written defence or statement that I read to the commissioners which depends upon my evidence to support it, and as to which I am anxious therefore to make a statement now. With regard to the custom of foreign attachment, I should be glad of an opportunity, on some future occasion, to make a further statement. The commissioners will observe that, in the statement I have read, it was alleged with regard to the Suit with the Crown, that it has been the subject of negotiation with the Government almost from the time it was first instituted, and that those negotiations are pending at the present moment.

5510. You allude to the suit concerning the right to the soil and bed of the River Thames?—Precisely so. As, lately, the negotiations have been carried on through myself, I felt it my duty to tender my evidence in support of that statement in the written defence. The fact is, I believe that that matter has been in negotiation from almost the first. It was felt by the City to be a harsh proceeding on the part of the Crown; but notwithstanding that, the City were anxious to avoid being involved in almost the most expensive form of litigation that the Crown could have selected; therefore they have been anxious to come to some arrangement which would be for the public benefit, as well as for the preservation of their own just rights. It is true that the course adopted by the Crown is one which by strict law they were at liberty to adopt, namely, passing by the courts of law to file an information in the nature of a discovery in the Court of Chancery, such as they have filed in this case, and calling upon the corporation to disclose their title; but it is equally true, as is mentioned in the written statement, that if that cannot be considered as an evasion of the proper course, and of the express provisions of the law on that subject, it certainly was the choice of the most harsh, and by far the most expensive and most cumbrous mode of proceeding which could have been adopted. Under the head of "Prerogative," (D. 74,) in Comyn's Digest, the commissioners will find an account of the nature of the writ of intrusion, which is the ordinary remedy for any encroachments upon the rights of the Crown, and to which they would naturally resort. At common law, upon an information of intrusion, the Crown, by its prerogative, might put the defendant to show his title specially, but in the 21st year of King James I., by a statute which I think is the 14th chapter in that year, a provision was made for the protection of the subject, that where any subject had been in possession for twenty years, the Crown should not be entitled in the writ of intrusion to call upon the defendent to support his title until the Crown itself had established its own. There is also a clause in that Act of Parliament (21st James I., chapter 14,) which prevents the Crown from resorting to a scire facias for the purpose of insisting upon the disclosure of the title of the defendant, "where information of intrusion may fitly and aptly be brought on the King's behalf;" and, "whereunto the subject shall be forced to a special pleading and be deprived of "the grace intended by this Act." It was always felt that a proceeding by writ of intrusion was the course which the Crown ought to have pursued. In consequence of that it was that the corporation were advised by a very high authority to resist this claim by every means in their power, as against the Crown; but at the same time they, of their own accord, and with the advice of their officers of that day, of whom I was not

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one, made every effort to come to an amicable arrangement with the Crown. I only regret that when Mr. Pemberton was examined he did not think it right to refer to that circumstance, because the gravamen of the charge, as it appears upon reading his evidence alleged against the City, seems to be a disposition to unwearied and prolonged litigation, and, in fact, a contentious spirit on their part; whereas, in point of fact, I believe the truth will establish that they have shown a very different spirit throughout. Before I was in office, but I speak of it because I had some personal knowledge of it as a member of Parliament at the time, there were negotiations upon this subject with the Crown, the results of which were embodied in a Bill which was brought into Parliament, and passed its second reading and very nearly passed through committee in the House, when, if I recollect, Mr. Duncombe, one of the members for one of the metropolitan districts, took exception to it as being too favourable to the Crown as well as to the corporation, and unfavourable to the interests of the inhabitants of some parts of the metropolis. It had been once re-committed on Mr. Duncombe's motion, and was re-committed a second time. Mr. Cardwell and myself were put upon that committee on the second re-committal of the bill, I being at the time interested for the Temple, as an inhabitant of part of the banks of the river. The arrangements being connected with the project for an embankment in front of Temple Gardens, I was put upon the committee to represent that interest. Together with Mr. Duncombe, therefore, I endeavoured to defeat the measure. We carried an amendment in the committee and reported, but afterwards the Bill was not proceeded with. The names on the back of the Bill were those of Mr. Masterman and Mr. Pattison, members for the City, Lord Morpeth, then Chief Commissioner of Woods and Forests, and Mr. Ward, the Secretary to the Admiralty. There certainly was an arrangement, therefore, between the Crown and the City, and it was among other things recited in the preamble, that the Crown on one side, and the corporation on the other, were willing to forego their claims to the soil and bed of the river, and transfer them to a board of conservancy, which at that time was projected. There is this recital in the bill: "Whereas the Queen's Most Excellent Majesty, in right of her Crown, claims to "be seised of the grounds or soil and bed of the River Thames, and the shores thereof, "so far as the tide flows and reflows in the said river; and the Mayor and commonalty "and citizens are conservators of the said river, and claim to be entitled to so much "of the ground or soil and bed of the said river, and the shores thereof, as lie within "the limits and bounds of their jurisdiction as conservators; and a suit has been "instituted by her Majesty's Attorney General, on behalf of her Majesty, against the "Mayor and commonalty and citizens for the purpose of ascertaining and determining the "rights of her Majesty and of the Mayor and commonalty and citizens, and such suit is still "pending. And whereas, in consideration of the alleged insufficiency of the funds at "present applicable to the conservancy and improvement of the said river, her Majesty "has been graciously pleased to concede the claim of her Majesty, her heirs and successors, "to all rents, fines, and other proceeds which have already arisen or shall hereafter arise "from lands reclaimed by embankment from the said river, and from piers and landing "places constructed on the shores thereof, and to consent that all such rents, fines, and "other proceeds shall be received by the conservators hereby appointed and applied by "them to the purposes of this Act, and the Mayor and commonalty and citizens have "likewise consented to such appropriation of the said rents, fines, and other proceeds." Shewing, therefore that the Crown had consented to forego its claim and hand it over to a board, and that the corporation also had consented to forego their claim, and submit to that arrangement.

5511. In whom would the conservancy of the River Thames have been vested if that Bill had passed?—That would appear by the Bill itself. That was the point upon which it all turned, who was to have the conservancy. It was a mixed body; part of them were to be necessarily taken from the City. "The Lord Mayor for the time being of the "City of London, shall be one of the conservators; that three other of such "shall be aldermen of the City of London, and shall be elected by the Court of "Mayor and Aldermen of the said City in the inner chamber; that six other of such "conservators shall be members of the Common Council of the said City, and shall be "elected by the Mayor, aldermen, and commons of the said City in common council "assembled, and that the remaining five of such conservators shall be elected by the "Mayor, aldermen, and commons of the City of London, in common council assembled "subject to the approval and provisions herein-after mentioned."

5512. In truth then, it was a civic body still?—It was still a civic body. That was the state of things before the committee. This is a print of the Bill as amended in committee on the second re-commitment.

5513. In what sense could that Bill be said to take the conservancy of the River Thames away from the City of London, when apparently the new body which was to be constituted was taken from the corporation of the City?—The Bill was withdrawn by the City when there was forced upon them an admixture from other portions of the metropolis in this board.

5514. I understand you to say that the object of the Bill was, to take the conservancy and the ownership of the soil away both from the Crown and the City, and to vest it in some new body; yet when the Bill comes to say what the new body is to be, it appears to be the City in another form?—That is so; there were, however, certain limitations of the powers of conservancy which made their position a very different one. It certainly

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was in the nature of a compromise, which the corporation had assented to, and which the Crown had assented to. That was in the year 1847. I have no knowledge of what occurred between that time and the year of my appointment, which was the year 1850, except this, that I believe it was in that interval that the suit was resumed by the Crown, and I believe that a good deal of asperity of feeling arose between those who had conducted the negotiations on each side. Mr. Pemberton conducted it on one side, and the remembrancer on the other; and there was, no doubt, a good deal of feeling between the parties on the subject. Shortly after I came into office, I became aware of the nature of the suit, and it immediately occurred to me that it was a matter which ought again to be made the subject of negotiation with the Government, and that possibly the accession of a new officer to office might afford an opportunity for negotiation. There were also at that time other grave questions between the Government and the corporation; there had been differences before that time about the removal of Smithfield Market, and whether the Government or the corporation were to take the new market into their hands; and looking to this subject, also, which had been a subject of unfortunate difference, as I thought, between the corporation and the Government, I obtained (with perfect ease, I must say) from the corporation and those who conducted that portion of its business, permission to open a negotiation with the Government, and also to ascertain what the feeling of the Government would be with respect to a measure which was then contemplated, and subsequently brought forward in the year 1852, for extending the franchise of the City and making other alterations in the constitution of the corporation itself. Those provisions were afterwards embodied in the Bill of 1852, as the Commissioners have already heard, and that Bill passed the second reading in the House of Commons, with the assent of Government. With the sanction of the committee to whom these matters were referred by the corporation, I opened a negotiation with the Governmet of Lord John Russell, and being anxious to keep the negotiations in the hands of the heads of the departments rather than those who had been mixed up with the dispute, I communicated with Lord John Russell in the first instance. I asked for and obtained a meeting with him and Lord Seymour, and Sir Francis Baring, the First Lord of the Admiralty. Eventually the matter was referred by them to Lord Seymour, who at that time was at the head of the Woods and Forests, and in that capacity had cognizance of this matter; though afterwards that office was divided between the Board of Works and the Board of Land Revenue, it was left in Lord Seymour's hands to negotiate with me upon the subject. I have Lord Seymour's perfect permission, if it is required, to read the whole of that correspondence, though it was of a confidential nature. Being, however, of a confidential nature, I do not think it is necessary that I should read it in detail, but I may state what the result of that correspondence was. In the course of it I drew up a sort of minute of what the propositions on the part of the corporation were, and Lord Seymour, in the shape of an answer to that letter, stated his view of what the points of agreement should be; they substantially coincided, and eventually it was agreed that upon those terms a document should be framed which would embody the settlement of that question. I may state, generally, that the propositions were of this nature: Lord Seymour said he could enter into no negotiation and into no terms which would not have the effect of establishing the right of the Crown to the bed and soil of the River Thames. The corporation proposed, for the purpose of meeting his views in that respect, to take under the Crown a charter with a grant of the bed and soil of the river on certain terms, the acceptance of that grant, of course, having the effect of precluding them from ever again disputing the right of the Crown to the bed and soil of the river. The corporation were willing that the Crown should have the abstract right to the bed and soil, only asking to have such a control over that portion of the bed and soil of the river which was necessary for the purpose of an efficient conservancy. Further provisions were proposed, that the whole of the revenue derived from the bed and soil of the river should be applied to the improvement of the river itself, or expended upon the banks of the river in public improvements; that is, that so far as regarded the river, any rents derived from wharves or jetties, or any other licenses upon the river, should be paid into a particular fund, kept entirely separate; and we went so far as to leave a blank in the proposition, which I have in my hand (and which is still a blank) for the Government to fill up with any proportionate part of that revenue which they chose to assume to their own control and their own purposes, it being provided that whatever portion of the revenue was left in the hands of the corporation should be strictly applied to the purposes of improving the river, and that that portion which was to be attributed to the Government should be strictly applied to public improvements upon the banks or approaches to the river.

5515. Was any stipulation made on the part of the Government that they should have any share in the managing body that was to control the river?—This arrangement did not include any such proposition; on the contrary, it provided, in compensation, as I may say, for their allowing the Crown to assume the right to the bed and soil, an admission which they consented to make by taking a charter that the conservancy of the Thames should be left in the hands of the Lord Mayor, in the form in which it now is, leaving it of course to Parliament, if they chose, to interfere at any future time to make a new arrangement. Eventually, upon those principles an arrangement was come to, without prejudice to either party, of course, if not carried into effect between Lord Seymour and myself. Lord Seymour did not consult the solicitor who had had the conduct of the

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cause and of the previous negotiations, for the reason I have already given, but he consulted the Solicitor General, Sir William Page Wood, who advised him throughout in that transaction. I was put in communication with Sir William Page Wood, upon the subject, and after very mature consultation, we prepared, on the part of the City, the form of a charter which I hold in my hand. That charter was submitted to Sir William Page Wood, who made several suggested alterations in it in red ink, and the only matter left undecided was the mode in which that charter should be framed, and the manner in which the suit should be put an end to in the Court of Chancery; the Crown pressing for a decree, and we contending that if we gave up so much it was not necessary to have a decree, and that proceedings might be stayed. There was not a prospect of much difficulty upon those subjects when, unfortunately, the Government broke up. Subsequently, Lord John Manners was in the Office of Works. He never was in the Office of Land Revenues; but, being in the Office of Works, we applied to Lord Derby's Government, and the matter was again referred to Lord John Manners. He had an opportunity of seeing the whole of the correspondence with Lord Seymour; and seeing that the matter had been so fully arranged with the exceptions I have mentioned, he was willing that it should be carried on to a conclusion without making himself responsible for the details of the arrangement. Unfortunately, we were again deprived of his assistance by the breaking up of that Government, the present Government coming into office at the beginning of 1853. You are aware how much their time was occupied during the whole of last session; and in vain we endeavoured to get their attention to the subject. It was not left to Sir William Molesworth, for this reason; when Lord John Manners had decided to let the thing go on, he sent it to the Board of Land Revenue, for it to be submitted to the law officers. Sir Frederick Thesiger had refused to take any responsibility about it unless it was laid officially before him. In that way it got back into the hands of the Commissioners of Land Revenue, and of Mr. Pemberton, who was the solicitor to that board, and the solicitor also conducting the suit. The result was, that it was referred to the Treasury, and, no doubt, with some cautionary note to look into the matter. The result of that has been, that towards the end of last session, after an interview with the ministers themselves, and taking every step we could to force the matter on, it was considered by the Treasury. We heard nothing more till the beginning of last month, but I have here the correspondence which has taken place quite recently, and which, being official, I have no difficulty in stating to the commission. It shews the accuracy of the statement in the defence, that those negotiations are pending up to the present moment. This is a letter from Mr. James Wilson, the Secretary to the Treasury, dated the 8th of December 1853:—"Sir, I am commanded "by the Lords Commissioners of Her Majesty's Treasury to acquaint you, with reference "to your letter of the 2d November 1852, to Lord John Manners, on the subject of the "long pending dispute and litigation between the Crown and the corporation of London, "in regard to the title to the bed and soil of the River Thames (copy of which has been "furnished to this Board), and also with reference to the personal communications you "have had with my Lords, that their Lordships are advised no charter can be granted "in this case, affecting, as it does, the hereditary possessions and land revenue of the "Crown, without the sanction of Parliament, and without such compensation to the "land revenue as may be deemed reasonable. I am further to state that my Lords "are prepared to concur in an application to Parliament for an Act to carry out "a plan based upon such principles, as soon as its details shall have been agreed upon, "and that they have authorized Mr. Gore, one of the Commissioners of Woods and "Forests, &c, with the aid of such advice as he may deem necessary, to meet any person "appointed by the corporation, if such course be acceptable to them, with a view of "discussing and proposing, for the sanction of my Lords, such terms as may be deemed "equitable. I should state that the passage relating to the sanction of Parliament, alludes to the statute of Anne, which prohibits the alienation of any of the hereditary possessions of the Crown, and in the course of the correspondence with Lord Seymour I had on behalf of the corporation expressed my willingness if it was necessary to go to Parliament for an Act to authorise the proposed arrangement. My answer to that letter was on the 13th of January; it is addressed to Mr. Wilson, and it is in these terms:—"13th January "1854. Sir, since receiving your letter of the 8th December, I have had an opportunity "of consulting those by whose authority I had already conducted the negotiation with "respect to the pending suit between the Crown and the corporation of the City of "London, and which was all but brought to a conclusion at the time of Lord Seymour's "retirement from office on terms satisfactory to that noble lord, and afterwards approved "by Lord John Manners; and though I regret to find that the Treasury are "unwilling to ratify an arrangement which I had considered as substantially concluded, "I have now full authority to re-open the question with Mr. Gore, or any other person "to whom it may be referred by the Government. Though the corporation were advised "that this proposed arrangement, being the compromise of a pending suit, was no alien-"ation of the revenues or possessions of the Crown, requiring an Act of Parliament, yet "they have never been unwilling to join in an application to Parliament for its sanction "if thought necessary. With regard to compensation, I hardly know to what question "your letter refers, as the negotiation has always proceeded on the footing of willingness "on the part of the corporation to surrender *any part* of the revenues derived from the

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" use of the bed and soil of the river to be applied by the Crown for the public benefit, " on the sole condition of being secured in their possession of the soil of the river to such " an extent as to enable them to exercise an efficient conservancy in the navigable water- " way." The answer to that I only received last night :—" 17 January 1854. Sir, I am com- " manded by the Lords Commissioners of Her Majesty's Treasury to acquaint you that " your letter of the 13th instant, further relative to the suit between the Crown and the " corporation of the City of London, has been referred to the Honourable Charles Gore, " who is duly authorised to enter into negotiation with you with regard to this question, " on the footing laid down in the letter from this board of the 8th ultimo, I remain, " Sir, your obedient servant, James Wilson." This correspondence shows that those negotiations, upon principles which had been more or less approved by more than one person in office, are at this moment re-opened and continuing. Whether, if this commission should come to any definite recommendation on the subject, it may alter the arrangement, I cannot say; but that the corporation are as ready now as ever to negotiate the arrangement of that suit on liberal principles, beneficial to the public as well as just to themselves, is an undoubted fact which I thought it right to bring before the commission.

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CHARLES PEARSON, Esq., having been sworn, was examined as follows:

5516. You are solicitor to the City of London, are you not?—I am.

5517. How long have you held that situation?—Fifteen years.

5518. What is the salary attached to that office?—The salary is 2,000*l.* a year, subject to the charges of the office, clerks, and all other expenses.

5519. What is the average amount of those deductions?—The average amount of the deductions is about 700*l.* a year, but then there are certain emoluments which I am entitled to receive, and which make up a net income of 1,700*l.* or 1,750*l.* a year.

5520. What is the nature of those emoluments?—They are costs in cases of actions, and in business under Acts of Parliament for trust estates.

5521. Are they of a variable nature?—In amount they are variable.

5522. They depend upon the amount of business transacted?—Yes.

5523. What is about the average annual amount of your receipts, from the City?—Altogether 1,750*l.*; that includes every description of emolument from every source.

5524. Besides that, do you not derive some emolument from business which you do for the City?—Every description of emolument which I receive, I am sorry to say, does not exceed 1,750*l.*

5525. Have you any private business as a solicitor?—I have not. I am not permitted to have, by the terms of my appointment. I am solicitor to the Irish Society. I am an attorney of the Mayor's Court, but every description of emolument derived from every source is included in the sum I have named.

5526. You are not paid as an ordinary solicitor would be for the transaction of the City business?—If I were, my emoluments would be certainly from 4,000*l.* to 5,000*l.* a year. For the business under the trust estates, my bills are taxed by what is termed the Law Bills committee, composed of a number of solicitors, and I have no hesitation in saying that I myself, in common with all the officers of the departments, should be very glad if our bills were taxed by the ordinary taxing officers. There is much greater severity applied in taxation by the Law Bills committee than by the ordinary taxing officers. As an instance of that, I should state that one of my bills to the Irish Society was sent up to the taxing officer, at the request of the society, because they were taxing another solicitor's bill. The taxing officer sent a message to the society that if he had had the making out of that bill, he should have added 80*l.* to it—that is to a bill which was 180*l.*, he should have added 80*l.* I did not get the additional 80*l.* I had the 180*l.* only. I may say that I have not been accustomed to speak of my income as being so small as it is. I have been very willing that the world should think I was a much more highly paid officer. Men frequently measure our talent and station by our receipts, and I have been quite satisfied to be measured by that standard taking the supposed higher amount.

5527. What are your functions and duties as solicitor to the City of London?—My functions and duties are to advise the corporation and all its Committees and Commissions upon any question of law, to conduct all their suits and prosecutions, and generally to advise upon all matters when specially called on to do so, to attend the committees whenever called on, and to give my best advice upon all matters on which my opinion may be asked.

5528. When you conduct a suit on behalf of the City of London, with whom do you communicate with regard to the policy of originally instituting the suit or with regard to the manner in which it shall be conducted?—I receive directions from the Court of Common Council through the committee, and I am in constant communication with that committee upon all matters connected with that particular suit.

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5529. Is that committee composed of professional men?—One committee is composed of professional men, which is the Law Bills committee. It has laymen upon it, but the preponderance of the members consists of professional men; the other committee is not composed of professional men, but they have professional men associated with them. There is scarcely a committee of the corporation, I should think, which has not one solicitor or more upon it, having regard to the proportion which the mass of solicitors bears to the mass of the common council.

5530. There is no one legal officer connected with the corporation who takes the general control of the legal business, and under whose direction you act in any manner, is there?—There is not. Before the passing of the Central Criminal Court Act, the recorder and the common serjeant appeared in court as the counsel for the City of London. Latterly they have been so entirely withdrawn from general practice, that they have declined to take briefs. The late recorder, considering the changes which constantly take place in the decisions of the judges, thought it was not for the advantage of the City that he should take a leading part in the conduct of its suits.

5531. You think the judicial and other duties of the recorder would now render it impossible for him to exercise a general control of that description?—I do.

5532. Do not you think it would be desirable that there should be some law officer who should exercise a control of that description?—I think it undesirable for me to express an opinion upon changes. Considerable difference of opinion prevails in regard to many of the functions of the officers, and I think it not satisfactory for me to give an opinion upon that subject.

5533. At present I suppose it rests very much in your discretion whether a suit should be instituted, or in what manner that suit should be conducted after it is instituted?—Quite the reverse.

5534. With whom does the discretion practically rest?—With counsel; with the attorney general, the solicitor general, and the most eminent counsel of the day. I am instructed to lay a case before counsel of the most eminent rank, and it is upon their advice, with the concurrence frequently of the recorder, that suits are instituted or defended.

5535. I suppose the opinion of the attorney or solicitor general would be given chiefly with respect to the probability of winning the suit?—Upon the probability of the result; the responsibility of instituting it rests in the corporation and its committees.

5536. Upon a question of that sort, do you think the committee really can exercise practical control?—The town clerk, who is a very experienced barrister, I believe the senior serjeant, and well acquainted with corporation law, when called on by the committee, advises them as to the policy of engaging in any legal proceedings; and if they ask my opinion, I give it them frankly and to the best of my judgment.

5537. Is the town clerk uniformly called on by the committee to express an opinion as to the advisability of instituting a suit, and the manner it which it should be conducted?—I think he is.

5538. He is not a member of the committee?—He is not, and I do not recognize him as a lawyer there.

5539. You do not consider the town clerk really responsible for the business, but rather yourself?—Certainly; and I always state that to the committee. Out of that room I respect very highly the judgment of Mr. Serjeant Merewether; but there I hold it to be my duty as City solicitor to vindicate the opinion of the City solicitor.

5540. You are the adviser of the committee as to whether a suit should be instituted, and the manner in which the suit should be conducted?—I consider myself bound to tell them what I believe to be the law of the case. The policy of instituting a proceeding, I think, belongs to the committee.

5541. Do not you think it advisable that there should be some one lawyer of eminence who should be generally responsible for the policy of instituting suits and commencing litigation on the part of the corporation of the City of London?—I think the judgment of the committee is generally very good, and I think the advice of their officers is generally cautious and sound and prudent; and I do not know that they would escape from the difficulties in which they are sometimes placed by any other course which they could adopt.

5542. Who prepares the case which is submitted to counsel?—It is prepared by the solicitor and read to the committee.

5543. Probably the opinion which is obtained from counsel as to the institution of any action or any proceedings, is a good deal guided by the nature of the case which is submitted to them?—No doubt it might be so, if the party presenting the case mis-stated the facts. Of course the opinion of counsel would only be founded upon the statement of facts; if they fail, the opinion will fail with it.

5544. Take the case of the proceeding that was instituted against Messrs. Combe and Delafield; how was that managed?—I should state that, in 1833, when I was a member of the corporation, I brought in a bill and passed an Act through the court, to gradually reduce, and ultimately to abolish, if it was thought necessary, the Fellowship of Porters, by making every porter sign a paper, that if the exigencies of the trade should require it, the institution might be put an end to without any claim for compensation. There were then 3,500 porters admitted, and Messrs. Combe and Company, and some other persons had then begun to refuse to allow them to work. This Act has been in operation from

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that period, and I believe now it has left only something like 600 or 700 persons whom we should be obliged to deal with in the shape of compensation if we were to put an end to it. The attention of the corporation has continually been directed to the period when we shall be enabled to deal with the port of London without the restraints which were then imposed from the existing interests. The Fellowship of Porters, in the year 1835, applied to the corporation to permit them to use their name to institute proceedings against Messrs. Combe and Company, for refusing to allow them to land their corn. This was in October 1835. Messrs. Combe and Company filed a cross bill against the corporation in that suit on the 5th of December 1838. This you will observe was before I was City solicitor; I do not know therefore who was responsible for those proceedings. That cross bill was for a discovery. The answer of the corporation was put in on the 18th of June 1839. Messrs. Combe and Company amended their bill, not having put their questions sufficiently strongly, or perhaps getting information from our answer, which induced them to put others. We answered that amended bill in February, 1840. There was a motion made before Lord Abinger to compel us to produce our title, and this is copy from the short-hand writer's notes of Lord Abinger's judgment. Lord Abinger gives this as a test of the principle by which, in his judgment, the courts decided the question of the production of documents. "If you take the question as a matter of principle, has "any man a right, or is it consistent with common justice, that he should file a bill to "discover the defendant's case? The ground upon which he files his bill is to make the "defendnat discover what is material to his, the plaintiff's, case, but he has no right to ask "of the defendant: Tell me what your title is—tell me what your case is—tell me how "you mean to prove it—tell me the evidence you have to support it—disclose the docu-"ments you mean to make use of in supporting it—tell me all those things, that I may "pick a hole in them. Surely that is not the principle of a bill of discovery." The judgment is at greater length, and I quote that portion of it for the purpose of stating the defence that the corporation made for having a protection of their documents by the course of law from the discovery which was sought. Lord Abinger refused the discovery sought in that case. He ordered us to produce certain documents, which we did. The other party applied to Vice Chancellor Knight Bruce, on the 19th of January 1842, who settled the issues for the trial at law, and ordered it to be tried at the Winchester Assizes.

5545. Was that in the same suit in which Lord Abinger had given judgment?—Yes. Under that decision we prepared ourselves for trial, and that case might have been decided in the spring of 1842 if Messrs. Combe and Company had chosen to go to trial upon the issues framed between the parties by the direction of Vice Chancellor Knight Bruce; but in the meantime, the corporation, in 1839, had filed a bill in the Exchequer against Messrs. Combe and Company, in respect of metage. It was the opinion of counsel, in the porterage case, that the corporation ought not to appear merely as plaintiffs in that suit, but should have a sister suit for metage. I again have no reason to doubt that this was perfectly properly done; but at the same time, it was not during my reign. I was not City solicitor at that time. I know, however, that the advice of the first counsel of the day was taken, who recommended that course of action. Various proceedings took place between that period and 1842, when, on the 9th of June, Vice Chancellor Knight Bruce pronounced a decision different to that which Lord Abinger had pronounced.

5546. Were not there in those various proceedings three successive bills of discovery filed against the City, and three answers put in?—There were three separate bills of discovery, and it is a very frequent practice that the plaintiff discovers something in the answer of his antagonist which leads him to put another question founded upon it. Upon our answer something else was ascertained, and they amended their bill and obtained a further answer. The fact of amending a bill implies that the bill was not sufficiently comprehensive. Although they have obtained answers to their questions, they amend their bill and ask further questions. In a suit of this magnitude and importance, it is a circumstance of frequent occurrence.

5547. Were the amendments suggested by the answer in this case?—Yes. Vice Chancellor Knight Bruce, having pronounced this judgment on the 9th of June 1842, calling upon us to produce those documents which Lord Abinger had thought were protected, an appeal to the Lord Chancellor was lodged; it was heard before the Lord Chancellor on the 26th, the 27th, the 28th, and the 30th of January 1843. The Lord Chancellor took three years to consider his judgment, from the 30th of January 1843 to January 1846. He then pronounced a judgment so exceedingly short that it contained no reason and no statement of opinion, beyond affirming the judgment of Vice Chancellor Knight Bruce.

5548. He did affirm the order of the Vice Chancellor?—Yes. Sir Richard Bethell, who advised upon the occasion, recommended an appeal, and he gave the following reasons for the appeal:—"First, Because the principle upon which a court of equity gives a plaintiff "who files a bill of discovery an inspection of documents, submitted by the defendant's "answer to be in his possession, requires the plaintiff to state in his bill that such documents "are material to prove the case which he has made in his bill, and as an admission by the "defendant that such documents do relate to the case so stated in the bill; but in the present "case no such statement is made by the bill of the respondents, nor can any such admission "be found in the answer of the appellants. Secondly, Because the plaintiff in equity in a dis-"covery suit is entitled to the inspection of documents in the defendant's possession, merely

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" upon the ground that they may possibly upon inspection be found to aid his defence, by " discovering some defect in the title of his adversary, which ground, however, is the foun- " dation of the order appealed from. Thirdly, Because it plainly appears, as the appellants " submit upon the bill of the respondents, that such bill has not been filed for the purpose " of obtaining proof of any substantial defence, but rather in the hope of finding defects in " the title of the appellants, the corporation of London. Fourthly, Because the plaintiff " must show, from the admissions in the answer, that he could require the defendant to set " out the admitted documents ; he must prove from the answer affirmatively his title to dis- " covery, and cannot claim the production on the ground that the answer does not disprove " his interests in the documents, or does not negative the possibility of his having an interest " in them. Fifthly, Because the documents mentioned, or referred to in the order of the 9th " day of June 1842, are the evidence or material parts of the evidence for the appellants, " the corporation of London, of the existence of their right of metage, and its exercise for " centuries past. Sixthly, Because the order appealed from, if unreversed, is an authority " for the position that a plaintiff may file a bill of discovery, and compel his opponent to " produce the whole of the documentary evidence on which he relies, unless such opponent " pledges his oath that no part of such documentary evidence can in any manner tend to " sustain the opposition to the demand, which it is conceived greatly exceeds the just limits " of the right to a discovery in equity, and will be most prejudicial by encouraging parties " to contest rights founded upon long-established usage, in the hope, or upon the speculation, " that some latent objection may be discovered by which, upon mere technical grounds, such " rights may be defeated."

5549. From what are you reading?—From the case in the House of Lords signed by counsel.

5550. Those are not the grounds upon which Mr. Bethell recommended the appeal to the City, are they?—Yes, they are.

5551. They are the grounds stated to the House of Lords?—They are more technically framed here, but they are the grounds upon which the advice was given to the City. The reasons are only signed by two counsel, but other counsel concurred in them. The advice to appeal I submitted to my clients, as it was my duty to do, and I apprehend that a great responsibility would have been thrown upon the committee if, with such advice, they had not adopted the course of directing an appeal.

5552. There were three answers in the metage suit, were not there?—The bill of discovery was filed in March, 1840; the answer was put in on the 29th of January, 1841; exceptions were taken to the answer of the corporation on the 24th of March; the bill of discovery was amended on the 17th of April; the further answer of the corporation was on the 17th of November; the exceptions to the answer of the corporation on the 29th of November; and the further answer on the 23d of February.

5553. Did the necessity for those further answers arise from exceptions or from amended bills?—Once from the amendment of the bill, and twice from exceptions.

5554. The party excepting meant to allege that the information furnished was insufficient and unsatisfactory, did he not?—It did not technically cover the statement in the bill.

5555. It is an objection to the answer in the nature of a demurrer at common law?—Yes.

5556. Whereas the amendment of the bill proceeds upon the supposition that the answer is sufficient as the bill originally stood, but that something has suggested itself to those who framed the bill, which was not included in the original bill?—That is the case.

5557. Therefore the one admits the sufficiency of the answer and asks some further questions, whereas the exceptions are a denial of the sufficiency of the answer itself?—Yes. The Commissioners will remember that we are criticising in 1853 proceedings which took place ten years ago, when the habit of the profession was undoubtedly much more favourable to litigation than it is now. I should state that this case was appealed to the House of Lords in 1845, when this document was printed, and there the case has remained from 1845 to 1854. It has never been moved in by anybody, nor meddled with by anybody. That has not been, as the learned recorder rather mistook in saying, by any arrangement between the parties. I have never inquired into it, and my antagonist has never inquired into it. I have seen the corporation arrive at a period when it is very likely they would wish that such a suit had never been brought, because they are not enforcing their right under such circumstances or attempting to enforce it, and I believe the spirit of the corporation, in common with the spirit of the age, would not choose to enforce any such claim in the present day. I dare say Messrs. Combe and Delafield are very well satisfied, because probably they are saving 700*l.* or 800*l.* a year, which they would have to pay if it were given against them. We should obtain a barren triumph if we got a decision in our favour, for we should get a privilege that we have no disposition to use, we having been during this time in negociation with the corn trade to put an end to all such claims. I dare say if anybody would enter a *stet processus* we should be perfectly satisfied on both sides.

5558. Do you mean *pendente lite* those claims are not enforced against Messrs. Combe?—They are not.

5559. Of course if the action is not persisted in the claim remains in abeyance?—Certainly.

5560. Upon an appeal to the House of Lords whose duty is it to press on the suit?—Anybody who wishes it settled.

5561. Is it ordinarily considered the duty of the appellant or of the respondent?—I do not think it is a matter of duty to either party; either party can do it.

5562. Is not it usually considered the duty of the appellant and not of the respondent to press forward an appeal?—I do not think it is the duty of anybody to press forward that which he does not wish for. If anybody wishes that suit to be settled it is his business to press it forward. I do not want it settled either way; it is a barren right—a right that we probably should not attempt to enforce.

5563. Is there any period within which, if that appeal is not pressed forward, it must be dropped in the House of Lords?—I supposed it had dropped. When a late Lord Chancellor was appointed, in consequence of some discussion in regard to arrears, the archives of the House of Lords were swept. This case was found among others; it was put in the paper two years ago, and we had to retain counsel to argue it.

5564. How came it not to be argued?—I do not know; it slipped out of the paper again in some way.

5565. By which party was it put into the paper?—By the officers of the House of Lords. We received a notification that this case stood for argument. We immediately raised our array of lawyers, put ourselves in an attitude for fighting, but it was just at the close of the session, and the case was not, for some reason or other, called on.

5566. When you say that it would have been a barren triumph to the City, is your meaning that the City do not now wish to enforce the metage dues against persons who are not desirous of having their goods measured. The City duties enforce their metage dues in general, do they not?—Mr. Town Clerk has opened the fact to the Commissioners, and therefore I feel myself at liberty to do so, that there is a negotiation now pending, and has been for the last eighteen months, with the members of the corn trade for putting the metage question on a more satisfactory footing, part of the arrangement being that in cases like that of Messrs. Combe it should be left voluntary, and not be compulsory.

5567. Do you imagine that the principle which the City are going to act on is wide enough to form the basis of a future arrangement, in which all claims for metage of every description in the Port of London shall be merely for service voluntarily accepted?—No. The proposed arrangement with the heads of the trade is that in regard to foreign corn it shall be compulsory; in regard to other portions of trade, for instance manufactured articles, it shall be voluntary. Mr. Recorder and myself gave an opinion to the committee, that this being a prescriptive right this could not be done without the authority of Parliament. We therefore felt it our duty to recommend to the corporation not to enter into this arrangement, by which we might lose one right and not gain another; but to be prepared to go to Parliament for an Act for the purpose of putting the metage upon a footing that would be satisfactory to both the trade and the corporation.

5568. It was stated that the necessary notices had been given to enable the City to go to Parliament?—I do not know what notices might be required. I do not think such a Bill would require notices.

5569. How does the porterage case stand?—It stands over, on the application of Messrs. Combe and Delafield that it should stand over till the other suit is decided.

5570. Till the question as to the discovery is decided?—Yes. We were prepared to go to trial; they asked for a stay of proceedings in that case till the other should be decided.

5571. The Commissioners have received from Mr. Pemberton, the solicitor to the Board of Land Revenue, a statement of the proceedings taken against the City in regard to the ownership of the bed and soil of the Thames. Do you wish to make any statement in regard to the evidence taken in reference to that case?—Yes; that is a case of a struggle between the Crown and the corporation to determine whether the soil and bed of the river is part of the hereditary revenue of the Crown, to be applied for the purposes of the Crown, or whether it is the property of the corporation, to be applied for the purposes of the river. It arose out of a transaction for which in my office I am responsible. It is better to read a document published years ago than to give my own version of the case now. In 1842, the committee thus report:—They "certify that serious complaints "have at different times been made to your committee of various projections in the river "Thames occasioning more or less obstruction to the navigation, and creating on the "adjacent shores deposits of mud and silt, charged with the contents of sewers and with "refuse animal and vegetable substances equally offensive to the sight and dangerous to "public health. These projections, it appears, have been erected not only without "the sanction of your committee, but in some instances in avowed defiance of their "authority. In consequence of this state of circumstances, your committee referred the "same to the City solicitor, to consider and report upon the best measures to be adopted "to put an end to this growing evil. In some cases the solicitor received directions to "commence proceedings to abate the nuisance; but having experienced some unexpected "difficulties, your committee desired him to confer with the recorder and common ser-"jeant, and other eminent counsel, as to the best course to pursue under the circum-"stances stated. Many of the encroachments upon the river against which complaints "had been made were used, some as floating and some as fixed piers, for the landing and "embarking of steam passengers, and were many of them in form and construction

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"similar to some which the present and former committees had been induced to permit "to remain on sufferance, by reason of representations made to them that it was abso- "lutely necessary so far to consult the convenience of the thousands who resorted to the "accommodation of steam-boats for business or recreation, as to allow piers or landing "places in such of the populous parts of the river banks as would admit of pro- "jections without obstructing the navigation of the stream. Your committee re- "ceived a report from the City solicitor that it was the opinion of counsel, in "which his own experience concurred, that although every one of the projections "complained of was undoubtedly a nuisance, and the continuance thereof an in- "dictable offence, yet such a growing indisposition existed on the part of the "magistrates and juries to convict in cases of projections where public accommodation "was favoured by their continuance as piers for the use of steam passengers, that the con- "servators of the river could not with safety proceed to put their authority in force, by re- "moving the piers in question, while others, apparently under similar circumstances, were "permitted to remain. In order to place the conservators of the river in a position to ex- "ecute their authority with becoming effect, it was recommended by counsel that they "should immediately cause a survey to be made of the banks and bed of the river within "the limits of their jurisdiction, and that a line should be laid down, beyond which all "present and future encroachments upon the banks should be removed, by whatever "authority and under whatever circumstances made, and regardless to whom they might "belong; and in order that the corporation might be placed upon the highest possible "ground in the course they were about to adopt, the counsel recommended that engineers "of high character and standing in their profession should be employed to act with the "officers of the committee in carrying into execution the proposed survey and report." It then goes on to state what the town clerk opened to the Commission, that Captain Bullock, Mr. Walker, the eminent engineer, and the officers of the conservancy and the harbour service, had acted together in making this survey, which I think cost 1,700*l.*; my advice being, that there should be one uniform principle acted on, and not, as had been the case for a century, leave given to make embankments here and encroachments there without reference to sufficient professional authority. The report proceeds: "Your committee "upon the whole are of opinion that such of the beneficial recommendations embraced in "the reports as can be carried out under the authority of the corporation, should be "adopted, and that it should be referred back to your committee if necessary, further to "confer with the counsel who have been already consulted, and having laid before them "the information of which possession has been recently obtained, that they should be "called upon to advise your committee as to the proper means to be adopted for the "purpose of maintaining and enforcing the authority of the corporation as conservators "of the river, and of giving effect to such of the recommendations contained in the reports "as may be calculated (while the rights of private property are strictly respected) to re- "move the nuisances now complained of as offensive to the sight and injurious to health, "and to put the river in the best condition to afford every practical facility for its free "navigation, whether for the purposes of commerce, recreation, or health." This book contains the report of all the officers, together with a plan of the river, reduced from one which is I think 50 feet long, shewing the line laid down by these eminent men. The opinion of counsel upon that I will take leave to read. This is the opinion given by Sir Thomas Wilde, Mr. Robert Vaughan Richards, Serjeant Channel, Mr. Mirehouse, the Common Serjeant, Mr. Russell Gurney, and Mr. James Wilde, founded upon the report of those officers, the report of the committee, and the production to them of copies of the documents in the repertories of the corporation, in regard to the soil and bed of the river, and the conservancy: "We have perused the very important and extensive collection of "documents which accompany this case, and have attentively considered the effect of "them, and of the several authorities to which they refer in relation to the power of the "corporation, to accomplish the very desirable ends suggested in the report of the "engineers, and we are of opinion that there is little probability of any effectual "impediment presenting itself to the successful prosecution of the objects of that report. "It is clear that the powers of the corporation over the river are various and extensive, "and while we are aware that the caprice or selfishness of individuals may create some "obstacles, the exact nature of which we cannot now anticipate, and which may require, "with reference to the circumstances attending them, particular consideration as to the "precise mode of overcoming them, we yet feel convinced that the proceedings being "conducted under the influence of that good sense and moderation which will stimulate "the body superintending them, the power of the corporation will, as we have before "stated, be found adequate to the attainment of the destined object. One principal point "to which we have addressed our attention relates to the ownership of the bed of the "river; and it appears to us, after deliberate consideration, that the evidence is sufficient "to establish the title of the City to such ownership. Although the ownership of the "soil in whomsoever vested is subject to and subordinate to the right of the public to "the free use of the navigation of the river, yet very important powers result from such "ownership in relation to the objects of this case, especially in the removal of erections "and encroachments made within twenty years. We are also of opinion that very con- "siderable power is vested in the Lord Mayor in respect of his character of conservator "of the river and navigation; and likewise we are satisfied that the Court of Conser-

" vancy is a legal court, and possesses an extensive jurisdiction, which may be legitimately " exercised in furtherance of the objects of the engineers' report. We cannot pretend to " define in accurate legal terms the precise extent and boundary of the powers of the " Lord Mayor as conservator of the navigation, or of the water bailiff as sub-conservator, " beyond a power of removal of modern obstructions and impediments accompanied by " an interference with the soil of the river ; but although, as we have before stated, par- " ticular cases may present themselves, demanding consideration how far it may be " necessary to call in aid the jurisdiction of the Court of Conservancy, we think when " such cases arise, and the circumstances attending them are made apparent, that little " difficulty will occur in determining the proper course by which to effect the prostration " and removal of any such encroachments and impediments. If the speedy execution of " the entire plan of improvement be deemed of paramount importance an Act of Parlia- " ment would of course confer all necessary powers for the purpose, and public benefit " being the sole object of the corporation, there could be no doubt that legislative " authority could be obtained, but we do not anticipate that there will be any necessity " for such legislative authority except by possibility for the adjustment of the interests " of parties in some of the projected improvements, some of those parties being under legal " incapacities to be bound by agreement. Upon the whole, we are of opinion that the " corporation may prudently, and with reasonable prospect of a successful termination of " its labours, enter upon and prosecute the projected course of improvements." The Commissioners will observe, that that report required an expenditure of 60,000*l.*, which the corporation were willing to advance for the purpose of commencing the improvements laid down therein ; but they prudently took the opinion of eminent counsel before they involved themselves in so considerable an expenditure. The first thing required to be done was to remove some shoals, which it was found had concreted at the bottom of the Thames to such an extent that it was impossible to remove them by any of the ordinary dredging machines, but they would require blasting. This we were told involved very considerable outlay, and the corporation did not choose to commence it till they had taken those opinions.

5572. In what part of the river were those shoals ?—I think it was called the Whiting shoal, down about Limehouse. The corporation having received those opinions, circulated very freely up and down the river copies of this report, and it received, I believe, universal approbation Just at the time we were commencing this, and, I believe, had begun the removal of one of the shoals, Mr. Pemberton wrote to me, as he states, to request a copy of this report. I sent him six copies of the report, and it was shortly afterwards followed by the filing of that information, which information sought to take from the corporation of London, not the conservancy of the river, but the soil and bed of the river as a source of profit. That is, it claimed on the part of the hereditary revenues of the Crown the right to embank the soil and bed of the river, that which could be embanked without prejudice to the *jus publicum*, for the benefit of the Crown. The corporation controverted that, stating that the soil and bed belonged to them, not for the purpose of using it for any private or corporate object, but for the purpose of applying the revenue to be derived from it strictly and solely to the execution of the public purposes laid down here for the benefit and improvement of the stream, in conformity with the plan suggested to them by Mr. Walker, Captain Bullock, and other public officers ; and that is the matter in controversy between the Crown and the corporation.

5573. Did the City allege that their title to the soil and bed of the river flowed from their character as conservators, or did they allege it to be something quite independent of that character ?—Totally independent of their title as conservators.

5574. Are the two things frequently separate in other rivers ?—I believe they are.

5575. Do you believe, with reference to the Thames, that it is of importance for public purposes that the two rights should be exercised by the same party ?—I think there are some acts of conservancy that cannot be efficiently carried out where the soil is in other persons. For example, the right of anchorage is a distinct right, but supposing the ful right to the soil and bed of the river to be in any other party than the corporation, I think the conservancy for the purpose of using the river as a navigable channel could not be efficiently exercised by them. I may take, as an example, the driving piles to which barges might moor for a tide. Supposing the soil to be in foreign hands I do not see how that could be efficiently carried out.

5576. Do the City claim the ownership of the soil by prescription exclusively ?—Yes ; confirmed, or rather recognised, by charters. But then we use those charters rather as evidence of our prescriptive right than as evidence of title in themselves.

5577. Do you know whether it is the case in other instances of tidal harbours and navigable rivers that the ownership of the soil is in any hands except that of the Crown ? —I believe it is so. Serjeant Merewether has paid great attention to that subject, and I think he gave you a statement with respect to it. He disputes the general proposition upon which this bill is founded. He denies that the Crown, by prerogative right, is entitled to the soil and bed of navigable rivers. I do not enter into that question. I am conducting this case according to the received doctrines of Westminster Hall, one of which doctrines would be, that even if it were true that the Crown by prerogative right was entitled to the soil and bed of all navigable rivers, still it may have been taken out of the Crown before the time of legal memory, by some sufficient legal act, and if we can

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show that we have it by prescription that would be a title in us, notwithstanding the rule of law might be correctly stated in the bill.

5578. Would not that throw upon you the onus of establishing that you have such legal right by prescription or grant?—By the ordinary mode by which prescription is proved.

5579. It was alleged as a hardship that the information had been filed by the Crown asserting their general right, and so throwing the onus of proving your right upon you in the first instance, instead of bringing a writ of intrusion, in which the Crown would have had to establish its right in the first instance?—It assumes as the foundation of its proceedings that the property belongs to the Crown, and then tells us to show by what means we say it belongs to us. We say that that is a hardship.

5580. If the right be conceded to be in the Crown as a general rule, where would be the hardship, because then the *prima facie* right would be in the Crown?—If the Crown had, by writ of intrusion, or by any other course, come in by the strength of its own title, it would have been a question for the court whether such a legal presumption could be fairly made.

5581. Would not the writ of intrusion necessarily proceed upon the supposition that the corporation were in actual possession of the soil?—It would, which, I apprehend, is not disputed.

5582. It has been stated that the Crown denies the actual possession of the corporation, and attributes all acts done by them to their right of conservancy?—I gather from the proceedings which have taken place that the Crown say: —You are in possession, but you are in possession because you have obtained that possession in your character of trustee or conservator for the Crown, and these are acts which are equivocal, and might be assigned either to the ownership of the soil, and to your position as conservators. The Crown say those acts are done under the power of conservancy. We say that they are evidence of our ownership, and what we further say is that those are questions which ought to be tried in the ordinary course.

5583. A complaint being made of the hardship of the proceeding on the part of the Crown, if they had taken another course would not they have precluded themselves from denying an adverse possession of the corporation?—In the expressions which I have been using I have been only echoing the expressions which some of the greatest men have applied to this particular suit.

5584. You stated that the right of the City to the soil, though considered on the part of the City to be grounded upon prescription, had been recognised by some charters. Can you point out to us what charters have recognized the ownership of the soil?—We consider that the oldest charters, which are in very few words, have to be interpreted by circumstances. The charter of Henry III. says that the corporation shall have all their rights by land and by water. We could have no rights by water except those which relate to the Thames, and construed by contemporaneous historical evidence of how the corporation dealt with the Thames at that time, we consider that it is a chartered recognition of the rights which were in fact exercised by the corporation at that time in regard to the Thames.

5585. Is there any more distinct reference than that which you have cited?—The charter of Henry VI. recognizes the right of the corporation to all common soils in the City of London and the water of the Thames, within the franchises of the City. We show by contemporaneous history, and by documents in our own repertories, that the franchise of the City extended from Staines to Yantlet, the franchise of the City being represented in the immemorial right of conservancy. Because, as I hold it, our conservancy is of two characters; we have the prescriptive conservancy from Staines to Yantlet, and we have a conservancy by charter and by commission from the Crown, that is, the conservancy of certain statutes within the river Thames. But the general right of conservancy is a prescriptive right.

5586. The second kind of conservancy you mention does not go to the extent of the ownership of the soil, does it?—No. I am drawing a distinction; the ownership of the soil we contend is a prescriptive right also.

5587. *Chairman.* Is there any broad distinction between the duties and functions imposed upon you by the two descriptions of conservancy to which you have referred?—I think the moral and perhaps the legal duty is to apply all the funds derived from the soil and bed of the river to the purposes of the conservancy. The doctrine upon which the corporation have proceeded is, that they are bound to apply every shilling obtained in the one capacity to the public purposes of the other.

5588. You say that, besides what you call the prescriptive right of conservancy enjoyed by the City, there are certain conservancy rights and duties imposed upon the City by statute. To what do you refer?—I referred to fisheries and removing weirs in ancient times. They being at one time probably the only obstructions those words were used, constituting the Lord Mayor of London conservator of those statutes for the river Thames, and appointing certain magistrates conservators of the Ouse and other rivers.

5589. Why were those statutes necessary if the City had already general powers of removing those obstructions?—They probably imposed a duty or obligation to remove them.

5590. If you have gone through all the charters or passages which refer according to your view to the ownership of the soil, there is no very clear and unambiguous reference is there?—Certainly not, or we should not have had that suit.

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5591. There are references in general terms which may according to the view of one party, include that right, but according to the view of another, may not include that right?—That may be predicated of all prescriptive rights, the fact of its being a prescriptive right implies that you have no other definite legal origin. If you had a charter or Act of Parliament, you would not fall back upon prescription.

5592. Substantially, according to the view of the City, the ownership of the soil of the Thames is a prescriptive right, proved by successive acts of ownership of dealing with the bed of the Thames, as an owner would deal with it?—Exactly so; that is not the exclusive evidence. Those charters construed with contemporaneous history show that the Crown recognized the right of the corporation at that time. The Honourable Commissioner is aware that the same is the case with all prescriptions; the fact of a prescription presumes either a lost charter or a lost Act of Parliament, or some other legal origin, of a right that we are not able to produce.

5593. The prescription would be bad if, upon the face of it, it appeared incapable of being referred to some such legal origin?—Exactly so. That legal origin may be a lost Act of Parliament.

5594. In acting for the City or receiving instructions with regard to questions in litigation for the City, do you look exclusively to the interests of that portion of the metropolis which is included within the boundaries of the City, or do you take a general view of the interest of the entire town?—I do not know where they conflict. If a case is stated to me I will answer it. I think the interests of the City and the interests of the metropolis are identical.

5595. If there should be any case in which there was a conflict between the two interests, what would be the course which the corporation would take?—I do not desire to evade the question, but I cannot suppose such a case. If such a case were stated to me, I would deal with it. I believe the revenues of the City being applied to the purpose of enlarging the streets, and facilitating the means of intercourse of 200,000 persons, who every day come into the City of London for the purposes of business, but who reside in the metropolis generally, there is no object so important for the benefit of the whole population, as that the streets should be improved, and the City be improved by that means.

5596. Take as an instance the 4*d.* duty on coals; that is levied on the whole metropolis, and a considerable district of country round the metropolis, but it is claimed by the City as a possession in perpetuity to be expended at their sole discretion, is it not?—It is.

5597. Do you think the City are bound either legally or morally, in the expenditure of the proceeds of that particular tax, to consider equally the benefit of the whole of those who pay the duty with that of their own constituents?—I think the two are inseparable. The public who come for their dividends or to transact their business in the City, to the extent of 200,000 persons daily, are as much interested in having wide streets and having free intercourse with the great commercial establishments in the City, as the dwellers in the City itself.

5598. It can hardly be said, can it, that they have the same direct and immediate interest as the dwellers in the City have?—There may be some slight difference in degree and there will be as regards individuals, but I think the interests of all are inseparably connected, and if the narrow streets of the City were neglected, and were allowed to continue narrow, which would impede the passage to the great establishments of the City and from them, that would be felt as much by the inhabitants of the districts surrounding the City, as by the dwellers in the City itself.

5599. Are the proceeds of that 4*d.* duty applied exclusively to improvements in the streets of the City, or are they considered available for general purposes, like any other portion of the City estates?—I think there is a growing feeling similar to that which I entertain, that all our public revenues of that description should be strictly applied to public objects of all kinds. I should desire to see two pockets, into one of which I should put all the property acquired from tolls and dues, and in the other all the produce of our private estates. If I wished to give a dinner or to exercise charity, I would put my hand into one pocket; if I wished to make a public street, I would put my hand into the other, and I would confine the two strictly to those purposes.

5600. What do you think is the view taken by the corporation of the mode in which they should manage their revenues? Is it their view either that the whole revenues of the City, or such portion of them as arises from tolls and dues, should be appropriated to purposes generally beneficial to the metropolis?—The corporation being composed of individuals there are all descriptions of opinions, but I think we are fast arriving at that period in which the majority will be of opinion that the produce of public tolls and dues should be strictly dedicated to public purposes, in which the metropolis generally will have an interest, as well as the City itself. With respect to the City, it is nearly 200 years since the mass of it was erected. The streets are narrow and it is extremely desirable to have convenient main arteries of approach to the Royal Exchange, the Bank of England, and so on. Two millions of money, I know, are required to carry out the improvements which the corporation have under their contemplation.

5601. Do you think the corporation consider themselves as the representatives of the interests of the entire metropolis, or only that portion which is included within the City?—I think a different feeling upon that subject is growing up. I think in former times,

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till within the last 40 or 50 years, it was the City for the citizens. The feeling is now growing up that the City is for the world.

5602. Is that a principle of administration which is followed to any extent by the corporation in the management of their revenues?—I believe it is. I believe Cannon Street is an evidence of it.

5603. In deciding with regard to the opposition to be offered to any private Bill which may be before Parliament, do you think the corporation would take an enlarged view of the general interests of the metropolis, or that they would consider especially the interests of the constituency of the members of the common council?—I think the corporation would consider their first duty to be to their constituents, but I do not think they would permit that feeling of duty to their constituents to operate to an extent to prejudice of other interests.

5604. Is there any other point to which you wish to direct the attention of the Commissioners?—The freedoms, and the position of St. Thomas's Hospital, I think are subjects upon which it is right that I should make some statement. In regard to the freedoms the accuracy of the statement contained in the written document read by the recorder I confirm upon oath. I was a member of the corporation, and took part in all those proceedings for diminishing the charge upon freedoms, and removing the obstacles to inhabitants obtaining them. The charge of 25*l.* which was put on in 1729, was put on, as the document says, for the purpose of enabling them to pay the debts of the corporation. At that time the corporation was in a most embarrassed state—out of funds and out of credit, notwithstanding that at that time seven of the aldermen were bank directors. In 1830 or 1832, a proposal was made for reducing the charge upon freedoms, to encourage the extension of the constituency. The difficulty we experienced arose from the fact that those who had purchased their freedom, and paid 25*l.* as a fine, 2*l.* 6*s.* 8*d.* for agents' fine, 4*l.* or 5*l.* for the government stamp and other duties, together with perhaps 20*l.* or 30*l* for their admission to the livery, thought they had acquired a sort of vested interest in an exclusive right. The difficulty which was experienced, therefore, was in suddenly taking off those charges, and exposing persons who had paid them to a competition with persons who might come in in the same trade, but had not paid them. The proposal of the corporation, therefore, was to re-pay to those who had been admitted within two years a portion of the sum which they had paid, and we paid, I think, one half or some other proportion to those who had so come in upon the larger sum, and we gradually reduced the amount so as to work as little injustice or inconvenience as possible to those who had been already in possession. We did so till the amount was reduced to the sum at present stated, 2*l.* 6*s.* 8*d.* It has been assumed that the actions which have been brought against persons for not being free, were brought for the purpose of putting money into the coffers of the corporation. I have no hesitation in saying, being in the confidence of the various committees of the corporation, that no such motive ever entered into their imagination. The only purpose was to endeavour to increase the constituency of the corporation. Whether it was a judicious mode of doing so or not is not a matter for me to express an opinion on, but I was the instrument of the corporation in carrying that out, and I have no hesitation in saying that it was no part of the object of the corporation to increase their revenue. Various actions were brought—one against Mr. Sturt. That was brought by me, for the purpose of trying the question in the least expensive and the least inconvenient form. Mr Sturt was a personal friend of my own. I attended a meeting of the opponents to the City, at Mr. Sturt's house; he was in the chair, and the subject therefore was very fully discussed in the most amicable form in which it could possibly be. We are near neighbours in the country, and we used to walk arm in arm from the omnibus into the City, while this discussion was going on.

5605. In a printed copy of the statement which was read by the recorder, it is said that the action was against Mr. Sturt, and not against Messrs. Ward and Co.; was not Mr. Sturt a partner in the same concern as Messrs. Ward and Co.?—I think not at that time. There was the firm of Sturt and Sharp, and of Ward and Britton, but I think one of the partners in Sturt's house has since died, and one of the partners in Ward's house, and Mr Sturt is now a partner in both. The object of that statement was not for the purpose of appearing to imply a contradiction, but to show identity.

5606. Were any means employed, such as sending persons to purchase goods which, though it might not be called employing spies, was rather in the nature of a hostile proceeding?—One of those parties appeared before the chamberlain and pleaded that he did not sell by retail. I was present, and I said, "I know you to be very wealthy "people. Do you mean to say that you never sell by retail? If I wish for a coat, "would not you sell me one?" They said, "No." I said, "If the Committee direct "me to take proceedings, you are the man I should take proceedings against, because "you are very wealthy and you are doing covertly an injury to the retail traders, because "if you supply retailers, and supply their customers too, you do an injury to them." The partner of the Lord Mayor said he would not take up his freedom because his partner being a freeman covered him in the house. I said, "I shall bring an action "against you if the committee authorize me." The committee did direct me to take proceedings, and I named those two gentlemen. I went to the house of the parties I have referred to, and I took my clerk with me. I said, "My name is Charles Pearson. I

"want a coat for that young man." He bought a coat and took his receipt for the money. I went away and brought an action against him; the same took place with the Lord Mayor's partner. But as to anything in the nature of spying, or deception, or anything of the kind, there is not the slightest foundation for such statements.

5607. Whatever was done was done openly, and not in any clandestine manner?—Certainly.

5608. Has your attention been directed to the evidence that has been given to us by Mr. Henry Grey?—I read it at the time.

5609. It relates to a prosecution in which he was engaged in 1847. The statement made by Mr. Grey was, that he was engaged at that time in prosecuting a gang of swindlers, which ended in their conviction. He states that he incurred a great many losses in undertaking this prosecution, and he goes on to say that there were certain estreats paid to the City by one of those swindlers; that, under the impression that those estreats belonged to the treasury, he memorialized the treasury, who were perfectly willing to have given him the money; that finding that they belonged to the City, he applied to them, but that they refused, and have refused up to the present time to give him any benefit from the money; he says he is informed that this money goes to some fund in the City, of which an account has never been rendered to the public. Have you any observations that you desire to make upon this statement?—About one hundred years ago, in making arrangements with the sheriffs, the estreats were set over to the sheriffs as a part of their income. This sum would go for that purpose. I think it may have amounted in the last twenty years to an average of 60*l.* a year, or something of that kind. The whole receipts for the last ten years certainly have not amounted to 100*l.* a year.

5610. Has any account ever been rendered of those receipts?—No; the money is paid over to the sheriffs; the sheriffs do not render any account of their receipts.

5611. On the occasion of the former inquiry into the City of London, did not the sheriffs render some accounts?—I was under sheriff at that time; the amount of those estreats would come into my statement of my emoluments.

5612. Does the under sheriff generally receive them?—I did by my arrangement with the sheriff. My sheriff was a very liberal man; he gave me everything.

5613. Does not it seem to you a great hardship in a case of that sort that this money should not have been paid to the party who undertook the prosecution?—They made many arrangements in former days which the present day does not approve of.

5614. But the present day appears to maintain this custom. We are given to understand that this poor man made an application to have this money, and it has been refused him?—I have no doubt that may be so.

5615. If the money had been received by the treasury, he could not of course have received it?—I do not think that it is by any means a matter of course that the treasury hand over estreats under such circumstances.

5616. In this particular instance the treasury stated to Mr. Grey that they would have given it to him?—I dare say that this is not a convenient mode of remunerating the sheriffs.

5617. It is more than inconvenient, is not it? Does not it absolutely lead to cases of great hardship, as is proved from this particular instance?—I feel a difficulty in expressing an opinion upon matters which are not under my own control. If I were the essence of the corporation here, I think I could not express any opinion favourable to the practice.

5618. This was the case of a man who was acting the part of a public prosecutor?—He took upon himself the office of public prosecutor, it being however a private wrong of his own.

5619. Some of the leading merchants of London supported him, did not they?—I may be mistaken, but I think the corporation supported him too. I think the corporation subscribed towards the expenses of the prosecution. It is of course one thing for the corporation, in the exercise of its just liberality, to give what is their own; it would be another thing for them to give what they have set aside for the sheriffs. It may be a very fit subject for consideration whether they might not give a sum of money to Mr. Grey now, and it might be very fit for consideration whether, if the sheriff is to be remunerated, it should not be in some other form. I believe that a committee of the corporation have already sat upon the question of the sheriffs' allowances, and that it is in contemplation to make the sheriffs an adequate remuneration by a money payment, instead of leaving them to be remunerated from any such sources as these.

5620. Mr. Grey says that he has repeatedly applied to the Court of Common Council for an allowance of money, and has not been able to obtain it?—That may very well have been the case. I can readily imagine that a gentleman may feel himself justified in using a degree of importunity which raises a feeling not very favourable to his pretensions. I do not know that it is so in this case, but it is human nature that exceeding importunity sometimes defeats its own ends.

5621. Mr. Grey stated that the attorney he employed told him that the prosecution would cost some small sum of money. Finding that it would cost a great deal more, he endeavoured to raise a subscription, towards which the corporation paid him 50*l.* Some of the witnesses did not appear when called; their recognizances were estreated, and he says, "After that I petitioned the City solicitor, by the wish of Mr. Potter, his request "being contained in a letter to me. I received no answer from the City solicitor, and I

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„ was then advised to make a public appeal to the Court of Common Council by a general „ petition." Have you any recollection of those circumstances?—No. It very likely might be so. The case would not rest with me at all. I could have no power of giving him any money.

5622. Supposing the sheriffs were remunerated by a sum of money, engaged on the part of the City to be paid them instead of having fees, would not estreated recognizances go to the City?—They would.

5623. Under such circumstances any person situated as Mr. Grey was, being led into a much greater expense than he contemplated, and the prosecution being considered to be of public benefit, would have to petition the City?—Yes.

5624. Still it would be a matter of grace, would not it, if they gave the money?—Certainly. The money does not, as a matter of necessity, I should state, go to the sheriffs; the corporation, though they allow them to receive it, retain in their hands the power of diverting it where they think proper. When it is a small sum, 50*l.* or 100*l.*, they do not exercise the right, but in a case which the learned commissioners will recollect, Moseley Wolfe's case, which occupied the courts some ten years, 10,000*l.* was the amount of the fine, and in that case the corporation paid the solicitors something like 1,500*l.* to one, 700*l.* or 800*l.* to another, and they gave the sheriffs only 1,000*l.* out of that money.

5625. What you state now only bears upon the amount of remuneration received by the sheriffs, it does not bear upon the degree of hardship upon the individual who might be considered to have an equitable claim to this money?—I think I ought not to permit myself to go further than that I very much agree with the Commissioners in the questions which they have put. I think the corporation to a man would feel the same when their attention was in cooler moments called to it.

5626. I believe Billingsgate Market is by statute free except certain tolls, which are imposed in accordance with the schedule?—Yes; those are the terms, but though a free market a person is not exempt from the payment of stallage. If by prescription there is a right of stallage, calling it a free market does not exonerate them from the payment.

5627. The demand upon the factors in Billingsgate market rests upon prescription, does it?—Upon prescription for stallage.

5628. You think the declaration of its being a free market is not at variance with that prescription?—No; a reasonable charge for stallage does not appear to me to be inconsistent with it. Contemporaneous with the passing of that Act was the receipt of the stallage. I should state, as the corporation have desired me to do, that though they have laid out 30,000*l.* upon the erection of that market, I do not feel that the corporation could increase the price of the stallage to indemnify themselves for that outlay. That has been a matter as to which I have differed from other persons.

5629. Do you mean that the rate of the charges for stallage is fixed by prescription as well as the principle of asking for them at all?—It is a very difficult question. I have felt it my duty to advise the corporation, that although they have expended 30,000*l.* upon the erection of that market they cannot, in my judgment, raise the price of stallage to any extent adequate to the amount of the outlay. Mr. Recorder reminds me that it is necessary that I should give the Commissioners some explanation as to the recent proceedings for enforcing freedoms. I have stated that there was one person against whose property execution was issued, and the amount levied. In that case there was not only that one execution issued, but there were five others. There were six executions issued for the amount of the penalty and of the costs with instructions to the officers to say to each person,—This is a proceeding to enforce your taking up your freedom; if you choose to take up your freedom the fine will be remitted and the costs also. He did state it, I believe, to every one, and out of the six five did take up their freedom, and had the fine remitted and the costs. The same statement was made to the sixth; he did not choose to comply with it; his goods were taken and were sold, the fine was levied and costs to the amount of 2*l.* The officer in executing the process entreated him to see me or obey the law, telling him what had been the case with the other five; however, he declined to do so, and his goods were sold. He some time afterwards was summoned again by the chamberlain to take up his freedom. I think it very probable that the identity of the name did not occur to the committee who then ordered the persons to be summoned, and therefore it was accidentally included and, probably, not intentionally. However he came before the chamberlain. I was present and I said to him,—"Mr. Dealtry, the penalty " and the costs are still in the hands of the officer; if you choose to take up your free- " dom like other persons that money will be given back to you. There is no intention to " mulct you of your money; if you choose to take up your freedom the money will be paid " back; the penalty and the costs remain still in the hands of the officer in the expec- " tation that you would feel that you had better take that course, or that the corporation " may abandon their proceedings to enforce freedoms—in which case you may have your " fine and costs back again." If any misconduct was practised by the officer upon executing the process, of course he is amenable to the Lord Mayor's Court out of which that process issued. The person himself was with me a few days ago, and I said to him: " I shall not touch your costs. I have never touched the costs of anybody under such " circumstances. You may take your money back again whenever you think proper to " obey the law, or if you choose to wait till the question is settled you can do so."

5630. That sum having been once levied against a man for retailing without being free of the City, suppose he goes on to retail after that; is he liable to a fresh proceeding?

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—Certainly; every act of retailing is a fresh offence. With respect to St. Thomas's Hospital, under the Act of Parliament 27 George 3 cap. 77, which settled disputes which had been for some time pending in Chancery, and defined the relation in which the City were to stand towards the hospitals in future times, the corporation about twenty-five years ago passed an order requiring the governors of each hospital, when they sent up their leases to receive the seal of the corporation, to have those leases certified by two governors, being aldermen. For twenty or twenty-five years or probably more the hospitals complied with that requirement, and sent up their leases in this form. Some time ago, from some circumstances of a little unfriendly character with some of the hospitals, there was a departure from that practice, and St. Thomas's Hospital sent up a deed to be executed with the intimation that it was not their intention any longer to comply with that requirement. The corporation referred it to the Law Bills' Committee, constituted principally of solicitors, to deal with the question. They had a case prepared, and submitted it to counsel. Counsel were divided in opinion; one gentleman was very strongly of opinion that it was necessary, under the wording of the clause, that two aldermen at least should sign and certify. The others were of opinion that upon the whole the balance of evidence was the other way, looking at it as a contemporaneous interpretation of the expression used in the Act. However they were all of opinion that it was a subject of some consequence, and that the corporation as trustees ought to receive the judgment of the court upon that question. I have the opinions with me, if the Commissioners desire to see them.

5631. The expression in the Act of Parliament is "in the accustomed way," is not it?—It is upon the 3rd section that the question turned,—"That the seal of, or belonging "to the aforesaid hospital shall be restored to the chamber of the said City of London, "and be kept, as heretofore, by the chamberlain of the same City, for the time being, in a "purse or box sealed with the seals of the Lord Mayor of the said City, for the time "being, and any of the aldermen of the same City, who shall be present, at any time or "times, that the same seal shall be used. And that all leases which shall, at any time or "times hereafter, be made or granted of any of the lands, tenements, hereditaments, of, "or belonging to, the aforesaid several hospitals, or any of them, and all and every other "deeds, presentations, and other instruments whatsoever, relating to or concerning the "same hospitals or the estates, revenues, and possessions thereof respectively, (after the "same shall have been examined, approved, and signed by the presidents or treasurers, "and such a competent number of the aldermen and other governors of such of the said "respective hospitals to which such leases, deeds, or instruments, shall relate or concern, as "have been used and accustomed to examine, approve, and sign the same,) shall be left at "the chamberlain's office," and so on. The argument proceeded upon the old doctrine of corporation law,—that when classes are named, the words must be satisfied by the time of each of those classes. It was thought that the Act would receive its interpretation from what could be shown to have been the practice anterior to the time. Mr. Wainwright, the most respectable solicitor on the other side, concurred with me in agreeing to that document. We mutually submitted all documents to the inspection of each other. We went through them all—made a schedule of them—certified them—and agreed them—and put them upon our affidavits, so that the facts were admitted; and then we took the opinion of the court upon them.

5632. Was not there a rule nisi for a mandamus, which was made absolute in the month of November 1851?—Probably that was the date; we agreed to raise the question upon the return, so as not to multiply proceedings.

5633. I have here a copy of the pleadings; and there are seven or eight issues of fact as to what had been the custom. Were those issues tried by a jury?—No. We saved expense and delay and trouble, by agreeing to the facts, and putting them upon the proceedings.

5634. You stated a case, and took a verdict by counsel?—Yes.

5635. Was that case ever argued?—Yes; and judgment was given against us.

5636. The question then is settled and determined?—Yes. The corporation considered themselves as trustees for posterity, and that they ought not to relinquish an apparent right, of which they were in the exercise, unless a court of competent jurisdiction should say that the law was against them. That was the opinion of counsel, and I acted upon it.

5637. Considerable expense of course was incurred?—No doubt of it; and the question now arises concerning the payment of those expenses. When the court had pronounced its judgment, Sir Frederick Thesiger was asked about the costs by his client. I sat near him at the time. He said, "Do not ask for costs." I communicated it to my clients, as evidence of a good spirit manifested by the hospital that they had not asked for costs. We were all very much delighted at the friendly feeling which we hoped would thenceforth take place. About a year afterwards, an intimation was given to me that costs were asked for. I wrote a civil letter to the solicitor on the other side, telling him how much we had congratulated the corporation on the friendly feeling evinced by not asking for costs. However, he repeats, that he must have the costs; and at the next meeting of the committee I have no doubt the costs will be paid.

5638. Am I right in supposing that before 1821 no charge was made to the factors in Billingsgate market?—I have no doubt a charge was made.

5639. Do you mean a rent or some very small payment?—Before 1821, supposing

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that to be the boundary period, the profits did not come to the corporation. Our ancestors had sold it to the officers referred to in our statement. The Lord Mayor and sheriffs and aldermen of one hundred years ago had sold the profits of Billingsgate market to what were called the yeomen of the waterside. The corporation bought them up, and when the corporation bought them up, we paid them annuities or specific sums, and received the amount which they had received in the shape of stallage.

5640. Do you believe those parties at that time charged and received payments analogous to the charge now made upon the factors for stallage?—I do.

5641. Is that information before the public in any shape?—I think there is some statement of the kind, but I think it is only a general one.

5642. What is the amount now received by the committee for stallage in Billingsgate market?—I cannot state at the moment; but I will ascertain, and give you the information,

5643. Are you able to state whether, since the right has reverted to the corporation, the rate charged for stallage in that market has been uniformly the same?—I am not able to say. I know that the opinion has prevailed that it was not afixed prescriptive snm for stallage, but that it should be reasonable; the mode of interpreting the word "reasonable" being, that it should have some reference to the outlay. My opinion is not in conformity with that.

5644. You are not able to state to the Commissioners whether, since the corporation have had that property in their own hands, they have charged one uniform rate for stallage or not?—I am not able to state that; but I will take care that it is looked into. My impression is, that it has not been a uniform sum. The committee having to deal with it, have considered that they had to put on a reasonable charge for stallage; and that reasonable charge has had some relation to the sum expended in giving the accommodation. I have been consulted upon that question since they laid out 30,000*l.* They laid out the 30,000*l.* under the impression that they would be entitled to recoup themselves for a portion of that outlay by increasing the amount of stallage in proportion to the increased convenience given to the parties. I felt it right, in the discharge of my professional duties, to say, that unless counsel should be of opinion that we could do so, there was a difficulty in it. I have no doubt the amount has been raised on former occasions when money has been laid out. A case was prepared to be submitted to counsel. Without the countenance of my superior law officer, or some able counsel who would fairly consider the question, I did not feel myself at liberty to sanction such a mode of dealing with it.

5645. Is the office of City solicitor an ancient office?—Yes; it is so ancient that I do not practise by certificate. I practise by warrant. I rank with the solicitor for the treasury, and the solicitors for public departments. I am recognised in the Acts of Parliament of the present day, such as the stamp Acts. I voluntarily pay the certificate duty, because I choose to stand by my brethren; but I am not bound to do so.

5646. Was not it formerly part of the town clerk's office?—I think not. I believe it has always had a separate and independent existence.

5647. I observe in the report of the former Commissioners it is stated that the City solicitor's office is a comparatively modern creation, and separated from that of the town clerk?—A town clerk wrote that. If it had been a City solicitor, he would have given a different statement. I consider the office I hold, taking rank as it does, and being recognised by repeated Acts of Parliament from the first of the Stamp Acts imposing a duty upon the admission of solicitors, exonerates the holder of it from liability to any payment. When the committee dealt with my office, as the Commissioners have heard they do with all offices when they become vacant, the contemplated arrangement with me would have given me upwards of 2,000*l.* a year. But the change of circumstances has added 30 per cent. to my duties, and taken very nearly 30 per cent. from my income.

5648. Would there be any objection that whatever emolument it should be thought right to attach to the office should be paid by salary, doing away with fees altogether?—I think there would be a serious objection to it—it would be, in fact, making the corporation participators in an attorney's gains, because my emoluments partly depend upon bills of cost, not to the corporation, but to other parties. If, therefore, I were to bring those emoluments into the corporation fund, and then were to be paid a salary out of it, the impression upon my mind is, that there would be a legal objection to such an arrangement. A private individual must not share with an attorney in his profits; and if I were to send in a bill of costs to other persons—for instance, to the Irish Society—the profits of that business would go into the corporation chest.

5649. If the professional emoluments should at any time exceed the amount of that specified salary, supposing there were a salary, it would be a direct participation on the part of the corporation in your professional emoluments?—Yes. My predecessor, who was paid by emoluments without salary, had a very much larger income than I ever had. I have reason to believe that his profits approached to 3,000*l.* a year.

5650. If that should turn out to be so now, and the salary were fixed at 2,000*l.*, the other 1,000*l.* being paid over to the corporation, they would be participators in an attorney's profits?—That is my objection.

5651. Are not the solicitor to the treasury, and the solicitors to other public departments, paid altogether by salary?—I cannot answer for that. I believe there has been

an arrangement recently made with the Commissioners of Woods and Forests. What that arrangement may be, I do not know. I see by Mr. Pemberton's evidence, if he is paid by the usual professional charges, this suit would be a most productive one to him.

5652. Would not the same objection you have mentioned apply to the payment of the solicitors of the public departments by salary?—It is contrary to the policy of the law that any person should share in the profits of a solicitor. If the solicitor of the treasury is paid by salary, I do not know what he does with those profits. In the case of the corporation of London, when we succeed in a suit, and our antagonist has to pay costs, the City solicitor receives them; and the adjustment of his salaried income is made proportionate to what they believe to be the average amount of such payments. If it were a fixed salary, I think he could not pay those costs into the chamber, and therefore there would be a loss to the City.

5653. Would there be any objection to all the business of the solicitor which is virtually done for the corporation, including the business done for those funds which are now kept as distinct trust funds, being done in respect of his salary, whatever the amount of that salary might be?—I think there would be no objection to it, provided, as a matter of strict justice, the fund for whose benefit those professional services were rendered should be charged a proportional part of the amount of the salary.

5654. If an action is brought for the City Commission of Sewers, or for the Commissioner of Police, the expenses of that action would be charged for separately by the solicitor, would they not?—Yes, they would.

5655. Would there be any objection to the remuneration for services of that kind being considered as included in the salary?—I think not.

5656. If all those cases were included, it would only be necessary to provide for the case of costs being received from opposite parties, and for such cases as that of the Irish Society?—That is so.

5657. Is there any other point to which you wish to call the attention of the Commissioners?—I think I ought to tender more evidence upon the subject of the City prosecutions. I receive instructions from the Lord Mayor, and from the aldermen, to prosecute in various cases; the general class of cases I can state to the Commissioners, but it has to be applied by the individual judgment of different aldermen, who differ from each other as to the extent to which it should be carried. For instance, in cases heard before the Lord Mayor or the aldermen, I am sometimes directed to prosecute where there has been an attack on, or a resistance to the police, in order to throw around the police the protection of the City and maintain their efficiency. On the other hand I have had to prosecute policemen where, in the exercise of their functions, they are accused of having acted with violence or any other description of misconduct. I had to indict a policeman for murder by the direction of the aldermen. That was a case in which death was supposed to have ensued in a conflict between the policeman and a person whom he had sought to take into custody; and it was the opinion of the magistrates that the efficiency of the police could not be maintained unless that subject was judicially inquired into. The man himself, and others upon the beat, were continually the objects of attack, and the aldermen thought it right to institute an inquiry, which was sanctioned by the Secretary of State, and upon the hearing of that case the Lord Mayor for the time being thought it right to have the policeman indicted. He was indicted and tried; and he was acquitted, and I think rightly acquitted; but still I think it was a most important prosecution. It tranquillised the public mind; and satisfied them that justice would be administered, even though a policeman was the party charged. In other instances I am directed to prosecute where it is supposed there will be a failure of justice by the prosecution being bought off. There are, unfortunately, in this metropolis, a number of revolting cases, where persons in a wealthy position in life are supposed to be likely to buy off those whose testimony may be necessary to the ends of justice. In that case the aldermen direct me to conduct the prosecution. There are other instances where the poverty of the party injured would subject him to temptation to defeat the ends of justice. There was an instance, some time ago, where a number of emigrants were defrauded by persons who set up a fraudulent company. They defrauded those emigrants by taking their money under a promise to ship them for Australia, when they had no power to charter ships. I was directed to prosecute. In that case I maintained those emigrants for a considerable length of time; and afterwards, a subscription was opened to pay for their passage. If the aldermen had not directed that prosecution, it would have been impossible to have kept those men together by any recognizance or any other mode. Two of the parties were convicted, and I think transported; and a most important benefit has accrued to the commerce and the character of the port of London by that transaction.

5658. You appear in some degree to perform the duties of a public prosecutor in such cases?—I do so. I stated before that in individual cases there is not an uniform rule observed by the aldermen; some of the aldermen have objected to such a mode of proceeding. It undoubtedly is a questionable course. There are valid arguments on both sides; but I am only stating the facts, and I have no hesitation in saying that from my experience a great amount of benefit has accrued to the public from it, though in theory perhaps it may be objectionable.

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5659. Upon the whole, from your experience, are you inclined to think that good has been the result of following that course?—I am perfectly confident that it has been so. It is an imperfect approach towards the appointment of a public prosecutor. In the absence of any such officer, I am of opinion that great benefit has resulted from it.

5660. I will read you an extract from the evidence of Mr. Pulling before this Commission. He says, in answer to question 915:—"Radically the real abuse is in the power "to grant money for prosecutions." He is asked: "What inducement have the Court of "Aldermen to interfere in respect to the institution of prosecutions?" He says: "There is "the inducement that the aldermen individually are magistrates of the City of London, "and are therefore sometimes exposed to a number of actions. I know, in my own profes- "sional experience, cases have come before me where an alderman has taken a very "warm view of a certain matter, and has entangled himself in litigation. Applications "have been made to the Court of Queen's Bench, and some expensive proceedings have "been taken. With a stroke of his pen he gives an order to the City solicitor to defend "or carry on those proceedings in the Court of Queen's Bench." Is it the case that the aldermen direct that actions brought against individual aldermen should be defended by the City solicitor?—It is so; and Mr. Pulling might have added, that if it is liable to abuse, it has been so little abused, if at all, that I believe the case which he pointedly refers to there is the only case that has occurred in my experience. There was a case where an application was made to the Court of Queen's Bench which failed, and against the same gentleman an action was brought in another case. That was defended by the City, and in that case a verdict was given against the alderman, I believe, as regards the amount, principally in consequence of the evidence that the police station room in which the party was confined was damp; therefore the court and the jury visited upon the alderman whom they had there the consequence of this dampness of the cell.

5661. What is the case to which you refer?—It was an action by a person of the name of Bessell, against Alderman Wilson, for committing a man to prison who had been brought before him. The alderman, as Lord Campbell said, mistook the law, as any one else might have done. I do not recollect precisely the pinching point of the case, but I know the courts differed upon the very same Act within a very short time afterwards.

5662. Do not you think in such a case it would be desirable that the aldermen should not be able to put in motion the solicitor for the City without the sanction of some legal authority, who should be responsible for it?—The old difficulty again presses upon me of expressing any opinion of that kind; but I should state that a very respectable police magistrate, now no more, who had to suffer very severely in the case of an action against him for excess of authority as it was supposed to be, told me that there were a lamentable number of cases in which they felt they could not act with vigour for want of some means of sustaining them.

5663. If there were some officer of the City of legal weight and reputation responsible for proceedings of this kind, there would probably not be an indisposition to give a proper and due support to the City authorities when the occasion required it?—I think the form in which you put the question supplies its answer. I think there can be no doubt of it.

5664. But it is possible to suppose the case of an individual alderman acting from pique and precipitation, and not with that entire knowledge of the law which a professed lawyer would possess. To whom would you apply upon one of the aldermen bringing such a case before you?—The case is reported to me by the individual alderman. If it does not require immediate action I report to the next Court of Aldermen; if it does I take such steps as may be required, reporting them to the next court.

5665. You would consider yourself authorized in taking the first steps upon the direction of a single alderman?—Yes.

5666. You have stated that whatever opinion might be held in the abstract as to the expediency of this system, you think the power has not been exercised in an objectionable or immoderate manner?—I feel confident of it. I have no hesitation in saying that I believe it has never been exercised capriciously or oppressively, or without due judgment and discretion.

5667. Still if it is in itself improper, and is liable to abuse, it would be right to guard against it?—There can be no question about it.

5668. Mr. Pulling proceeds to say that: "The Court of Aldermen are the executive "who exercise paternal care over the morals of the citizens of London; and, therefore, "when any great crime has been committed, and the parties are too poor to prosecute, "the Court of Aldermen are the most efficient body to direct proceedings to be taken." I suppose there is nothing in that statement from which you dissent?—Nothing.

5669. The question is put to him, "Therefore they discharge the functions of a public "prosecutor out of the City funds;" he answers, "No doubt they do; but I am bound "to say this, that although I give great credit to the Court of Aldermen in some instances "for taking up prosecutions, the principle is bad, and in the majority of cases I do not think "I should be justified in designating the Court of Aldermen as a public prosecutor. They "do not take up cases as a public prosecutor would, but they choose their cases, and they "sometimes have prosecuted people for political offences where they have taken a violent view "in one direction or another." Do you think that is correct?—They have never interfered in political cases since I have been in the office I now hold. I have never known any body of men act with more impartiality in the administration of justice than the aldermen.

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5670. How many prosecutions do you suppose are conducted at the expense of the corporation in the course of a year?—About fifty or sixty.

5671. Are any of them important ones in general?—Such as I have described; one being a case of conspiracy, which, as all lawyers know, is a very difficult case to carry on.

5672. The rule which the government usually follows in instituting proceedings, is that they only interfere in cases where they think private individuals will not be able to carry on the prosecution with efficiency. Is that the general rule which the City adopt?—That is the rule. I believe they do not take a prosecution up except where they think, from some cause or other, it would not otherwise be carried on with efficiency. They do not assume to be public prosecutors.

5673. They merely interfere in cases where the general system appears to be likely to fail?—Yes; or to defend the police when they think they are improperly attached, or prosecute them when they think the public service requires it.

The Right Honourable JAMES STUART WORTLEY, Esq., further examined.

Rt. Hon. J. Stuart Wortley Esq.

5674. Will you state what your experience has been with respect to the prosecutions which have been instituted by the Court of Aldermen?—I would merely state that during the three years I have held the office, there have come before me various instances in which the prosecutions have been by order of the aldermen, and they have been of the character which has been described by the solicitor. In no one instance, during that time, has there been any case prosecuted by order of the Court of Aldermen which has had a political character of any description. As far as my judgment goes, in every case which has come before me it has been greatly for the benefit of the public that the prosecution had been taken up by the magistrates. It has prevented the possibility of collision, it has assisted in the vigorous prosecution of cases, which from the poverty and the position of the parties could not have been effectually prosecuted if the aldermen had not come to their assistance. I take this opportunity of saying, with regard to the general exercise of their duties as magistrates, that as far as the judge in the Central Criminal Court can form an opinion from the depositions which come before him, I am disposed to say that the committals by the City magistrates would bear the most advantageous comparison with those of any other class of magistrates who commit to the Central Criminal Court. I do not mean to depreciate the committals of other magistrates, but those from the City have been justified by the results of the trials, as well as supported by the general nature of the cases, in such a manner as to show that those duties are executed by the aldermen in a way which is for the public benefit.

5675. (*Mr. G. Cornewall Lewis.*) In your capacity as judge of the Central Criminal Court have you the means of comparing the committals of the aldermen with the committals of other police magistrates. Cases come before you from all parts of the metropolis, do not they?—Cases come before me from all parts of the metropolis, and they come also from county magistrates, from outlying portions of the metropolitan district. There are some portions of the counties where magistrates, who are not professional men, still have jurisdiction to commit. I have an opportunity of seeing the committals and depositions taken by the magistrates of all classes, and I repeat that the depositions as they come before us from the City magistrates will bear advantageous comparison with those of any class of magistrates who commit to that court.

Adjourned to to-morrow at twelve o'clock.

Thursday, 19*th January*, 1854.

SIR JOHN PATTESON in the Chair.

Charles Pearson, Esq.

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CHARLES PEARSON, Esq., was further examined, as follows:

5676. Is there anything which you wish to add to your evidence of yesterday?—There is. With respect to the propriety of referring it to some legal officer to exercise supervision or control over legal proceedings before they are instituted, I expressed myself yesterday according to first impressions. It was a subject which my attention had never been drawn to before, and I spoke as I thought at the moment. I do not desire to qualify the statement I then made, that I believe the committees exercise a wise discretion, and that they are advised by prudent and cautious officers, but looking at it as a question of principle, and looking at it in reference to several facts which have come across my mind since I have been reflecting on the subject, I wish to change the opinion I expressed, and to say that I think such an alteration would be beneficial, and also to change the expression I used when I said I thought that the recorder could not properly be such an officer, seeing that his engagements at the Central Criminal Court took him away from the focus of every-day business. I desire to say that I should see no objection to such functions being vested in the recorder or the town clerk, with such a town clerk as we

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now have, because the objection to counsel appearing in Westminster Hall whose time is so absorbed at the Central Criminal Court principally arises from a want of forensic habit, which, unless it is kept up, does not leave a gentleman upon a fair footing with his competitors; but it is not so with respect to a function such as has been proposed by the question. I think that if the recorder were required to be consulted upon all questions of law before either a suit or a defence were commenced, it would be a very wholesome and excellent regulation. However honest the City solicitor may be in his recommendations, still, inasmuch as his income partially depends upon business, it would be impossible for him to stand before the world free from the suspicions which ordinarily fall upon men who are doing acts in which their own interests are largely involved. On the other hand, I have had painfully to feel the evil in an opposite direction. I have often felt that I have given feeble advice for fear of subjecting myself to such an imputation. In order to remedy the evil as much as possible, I have generally, in my cases which I have read to the committee, cast upon the counsel whom I have consulted the duty of expressing their opinion, not upon the question as a mere dry question of law, but as one in which they are bound to consider the position of the corporation consulting them. Within the last fortnight I had occasion to consult Sir Richard Bethell and several other eminent counsel upon a point in which questions of law and equity and conveyancing were combined. That was as to the Irish society. I introduced into the case a statement that though the Attorney General of Ireland, and eminent counsel there had expressed an opinion in one form, yet inasmuch as the Irish Society had been suspected and accused of a tendency to litigation, and I had profited by it, I felt it right to charge counsel to give advice to the Irish Society, such as could be maintained, having regard to their moral position in the eyes of the world. Therefore the moral control which the question to me assumed, would be, and was in that case exercised by the counsel concerned. Nevertheless, I am bound to say that in several cases that I have been entrusted with, it would have been a very great relief to my mind if there had been some such controlling officer, for although I recognize in Mr. Serjeant Merewether, a distinguished and experienced lawyer, yet I am bound by my oath and by my sense of duty, sometimes to struggle before the committee in favor of my own legal opinion, while out of that room, I should feel myself justified in bending to his judgment. If Mr. Serjeant Merewether, as town clerk, or the recorder gave me a fiat for any proceeding, I should be at once disembarrassed of all obligations beyond those of an attorney carrying out a case to the utmost of his ability. There are now sometimes conflicting duties which very painfully operate upon my mind, and I have no hesitation in saying that I consider that part of my salary is earned by the weight of those responsibilities, and without reference to what is the proper remuneration of the City Solicitor. I think a deduction might very fairly be made from his salary to remunerate any officer who was charged with the deep responsibility which would belong to such a functionary.

5677. If it were either the recorder or the town clerk, or any officer who had charge of such a function, would not it be easier for him to take a moral view of the case, than for the counsel who might be consulted upon it. Is not it rather going out of the professional course, to ask counsel to do so?—That may be so. It is always well to illustrate a principle by a fact. I wrote these words at the end of my case which was read to the court of the Irish Society, and I requested the governors and deputy governor, and Mr. Sheriff Wire, who is a solicitor, to attend at the consultation. "The society consider that they "are placed in a different situation from other holders of property in Ireland, they have a "fiduciary character; they are trustees for the public, and they have no right to compromise "interests which the public have in the administration of the funds of the society. There "are several public improvements in the district where the estates are situated, which the "society are anxious to aid or affect, had they sufficient funds for the purpose. The "society on the other hand desire to avoid litigation, unless there is a fair and reasonable "ground for believing, that they have a right either to the fine or the additional rent in "in the case put." In the opinion of counsel after dealing with the question as a matter of law they say—"we think that, considering the position of the society, they are not at "liberty to forbear asserting their right to this compensation;" and in case the decision which was then pending in the courts of Ireland, should be against the society, they advise an appeal to the House of Lords. This is similar to the advice which our agent had received in Ireland, from the law officers of the Crown there; but, still feeling myself the difficulty in which I was placed, my advice was feeble. I should, probably, but for that feeling, and knowing how much we have been impugned for wasting, as it was said, the time of the Irish Society, at once under such advice have told the society,—It is a matter of law; I advise you to proceed. With respect to the metage case, I will now call the attention of the Commissioners to an examined copy of the judgment by the confession of the attorney-general in the reign of James the First. I have presented to the Commissioners merely a statement of the circumstances of the suit and not the evidence, with respect to it. This applies both to the conservancy and to the metage question. In the reign of James the First the Crown instituted proceedings against the corporation of London, challenging them to show by what title they claimed to be conservators of the river Thames, and by what title they claimed the metage and measuring of all measurable goods. The corporation of London, in the pleas stated here, set up that they had that title by prescription, and that there was an Act of Parliament in the reign

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of Richard the 2nd, that confirmed their title to all their rights and privileges which they then possessed. The Attorney General replies upon it—here is the plea—the terms in which we charge it are these :—" And further the same Mayor and commonalty, &c., say, That " all the customs, liberties, privileges, and franchises of the City aforesaid, for a long time " used by the authority of the Parliament of the Lord Richard the Second, late King of " England, after the conquest, held at Westminster in the seventh year of his reign, " were ratified and confirmed to the then Mayor and commonalty and citizens of the city " aforesaid, and to their successors ; and by that warrant the same Mayor and commonalty " and citizens of the said City of London, for the whole of the said time, &c., to hold and " exercise the said office" of conservators, and the said office of measurers, which are set forth in the previous part of the plea, in the very terms in which they are subsequently embodied in the charter of James the First, which terms, so far from being concealed, are set out in the bill against Messrs. Coombe and Company, and are printed in the Act of Parliament passed in the late reign, with regard to coals. It thus proceeds, " And Edward " Coke Knight, the attorney general who, &c., present here in court at the same day, in " his own proper person, and being asked and required if he was willing further to pro- " ceed in the premises against the aforesaid mayor, &c., says that having seen the plea of " the aforesaid Mayor, &c., and having fully and diligently understood and examined, " &c. Because it sufficiently appears to him, and is sufficiently attested here in Court, as " well by view of the aforesaid Act of Confirmation of the liberties, privileges, and fran- " chises aforesaid, as of divers evidences and other proofs, as by the relation and testimony " of divers trustworthy persons,—That the aforesaid Mayor, &c., and all their predecessors " from time whereof, &c., have used and enjoyed all and singular the liberties, privileges, " and franchises aforesaid, and others the premises in the said conformation above speci- " fied, in manner and form, &c., above in pleading alleged. The same attorney of the " now Lord the King doth not deny the same, but confesses and acknowledges the plea " aforesaid by the same Mayor, &c., in form aforesaid above pleaded, to be true, and that " he the same attorney, &c., will not further prosecute in the premises against the said " Mayor, &c., and whereupon the aforesaid mayor, &c., pray judgment in the premises, " and that they and their successors may use, have, enjoy, and receive all and singular " the liberties, privileges, offices, franchises, wages, rewards, and fees aforesaid ; and after " the premises in their aforesaid plea, and on view of the premises here had by the barons, " and on mature deliberation between them. It is considered by the same barons, that " the aforesaid mayor, &c., and their successors may have, receive, enjoy, and use all and " all manner, offices, privileges, liberties, franchises, wages, rewards, and fees aforesaid, " and other the premises in their plea aforesaid, above claimed from time to time, by virtue " of the aforesaid Act of Parliament ; and the same Mayor and commonalty and citizens " aforesaid, as to the premises may so from hence quit without delay ; saving always " the King's right if otherwise, &c." There is one circumstance in respect of the metage which is referred to in the evidence, but not in the statement of the corporation ; but as it is the wish of the corporation that nothing shall be left unanswered, I take leave to refer to the case of the oyster meters. The office of the oyster meters is a purchased office of the grantee and purchaser of the office of yeoman of the waterside, sold a century ago, the oyster meters having purchased with their places the right of alienation. Two of the oyster meters, in the course of years, have died without alienating, and they have died since the time when the corporation, according to its modern usage, refused to sell any office. The corporation, therefore, appointed two oyster meters, and they acted in concert with their colleagues. But the attention of the court was called by a petition to an abuse practised in Billingsgate Market, the abuse being that the holdsmen or persons engaged in the actual delivery of the oysters in heaping them up in the bushel and delivering them on deck were in the habit of receiving gratuities from the purchaser, in a tone and manner which rendered it necessary that they should be paid. They were, so to speak, compulsory voluntaries. They asked them in a manner that led them to believe that they would either be served late or served badly if they did not comply with this custom. The corporation found that they were receiving from their two nominees the dry produce of the place, it being decided according to a judgment in the Court of Exchequer, in the case of Layburn *v.* Crisp, that the fee for metage included the cost of the labour, and that the meters were bound to find labourers out of that sum. The corporation, as soon as it came to their knowledge, insisted that the legal practice, as established by that case, should be carried out, but they found that the first thing to do was to clear themselves before they proceeded to correct others ; therefore, they said, we will not permit our two meters to take this money, and to hand us over only the legal fee ; but we will appoint two men, who are actual holdsmen, and they shall receive the whole of the amount and take no fees from the public. A bill has been filed against those two men by the other eighteen, the oyster meters setting up a *quasi* corporation, entitled to a partnership division of the receipts of them all, saying to those men,—If you have been choosing to pay the holdsmen to assist you, and to work yourselves, you are fools for your pains ; you shall receive only your proportionate share of the whole amount of the receipts, and you shall bring the whole amount of your receipts into the partnership division. Vice Chancellor Turner heard the case, and he decided that the doctrine in Layburn *v.* Crisp must be maintained, and that the oyster meters ought to pay their holdsmen out of the money received. But, strange to say, the the public will pay the holdsmen, and a conflict has taken place at Billinsgate, in which

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the corporation meters have been actually defeated, and they are compelled to receive this money; and it is in vain that we stick up notices in all directions to say the people are not bound to pay it; they will pay it, and they do pay it; and it is now before Lord Chancellor Wood, who feels that it is impossible to restrain people from paying a gratuity, if it is a gratuity, and I believe the effect of it will be that it will lapse into its ancient state and conditon. We have struggled at a very great expense. We had hoped that the matter might have been arranged, and that the corporation would have been enabled upon fair terms to have bought up the places which their ancestors had sold, so as to effect a total change.

5678. Is there any reason to suppose that those holdsmen who take gratuities from the public, make any return by way of giving over measure so as to defraud the seller?—The seller is upon the spot. The proprietors of the oysters themselves attend, and although they petitioned us to put an end to this practice, the strong impression upon my mind, is that from some cause which I cannot very well understand, they really did not desire to break down the system. There is no effort as it appears to me to support the corporation in what they have done.

5679. It has been stated in evidence by some of the witnesses, that they were aware that the corporation were desirous of putting down the practice, but that they found themselves unable to do so?—If I were paid by fees and emoluments, instead of being paid by salary, that would have been a very rich and valuable suit.

5680. How many oyster meters are there who are not under the City?—There are eighteen day oyster meters, and three night meters.

5681. They are independent of the City, having derived their offices from purchase?—They affirm that they are independent from something that dropped from Vice Chancellor Knight Bruce, and also from Vice Chancellor Page Wood; it would rather seem as if their impression was that the corporation might by its power to change its customs, deal with the whole matter, but while this *quasi* fellowship remained it could not deal with it in detail. They seem to imply that they did not know that the corporation might not make some superior regulations, to over-ride the regulations of this partnership.

5682. Are the holdsmen appointed by the meters or by the corporation?—They are nominated by the owners of the oysters, and they are appointed by the meters. I should say that I believe a strong feeling prevails in the mind of the corporation, that those parties would be harshly dealt with if a strict measure of law were dealt out to them, and they were compelled to pay the holdsmen out of their legal fees. They having bought the office at some time, however irregularly, from persons for whom we are not morally or legally responsible, in all probability if they were to come to the Court, the court would deal fairly with the whole transaction; and it is very possible, if we had some such officer as the question to me yesterday assumed, he might have thought it right to have taken an enlarged view of the question at that time, and have tried some other mode than that which I tried.

5683. I will call your attention to the question and answer No. 2262, in the evidence of Mr. Henry Gibbs, and various other persons who appeared as proprietors of oyster grounds at Queenborough, and as members of a deputation of oyster meters and proprietors generally. "Are you to be understood that the persons who actually measure "the oysters, being the servants of the City deputy meters, cheat the sellers, being bribed "by the purchasers to give over measurement? I believe it frequently occurs, but there "are several gentlemen now before you who will speak positively to that point, they "having been and are sellers at Billingsgate Market." The statement of the witness is that those measurers cheat the sellers, being bribed by the purchasers to give them overmeasure. Do you believe that to be the fact?—I am quite satisfied, if you had asked Mr. Gibbs whether the meters who attend him did so, he would have said, no. It was at the instance of Mr. Gibbs and Mr. Alston that the City meters were appointed, who were to refuse to receive those gratuities. It is extraordinary to me that the oyster sellers, if that is so, did not concur with the corporation in putting a stop to the practice. It is clear if they concurred with us that they might do it. The enormous sums of money which are paid to buy those officers are quite inconsistent with the income which is attributed to them.

5684. Would the compensation requisite to abolish the offices of those 21 persons be considerable?—I think it would, because I think that they have given very large sums of money for some irregular profits that we know nothing of, and I think the pressure which is put upon the corporation now keeps up the market. They think we must buy. That is my impression, that they think there has been a strong moral feeling acting for some time upon the corporation, and that those places sooner or later will be bought up. They would not command, in my opinion, the prices they do, unless they received more fees than they acknowledge to, which I have no reason to suppose, or unless they expected they would be bought up. I know some of them personally, and believe them to be very respectable men. I do not charge them, therefore, with receiving more fees. I am only putting the fact that the price they pay for their place is very much above what anybody would seem to imagine was the fair purchase money for such a situation. It is one of the evils perpetrated by our ancestors, the rich merchants and bankers who had the management of the corporation and sold those places.

5685. In the evidence of Mr. Gibbs, he goes on to mention a tax of 2*s.* on every

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fishing vessel, which is levied by the marine society?—With that the corporation has nothing to do, and I do not know anything with respect to it. With respect to the City solicitor being paid by salary instead of by fees, I stated yesterday that there were cases under which the Attorney General did receive costs. In the case which was then under consideration, the solicitors for the woods and forests were entitled in my opinion to receive costs, and they did so. The rule laid down by Lord Cottenham, in regard to the costs of the Attorney General was this, he said the Attorney General receives no costs because he pays no costs; parties to a private suit receive costs because they pay costs, but there are occasions when parties to a private suit do not pay costs, and in corresponding cases to those, the Attorney General is entitled to receive them, because he stands upon the same footing with Her Majesty's subjects generally. In the case of over-ruling the exceptions to the answer of the City, inasmuch as the judgment below was confirmed, of course under no circumstances could we have claimed costs. The costs were given to the Attorney General, and to the amount of 221*l.* we paid them. The difficulty to my mind was this, if a gentleman was paid by salary instead of being paid by fees, supposing such costs to be received by him, his principal would participate in those emoluments. With respect to the case of Bessell *v.* Wilson, to which I referred yesterday, when the Court quashed the conviction, there was an intimation from the Court that there should be no action brought, and the rule was drawn up in that form; but the parties would not accept the rule in that form. They said, "No; the court has no power to deprive us of our common law right of action; it has quashed the conviction and it may have intimated an opinion upon the subject, but we claim our right." Accordingly they brought the action. I only use that for the purpose of intimating to the Commissioners, that it cannot have been a very bad case in the judgment of the Court when they intimated the opinion that there should be no action brought. The action however was brought, and 100*l.* damages was recovered for some fifteen hours detention. It was a strong verdict, but it was alleged, that although this party was apprehended upon a warrant to bring him before the magistrate to show why he did not appear to pay the penalty, he was taken in the evening and locked up during the night. There was no charge of misconduct against the police, but it was said that the station-house was damp. Whether it was or was not so I do not know. I was not in a condition at the trial to prove anything respecting it, and we had to pay for the consequences of it, and we paid 100*l.* I make no complaint of anybody; that was the verdict obtained. Probably if we had had some comptroller over the institution, or defence of actions, I might have applied in that case, and might have been sanctioned in compromising it. It is possible, but I do not know that it would have been so. I had no such power. I may remark that I am in a difficulty at this moment, and I wish I had some controlling power to resort to. An action has been brought against an officer for keeping a man in prison a day more than he ought. The attorney is a very respectable man, and I believe if a 5*l.* note would satisfy his client I should be happy to pay it; but I asked the committee of aldermen, and they said: "Mr. Solicitor, do you think there is a good "defence to this action?" I said, "I believe there is." They said: "As public men "we feel a difficulty in inviting other actions by compromising this." It may lead to a trial at law, and I am involving the corporation in the expenses of such a trial. I should be very glad to have some one to fall back upon to give me instructions, which would be my justification.

5686. Will you have the goodness to explain the division between your duties and those of the comptroller; he is also an attorney, is not he?—He is.

5687. Do you conduct all litigated questions?—I do.

5688. Both in law and in equity?—Yes.

5689. The comptroller merely manages what may be called the conveyancing business?—In his professional department only the conveyancing business. He has an official department in which he acts as clerk to the City Lands committee, and as clerk to the Markets committee; he is comptroller of the chamber, and makes out the charge upon the chamber. I have myself filled that office *pro tempore* during the last vacancy. The gentleman who now holds it is very ill, and if you wish to ask me any question respecting it, I am acquainted with it.

5690. The comptroller prepares the leases, does not he?—Yes.

5691. If an action were brought upon a lease you would bring it?—I should.

5692. Wherever there is any litigation founded upon that business which is in the management of the comptroller, it would come into your department?—It would. Where any question arises upon the draft of a deed, I am usually consulted; if it is a matter that may possibly lead to litigation, I am consulted in every stage of it.

5693. If the opinion of counsel is taken does the case go through you?—If the opinion of counsel is taken upon mere questions of title and conveyancing, it is taken by him; if it is taken upon questions of construction, it would be taken by me preparatory to or tending to litigation either way.

5694. You say the comptroller has the control of the chamber. Are the Commissioners to understand that the comptroller checks the chamberlain's accounts?—He checks the receipt of money payable into the chamber.

5695. Do you mean the money actually received, or does he make out an account of what ought to be received?—He makes out an account of what ought to be received from

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the deeds of the corporation; he also makes out what is reported to be received from the markets and the coal exchange, and so on. Those separate officers make a return to him as well as a return to the chamberlain. In the case of the markets, he examines the accounts and puts his initials to the amount, showing the balance to be paid into the hands of the chamberlain. The chamberlain recognises his initial as a voucher for him to receive a certain sum of money; he receives that. Those vouchers go afterwards to a committee of the Common Council, of which the comptroller is the clerk, and they audit those accounts; but during the interval when it is paid into the chamber, he enters it in his own book, and it becomes a charge upon the chamberlain. At the end of the year, when the charge is made up, the total of those items is introduced as his charge upon the chamberlain. So far it is an account; in other respects it is an estimate; you charge him with receiving so much, and he discharges himself by saying there is so much received, and there is so much arrear. At the audit those are compared.

5696. There is a difference between the comptroller's account and the chamberlain's account, which ought to appear as the amount of arrears?—No doubt it does so. They check their accounts with each other at the end of the year, and there is no doubt that in the charge and discharge that is the amount.

5697. With regard to the markets the comptroller renders an actual account to the chamber, and the balance merely is paid over?—The whole is paid into the chamber; there are some deductions for particular wages, but the general mass of the expenditure is drawn by warrant. There are certain weekly payments, and so on, which are subjects of deduction, but since I was comptroller, which was only for a couple of months on the occasion of the vacancy, there has been a constant tendency in that office, and all other offices, to bring into charge the whole amount. Dr. Bowring proposed in Parliament that the goverment accounts should be kept in that way, and there was a resolution of the House of Commons which would have led to the government bringing everything into charge, and then discharging itself by paying it. There has been a constant tendency, even before that discussion in the House of Commons, on the part of the corporation to arrive at that result.

Edward Bullock, Esq.

EDWARD BULLOCK, ESQ., having been sworn, was examined as follows:—

5698. You hold the office of common serjeant, do you not?—I do.

5699. How long have you held it?—I have held it nearly four years.

5700. In what manner does the appointment take place?—It is an appointment in the gift of the Common Council. The majority of the Common Council decides.

5701. Will you state what is the amount of the salary and emolument of the office?—1,500*l.* per annum is the salary.

5702. Are there any other receipts besides the salary?—There are some occasional fees for extra business; for opinions and cases in court occasionally.

5703. You, yourself, are a barrister?—I am.

5704. Is the office always held by a barrister?—Always.

5705. Will you describe the duties of the office?—The main duty of the office is attendance at the sessions of the Central Criminal Court, where I sit as one of the City judges.

5706. The recorder sits in one court and you in another,—is not that so?—The recorder sits in one court, I in another, and the judge of the Sheriffs' Court, Mr. Gurney, as a commissioner, sits in the early part of the day to try any short cases there may be before the judges come, and to prepare the court for them; and if the sessions are lengthened after the judges have ceased attendance, we should be all three sitting in the three courts.

5707. How often are the sessions of the Central Criminal Court held?—About once a month on an average; the intervals generally are rather shorter than a month, but once or twice, rather longer than a month.

5708. Is there any distinction between the cases which come before the different courts?—They always place the more serious cases before the judges when they come on the Wednesday, and as long as they continue to sit. I do not think there is much distinction in the rest.

5709. Are the cases which come before the recorder and those which come before the common serjeant similar in their character?—Quite similar. They may make some arrangement as to the length of the cases, but I am not aware that they do.

5710. How many days do you usually sit in each session?—We usually sit now about four or five days; generally the session terminates on the fifth day, about the middle of the day.

5711. Are your duties at the Central Criminal Court the ordinary duties of a judge in a Crown Court?—Exactly so.

5712. You try prisoners with a jury, and act as a judge ordinarily does under such circumstances?—Yes.

5713. If any difficulty arises before you in the course of any case you are trying, have you an opportunity of consulting with the other judges?—Yes; we never miss the opportunity when the judges are there on the Wednesday, or if the judges are not there, I always confer with the recorder or with the commissioner, where I think it necessary.

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5714. Is there any other duty besides that of sitting in the Central Criminal Court which you discharge?—There is the duty of attending the Court of Aldermen, and the Court of Common Council in case my opinion may be required—that is not so imperative a duty as the other.

5715. Are you in the habit of regularly attending the Court of Aldermen and the Court of Common Council?—Not very regularly. I generally do so, especially if I see in the notice anything that is likely to give rise to a question to me.

5716. Your attendance then would be for the same purpose as the attendance of the recorder, to advise upon questions of law,—would it?—Except that the recorder acts as the assessor of the Lord Mayor; the Lord Mayor being chairman, the recorder is his mouth-piece and adviser.

5717. Your attendance would be principally in order to be consulted upon questions of law?—That I presume to be the ground of my being summoned.

5718. You are not in the habit of taking part in the debates?—Not at all.

5719. Are there any other duties?—There is the duty of acting as assessor to the sheriff at common hall, on the day of the election of the City officers.

5720. That would probably be for a similar purpose?—Except that I there take an active part in proposing the candidates, that is the method of putting the court in action. I proclaim the names, and advise the sheriffs as to any point which may arise at the time.

5721. Does not the recorder act in a similar capacity?—Yes; he does not hold the court, he intimates to the livery for what purpose they are assembled; he then retires with the Lord Mayor during the time of the election, and then the sheriffs assume the court.

5722. While the sheriffs are acting, the common serjeant attends there?—He is their officer, and he proclaims the names of those who are to be mentioned as candidates.

5723. Is the common serjeant considered to have any peculiar connection with the office of sheriff?—He is more especially the officer of the Common Council, but I do not know that that distinction is ever brought into action; he considers himself so, and is so considered.

5724. Is there anything else appertaining to your office, which you wish to explain?—No; having seen what has been said by the recorder and the town clerk, nothing further suggests itself to my mind. I should like to confirm the recorder in one observation which he made about the attendance of the Lord Mayor and aldermen at the sessions of the Central Criminal Court. I never knew any occasion of their interference except as a casual observation, which may be made by any one sitting by,—"Do you believe that?"—or "how can that be?"—but nothing as far as the trial of the case goes. I hold that their attendance is frequently of good service as far as our own satisfaction is concerned, in the opportunity it gives of consulting them as to the degree of punishment to inflict.

5725. Practically the Lord Mayor and the aldermen do not interfere more in the trials than any magistrate sitting on the bench at assizes in the country would do?—Certainly not; certainly not so much as where they are sitting in quarter sessions.

5726. Does your duty as common serjeant occupy your time so much as to preclude you from attending at Westminster Hall?—It does in effect; if I had any cause coming on I might be required to be absent in consequence of the sessions of the Central Criminal Court—my clients elsewhere could not depend upon me.

5727. Was not it the custom for the common serjeant to practice in ordinary business at Westminster at one time?—Yes; but the number of the sessions at the Central Criminal Court has very much increased since that. There used to be only eight sessions, and now there are twelve.

5728. By the terms of your appointment you are not debarred from practice?—I am not debarred from attending in any court except inferior courts of criminal jurisdiction.

5729. Do you ever appear for the corporation in court?—I have appeared for them two or three times in the courts at Westminster, but that does not often happen; it does not necessarily happen now; it used necessarily to happen, but of late in the appointment of the common serjeant, they have stipulated that should not necessarily happen.

Russell Gurney, Esq.

RUSSELL GURNEY, Esq., having been sworn, was examined as follows:—

5730. The office you hold is that of judge of the Sheriff's Court?—It is. As judge of the Sheriff's Court, I preside at the Small Debts Court, by Act of Parliament.

5731. How does your appointment take place?—By the Common Council.

5732. How long have you held the office?—Since the year 1850. Previously, from 1830 to 1845, I held the office of common pleader; for the next five years I was not connected in any way with the corporation. In 1850 I was elected judge of the Sheriff's Court.

5733. The appointment takes place under a local Act, does not it?—Not the appointment of judge of the Sheriff's Court; that is an ancient office. When the Small Debts Court was created, it was provided that the judge of the Sheriff's Court should preside as judge of the Small Debts Court.

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5734. What is your salary?—1,200*l.* a year.

5735. Is there anything additional received by you?—Nothing. There are some fees received in the cases of writs of trial sent down by the superior courts to be tried at the Sheriff's Court; but any amount of fees is deducted from the salary. I believe that that will explain a difference which appears between the account of the amount paid, and the return made of the salary, which I see has been referred to in evidence.

5736. You are, probably, not debarred from private practice?—I am not, theoretically.

5737. Practically are you so?—To some small extent I practice.

5738. How much attendance have you to give in the performance of your duties?—In the old Sheriff's Court there are about two courts a month, appointed at the beginning of the year; but very often there is no business. In the Small Debts Court the business has a good deal increased; and I think now from two to three days a week I am required to attend. Besides that, I am in the commission of the Central Criminal Court, and have to attend there occasionally.

5739. How often do you attend at the Central Criminal Court?—I have to attend first of all for the opening of the Court and the swearing of the jury, every day the judges are there. I have to keep the Third Court full; there is the recorder in one, the common serjeant in another, and, when the judges are not there, I have to take the Third Court. Besides that, there has been an arrangement that each of us is away for one session; so that there are two sessions in the year when either the recorder or the common serjeant is absent, and then I have to sit the whole session.

5740. Your time must be pretty fully occupied with your different judicial duties?—It is.

5741. Was not it the case that anciently there were two judges in the Sheriff's Court?—There was the judge of the Sheriff's Court for the Poultry compter, and a judge of the Sheriff's Court for the Giltspur Street compter. Latterly, there has been only one person appointed to both offices.

5742. The Commissioners have had their attention called to the terms of the Act constituting the Small Debts Court in the City, and the use of the word "employment" there. One of the witnesses stated that it was submitted to you before it passed, and that that word was put in intentionally. Has there been any complaint made as to the difficulty of finding out who has employment in the City?—No. Everybody I have heard speak of it has stated it to be a great improvement; there were a great number of clerks in the City, who obtained credit by virtue of their employment. They were known as clerks employed either at the Government offices, or some of the mercantile establishments; but people could not find out where they lived; consequently, there was a difficulty in serving them. The creditor knew where they were employed, and knew, therefore, what court would have the jurisdiction. The original omission of this word was thought to be an evil, and the introduction of it was intended as a correction of that evil. The words used in the first Small Debts Act were supposed to include those cases, and parties were sued where the business of their employers was carried on. It was held that the words must refer to a man carrying on his own business, and not his master's business.

5743. Is the number of causes which you try in the Small Debts Court large?—Last year there were between 10,000 and 11,000 plaints. A great many of them are not tried, being settled before the day of hearing.

5744. Did it happen in many of those cases that a jury was demanded: or were they almost in every instance decided by yourself, without the aid of a jury?—I should say there might be thirty cases in which there was a jury; but I have not seen the return, and cannot precisely state the number; the proportion was very small.

3745. The amount of the cases necessarily limits their importance?—Our jurisdiction extends to debts of 50*l.*

5746. Do you conceive that the cases which come into your court are rather more important than those tried in other county courts?—I think they are. In Liverpool and Manchester it might be the same. A friend who sat for me, when I was at liberty to appoint a deputy during absence, had sat in other county courts for other judges, and he told me that the class of cases in the City court was different from those in other courts.

5747. Is there any distinction in your court between debts under 20*l.* and debts under 50*l.*, with respect to the plaintiff being entitled to costs if he sues in a superior court?—There is.

5748. Can a case be stated in appeal if the amount is above 20*l.*?—Between 20*l.* and 50*l.*

5749 Is there anything further you wish to state to the Commissioners in reference to any of your duties?—I practised for many years in the Lord Mayor's Court, and can give the Commissioners any information they may desire respecting it.

5750. Have you formed any opinion upon the custom of foreign attachment?—I think, upon the whole, it is very beneficial; at least, it was when I saw more of it. I think that a change has been made since that time, which would render some alteration necessary. In the custom of foreign attachment, there is a good deal of power placed in the hands of the attorney concerned for the plaintiff; and a good deal depends,

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I think, upon the mode in which his practice is conducted. Formerly, there were only a limited number of attorneys; their offices were offices of great value, and they were responsible to the Court of Aldermen for the way in which they exercised their duties; so that there was a great check upon their conduct, which, now that it is thrown open to the whole of the profession, there is not; and that may render necessary some precautions which were not found to be necessary previously.

5751. If the custom is a good custom for the City of London, does not it seem that it would also be a good custom for the rest of the metropolis?—I think so, certainly.

5752. Do you think it would be a good custom for the whole of the kingdom?—I do; at least in the metropolis and in large commercial towns, where there is a local tribunal by which it can be enforced.

5753. What do you consider to be the principal effect of it, as regards the remedy of the plaintiff?—It affords him the means of procuring the payment of debts, in cases where it could not otherwise have been obtained.

5754. It enables the plaintiff to get at money belonging to the defendant, in the hands of a banker; is not that the practical effect of it?—Yes; there are a great many occasions also on which you obtain property where it is not in the hands of a banker. Supposing I found a person owed my debtor money, I might attach that debt.

5755. Are the cases of bankers the usual cases, or are other cases very frequent?—The other cases are frequent; but the more common case is that of a banker.

5756. Your opinion is decidedly in favour of the custom?—It is.

5757. Do you think there is any hardship in the amount of bail which is required to be put in, in cases of foreign attachment; having no reference to the amount of the property attached, but only to the debt sought to be recovered?—I think clearly some alterations are required in that respect, and in one or two other respects, which can be mentioned. There are, undoubtedly, some facilities for fraud, which ought to be corrected.

5758. Does not it seem to be a hardship that the amount of bail to be put in should not be in some measure proportioned to the amount of the property attached?—I think it ought not to exceed it, at any rate.

5759. The effect of the custom is that the debtor's debtor, the garnishee, is brought into court, is not it?—It is.

5760. Does it ever operate as a hardship upon a person in that situation, to be brought into court when the original action was not against him?—If he admits having the money, he suffers judgment by default, and does not appear at all.

5761. There may be disputes between him and the defendant; there may be a cross account or a set off?—Then he must come into court.

5762. He is made a party to litigation when it is possible that the defendant in the existing suit might never have brought him into court?—Yes; and I think there is a hardship in the rule which provides that no costs shall be paid. I think the garnishee ought to be entitled to his costs; he never gets nor pays costs.

5763. If the garnishee admits the debt and pays the money, would a recovery against him be any protection to him in a dispute between him and the actual defendant?—It has been so held.

5764. That proceeds upon the principle that the defendant might come in and dispute the question?—Yes; any party besides the defendant who claims the money attached, may come in by filing a bill of proof.

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FERDINAND BRAND, Esq., having been sworn, was examined as follows:

5765. You are the comptroller of the Bridge House estates?—I am; the title of my office is clerk at the Bridge House, and comptroller of the works and revenues of London Bridge.

5766. By whom are you appointed?—By the Court of Common Council.

5767. How long have you held your office?—Nearly fifteen years. I was connected with the office before that. Altogether I have been connected with the corporation upwards of twenty-nine years.

5768. What is the amount of your salary?—My salary is 300*l.* a year. I have an allowance for stationery of 21*l.* a year. I have emoluments derived from other sources. I am solicitor to the Bridge House estates, and I transact all the legal business connected with the Bridge House estates as well as the conveyancing; from that I derive an emolument, which, in the year 1852, was 81*l.* 9*s.* 8*d.* I prepare all the leases of the Bridge House estates; and, from that source, leases and applications for leases, licenses to assign and demise, and fees on the registry of wills and administrations, I derived in the same year the amount of 325*l.* By a covenant in the Bridge House leases I am entitled to prepare all assignments and under leases of the Bridge House property, from which I derived an emolument in the year 1852 of 286*l.* 8*s.* 10*d.*, making the total of gross emoluments 1,013*l.* 18*s.* 6*d.*, from which sum are to be deducted the whole of the expenses of my office, which are paid by myself—salaries to clerks, stationery, and other expenses, 312*l.* 14*s.* 0*d.*—leaving the net emoluments of the office 701*l.* 4*s.* 6*d.* I also hold another appointment under the corporation connected with the Sheriff's Court.

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5769. You in fact discharge for the Bridge House trust the duties of chamberlain and comptroller and solicitor?—Comptroller and solicitor. The duties of the chamberlain, as connected with the Bridge House trust, are discharged by the bridge masters; they are two ancient officers.

5770. You discharge only the duties of comptroller and solicitor?—Comptroller and solicitor.

5771. Will you describe the manner in which the fund of the Bridge House estates is created?—It is created by ancient grants from the Crown, gifts from different individuals, and purchases of property arising from the saving of the revenues at different periods. On the first building of London Bridge, a sort of crusade was preached by Peter of Colechurch; he went about the country with a brief, and was enabled to collect funds towards the erection of the bridge. Sometimes money was given, and at other times land, for the purpose of building London Bridge; at other times grants have been made from the Crown, and purchases have been made out of the surplus rents and profits of the Bridge House estates. Property also has been given by will.

5772. The result is a fund formed from various sources?—Yes; held in trust for the maintenance and support of London Bridge.

5773. Can you describe to us the constituent parts of that fund; there is a portion derived from rents of land and houses, is not there?—I may say the whole is so derived with the exception of some dividends which arise from the produce of lands which have been sold at different times under the authority of Acts of Parliament: the money in such cases is paid into the Bank of England, and invested by the direction of the Court of Chancery, according to the provisions of those Acts, either in the purchase of other property, or in the funds. The whole of the Bridge House property now consists of landed estates, or the produce of landed estates converted into money, as I before mentioned.

5774. Do you make any payment towards the orphans' fund?—No.

5775. How is the Bridge House fund appropriated?—It is appropriated for the maintenance and support of London Bridge. At the present moment, the money that was raised for the re-building of London Bridge is secured upon the Bridge House estates; the sum of 431,000*l.* was advanced by Government out of the consolidated fund, and is charged upon the Bridge House estates; the repayment whereof is secured by various annuities, amounting in the whole to 21,550*l.* per annum, the whole of which annuities will be paid off in the year 1871.

5776. Will the charge be permanent up to that year?—It will.

5777. Will any diminution take place before that year?—The diminution will commence in 1867; up to that year there will be no alteration. In 1867 some of the annuities will begin to fall off, and they will all cease in 1871.

5778. Will the fund be entirely free in that year?—No; when the present Blackfriars Bridge required to be substantially repaired, a difficulty arose as to the means of obtaining funds for that purpose. The Government of that day considered that it would not be an improper application of the Bridge House funds to appropriate a portion of them in securing the repayment of the monies advanced for the repair of Blackfriars Bridge, and those estates were accordingly charged with the payment of 77,400*l.*, raised for the repair of Blackfriars Bridge; in respect of which, the sum of 73,100*l.* still remains unpaid.

5779. When will that charge expire?—That will depend upon circumstances. That charge of course applies only to the surplus rents and profits, after the payment of the 21,550*l.* a year to the Government, from the actual produce of the Bridge House estates. That surplus is about 5,000*l.* a year. That is charged, in the first place, with the payment of the annual expenses of the lighting, cleansing, watching, and repairing Blackfriars Bridge. Those expenses of course vary from year to year; and for the last two or three years, very considerable and extraordinary expenses have been incurred in the repair of the bridge. If those very heavy expenses recur frequently, it will of course retard the discharge of that loan.

5780. For the present the fund is entirely exhausted by the expenses in respect of London Bridge and Blackfriars Bridge, and the cost of collection?—Entirely so.

5781. The Bridge House estates are virtually the estates of the corporation, subject to a trust, are they not?—The corporation have the legal estate in the Bridge House property, but the estates are no part of the property of the corporation; they have no right to appropriate any portion of the Bridge House estates to their own corporate uses.

5782. They are trustees of a fund devoted to a particular purpose?—Yes.

5783. They cannot alter the application of the fund?—Not without the authority of Parliament.

5784. The entire management of the trust is vested in the corporation, is it not?—Entirely so.

5785. What would be the effect if the management of this fund were incorporated with the management of the estates of the City; would there be any saving of expense?—The saving of expense would simply be the salary which is paid to me of 300*l.* a year. The other emoluments of the office, derived from different sources, of course would not be saved to the corporation, inasmuch as they do not pay them. There would be a saving also of the salaries paid to the bridge masters.

5786. What do they amount to?—The senior bridge master receives about 380*l.* a year; the junior bridge master has 50*l.* a year less.

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5787. Who collects the rents of the property?—The bridge masters. They are the receivers; the rents are paid at their office.

5788. There is no collector who goes round?—No; according to the covenants in the leases, the tenants pay their rents at the office of the bridge masters.

5789. Is that the practice with respect to the other rents; are they paid to the chamberlain's office?—Yes; I believe the practice of the comptroller of the chamber and the department which I fill is precisely the same.

5790. Do the bridge masters personally perform any duty at all?—They receive the rents; the bridge masters attend personally for that purpose.

5791. Where is the office of the Bridge House estates?—It is now at Guildhall. There was an ancient establishment connected with the bridge house close to London Bridge, where all the officers, in ancient times, used to reside—the bridge masters, the comptroller, and all the officers connected with the establishment. Materials were kept there for the repair of old London Bridge, and the superintendent for watching the bridge and keeping it in repair was to be found there. About ten or twelve years since the bridge house in Tooley Street was pulled down, and the site thereof let for the benefit of the trust, and it now forms part of what is called Cotton's wharf.

5792. Has the alderman of Bridge Ward anything to do with the Bridge House estates?—He had at one time. Not the present alderman, but there was a justice of the bridge yard in ancient times, who had a residence at the bridge yard, and was paid a small stipend out of the Bridge House estates.

5793. We have heard something about Southwark Bridge. If the City purchased that, would it be entirely independent of the Bridge House estates?—I apprehend so. I do not think for a moment that the corporation are intending to purchase Southwark Bridge themselves.

5794. If they did they must provide the money out of their own estate, independently of the Bridge House estates?—Yes.

5795. Is there any other point which you wish to mention?—I see there has been a mistake made by some of the witnesses as to the amount of the annual revenue of the Bridge House estates. It is stated that the income of the Bridge House estates for the year 1852 was upwards of 47,000*l.*; by the printed accounts for that year that will be seen to be an error. In that amount of 47,000*l.* are included sums of money for the sale of property, which, of course, formed no part of the income or revenue of the estates.

5796. Was the produce of the property sold invested?—Yes; it does not come into the hands of the bridge masters or the corporation at all. Under the provisions of the Lands' Clauses Consolidation Act any money paid for the purchase of property situated as the Bridge House estates are is paid into the Bank of England, and can only be dealt with by the direction of the Court of Chancery. Some of the witnesses, however, have included 12,740*l.* as revenue or income, which forms no part of it.

5797. The Court of Chancery would probably direct the produce arising from the sale of that land to be carried to the account of the fund?—Yes; the money is invested in the funds, and the interest or dividends forms part of the income. Ultimately, the principal must be laid out in the purchase of other freehold property.

5798. Have you any explanation to offer with respect to the mode of letting the property of the Bridge House estates?—The practice of the corporation in letting their property is precisely the same with respect to the Bridge House estates as with respect to their own estates. They give a preference, in all cases, to the tenant in possession, their object being not to deal with a party who is the lessee, or the representative of the original lessee, but the party who is in actual possession of the property at or shortly before the expiration of the lease. That party has an opportunity of applying if he wishes it. It is ascertained first that he has such an interest as will enable him to retain possession of the property up to the time his landlord's lease will expire, and then he may make an application to the Court of Common Council for a lease. That application is referred to the Bridge House Committee; the committee then view the property. After the committee have viewed it, the surveyor makes a general survey of the property, and he reports his opinion to the committee as to the best mode of letting the property—whether it shall be let on a repairing lease for twenty one years, or any other term he thinks desirable, or whether the property is in such a bad condition that it should be pulled down and let upon a building lease. The committee then consider that report, and they agree as to the mode of letting the property. The tenant then comes to the committee, and treats with them for a lease, and till the tenant has failed in the treaty, or the treaty has gone off, no steps are taken for letting to any other party. The tenant offers a rent; if his offer be what the committee consider a fair offer, after consulting their own surveyor and using their own judgment, as men of business, they either accept it or tell the tenant that his offer is not what they consider the property worth, and if it approaches to their opinion of the value, they tell him the amount, and he either accepts or rejects it. If the tenant offers such an amount as is out of the question there is an end of the matter. If the committee agree with the tenant they then report the fact to the Court of Common Council, the Court of Common Council usually agree with the committee in their report as to letting the property, and then a lease is granted. If the tenant in possession does not treat, the property is advertised to be let by tender, no preference being given to any

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one. Then, if he is a respectable man, the party offering the highest rent has the property, in which case it is not necessary to report to the court.

5799. Does it very often happen that the property of the City is let by tender?—Not very often; the occupying tenants usually treat.

5800. You say the practice is, in the first instance, to deal with the tenant in possession, and not to go to the lessee. Is there any restraint upon assigning or subletting any of the City leases?—The tenants are not to assign or underlet without licence.

5801. I suppose, from what you state, a licence is not unfrequently given?—It is not. The object of the corporation is to remove the middlemen altogether, and give the occupying tenant the preference.

5802. Does it often happen that the immediate lessee of the corporation obtains leave of the corporation to underlet?—Yes.

5803. Would the result be to divide the property, so that he may let it in parcels to a number of people?—It frequently is so.

5804. You say they give the option of the new lease to the immediate occupier?—Yes. We have frequently let a property where the ground rent was 20*l.* or 30*l.* a year; by dividing it out it has produced between 300*l.* and 400*l.* a year.

5805. You do not always comprise in any new lease the whole of the premises which were contained in the original lease?—Scarcely ever; the principle being to give the occupier who is settled and established and carrying on a trade the benefit of any advantage which is to be derived from holding directly under the City, instead of having another person over him who could screw out a larger rent by way of goodwill. I have brought with me the last audited account of the estate, which I beg to produce.

[*The witness produced the same.*]

5806. Reference has been made by one witness to a payment under the name of a benevolence to the Lord Mayor and the sheriffs. There is 50*l.* put down as paid to the Lord Mayor towards the charge of feasts during the mayoralty; and it has been intimated that it is a feast to the Bridge House Committee?—I beg to state that it is no such thing. The Bridge House Committee have no feasts during the mayoralty at all. They have a certain allowance from the corporation of London for their tavern expenses. Thi payment to the Lord Mayor is a very ancient payment. I find in the old books the first entry of it is in 1556. It is a payment of 50*l.* to the Lord Mayor, and 50*l.* to the two sheriffs "towards the greate feaste in Guyldehalle, called the Lord Mayres feaste." That payment has been continued ever since. With reference to the allowance to the committee, I should also state, that taking the average at the commencement of the year 1802, for eight years, it was something above 300*l.* for the attendance of members; and for their tavern expenses 900*l.* In 1832 the allowance for attendances was 200*l.*; and the allowance for tavern expenses 300*l.* Since 1836 the allowance for tavern expenses has been 300*l.* only; the attendance money having been entirely abolished.

5807. The Bridge House Committee is a committee of the Common Council?—It is.

5808. Their duties are not very onerous, are they?—Yes, I think they are. In a large estate like that of the Bridge House there are questions constantly arising as to letting and otherwise, also as to London and Blackfriars bridges.

5809. All the details of the estate in regard to granting new leases come before the committee?—All of them.

5810. They are not decided by you, in your office?—No.

5811. In fact, the Bridge House Committee performs the duty of manager of the estate?—They are the managers. The comptroller of the Bridge House estates has the general superintendence, subject to the supervision of the committee.

5812. Your office, therefore, involves very little responsibility upon you; you have rather to see that the directions of the committee are properly carried into effect?—And to take care that all facts connected with lettings, and other matters, are duly brought before the committee.

5813. You prepare the business for their consideration?—I have to prepare and arrange all the business for their consideration. Their meetings during the year 1852 were 32, and the average attendance of members from 16 to 18; they sometimes sit till 4 or 5 o'clock. Where there is a large estate, beside the business of its general management, there are a great many complaints from tenants, one against another. The committee very often act as arbitrators in such disputes. Some reference has been made to the borough of Southwark not deriving any advantage from the property held by the City. The property in Southwark to which allusion has been made belongs to the Bridge House estates. The purchase money was paid out of the Bridge House funds; and the rents and profits of these estates have always been received and appropriated as part of the Bridge House estates. Of course they are not applicable to improvements in Southwark in general terms, but I submit that the borough of Southwark has derived greater advantages from those estates being in the hands of a great corporation like that of London, than it would have done if the property had been in the hands of private individuals. On the estate in St. George's fields, for example, when the lease fell in there many years ago, the City expended large sums. They took an enlarged view of the subject as beneficial to the whole property, and consequently beneficial to the borough; and they expended very large sums of money in properly draining the whole of

St. George's fields. They expended upwards of 12,000*l.* in sewerage, and upwards of 2,000*l.* in the formation of roads and ways, all of which have been beneficial to the public. The new road which has been formed by the Roman Catholic cathedral in the Westminster Road was formed entirely by the corporation. Many narrow ways were stopped up by arrangement with the trustees of the roads, and a fine opening made in front of Bethlehem Hospital. The corporation of London in setting out these roads set apart small portions, which were not very applicable to building purposes, and let them to Bethlehem Hospital, the Blind School, and the Philanthropic Society, at nominal rents, with the condition that they should be preserved as planted shrubberies, and kept open and unbuilt on during the whole term. In Tooley-street again very great improvements have been made by the Bridge House estate. The example was set of widening Tooley-street by setting back the property there from fifteen to twenty feet. In various other ways when opportunities have occurred of effecting improvements in the way of widening streets, it has been done by setting back the property, whereas other parties have refused to set back, unless they were paid for it. In that way I think the borough of Southwark has derived great advantage from the Bridge House estates being held by the corporation instead of by private individuals.

5814. Of course the tenants and occupiers o? the City houses pay parish rates and other rates like other tenants ?—They do.

5815. But you say that besides the payment of the rates and taxes which are due the City has acted the part of a liberal landlord with respect to the property ?—Yes. This is an actual outlay of 14,000*l.* in money, for which the tenants pay nothing.

5816. If the City were to make no actual outlay the parish of Southwark would derive the same contribution from the occupiers of the City houses as from any other class of houses ?—They would not have derived the actual outlay of 14,000*l.* from any private individual. The rate would have been made upon the inhabitants after the sewers were made; but had not it been for that 1,4000*l.* the sewers never would have been made at that time. Sewerage was not then so fashionable as it is now. I am speaking of more than twenty years ago. A statement is made by one of the witnesses in page 132, No. 1,221, as to the conflicting duties of the different committees of the corporation. It is said : "There is another point which is also of importance. Five years ago Blackfriars Bridge "was reported to be in a very unsound condition ; indeed, it had broken its back. The "engineers, Messrs. Walker and Burgess, required, that for the safety of the bridge, large "quantities of chalk should be thrown into the water round the piers, to prevent the bridge "falling down. In consequence of throwing so much chalk into the water, the passage in "the river was greatly filled up, and sundry accidents arose, which the Navigation "Committee had no power to prevent. Thus we have two conflicting jurisdictions :—the "Bridge House Committee, to keep up the bridge, and fill up the bed of the river ; and "the Navigation Committee to take away that which had been put in for the purpose of "sustaining the structure." I can only say, in answer to that statement, that two years ago, instead of five as is there stated, a report was made that symptoms of sinking had taken place at one of the piers of Blackfriars Bridge. Under the advice of Messrs. Walker and Burgess, the engineers under whose superintendence the bridge had been repaired ten years ago, the Bridge House Committee acted in directing that rubble should be thrown in to support the defective pier. That work was executed under the direction of Messrs. Walker and Burgess ; and I believe it is not correct that any of that rubble caused shoals or accidents on the river. A statement was made a short time ago that the steam boat called "the Ant" had met with an accident at Blackfriars bridge, occasioned by this rubble being thrown in. An investigation took place. Messrs. Walker and Burgess were directed to examine into the affair ; and they reported to the Bridge House Committee that upon a careful examination of the bridge none of the rubble which had been thrown in to support that pier had at all moved from its position. The Navigation Committee also inquired into the subject ; and it was ascertained very satisfactorily that the supposed accident to "the Ant," whatever it was, had arisen before it reached Blackfriars Bridge, and not in consequence of any shoals whatever connected with or adjacent to the bridge. The two committees act in perfect harmony, Mr. Leach, the engineer of the Navigation Committee, taking care that nothing shall be done to the prejudice of the navigation.

5817. Has there been any proposition under the consideration either of the Court of Aldermen or the Court of Common Council with respect to the purchase of Southwark Bridge ? —There has. By direction of the Court of Common Council, the Bridge House Committee have been in negociation with the directors of the Southwark Bridge Company.

5818. Can you give us any account of what has passed ?—The negociation first opened in 1849, at a conference with the directors of the Southwark Bridge Company. Upon that occasion the Southwark Bridge Company required the sum of 300,000*l.* for the purchase of that bridge.

5819. The Southwark Bridge Company are doubtless incorporated under Act of Parliament ?—I believe they are.

5820. An Act of Parliament which enabled them to build the bridge, and which probably gives them jurisdiction over the bridge and the approaches ?—Over the bridge ; they have nothing now to do with the approaches, except to a very small extent. The Southwark Bridge Company asked 300,000*l.* for the purchase of that bridge. They were

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asked by the Bridge House Committee if they would be good enough to state the basis upon which they formed that calculation; the directors gave for answer that the only basis they would give was that they had been offered 300,000*l.* by the North Kent Railway Company for the purchase of the bridge, and that sum they should require. The North Kent Railway Company had a plan for bringing their railway into the City, but the Bill did not pass the House of Commons.

5821. Did it appear that this projected company had actually contracted to give that sum for the purchase of the bridge?—They had, subject to their Bill passing. The Bridge House committee had before them the report of the select committee of the House of Commons on metropolis improvements in the year 1836, when the subject of purchasing Southwark Bridge was entertained by Parliament. Finding from that that the dividends realised by the Southwark Bridge Company were confined entirely to the preference shareholders, and that the other shareholders did not receive one shilling, the dividend upon the preference shares being only 1¾ per cent., the committee of the Bridge House thought that 300,000*l.* was a large sum to ask, and they requested to know the basis upon which the calculation was formed; but the directors of the Southwark Bridge Company declined to give any other basis than that which I have mentioned.

5822. Did it appear what the number of the preference shares was?—There were 6700 preference shares.

5823. The profits appropriated to dividends must have been inconsiderable?—£2,600 was the annual income. Since that time I should say it has diminished; it has gradually been getting less and less, and they receive now about 1¼ per cent.

5824. What is the expense of maintaining the bridge?—It does not appear, it is said to be very small; they say that they have nothing but the collectors, and it requires very little repair. The negociation has been renewed recently. During the latter part of last year I attended again with the Bridge House Committee at a conference with the directors of Southwark Bridge; they still maintained their price of 300,000*l.*, and they do not appear to be disposed to make the slightest abatement. In fact, it was intimated that unless that sum was speedily given the price would be raised; they seem to have an impression that the bridge must be purchased for the public, and they think, as one of them said, that they will be able to get any price they like.

5825. Are the tolls levied upon Southwark Bridge high?—No; 2*d.* for a one horse carriage, and a 1*d.* for foot passengers.

5826. The traffic is inconsiderable, is not it?—Very inconsiderable.

5827. The approaches are very bad?—They are.

5828. If the City were to buy the bridge on public grounds, it would be almost necessary for them to improve the approaches, would not it?—No estimate has been made, but it has been pretty well calculated, by persons conversant with the subject, that, irrespective of the sum of money which may be paid for the purchase of the bridge, it would require an outlay of 150,000*l.* to make the approaches available, in order to render the bridge beneficial to the public. I have no idea that the Bridge House estates could be applied to the purchase of Southwark Bridge, nor do I conceive that the corporation of London should be expected to provide the whole of the money for its purchase, seeing that it is made in the nature of a national concern than a City one. I believe that the corporation desire to bring the matter into such a train that, with some assistance from the Government and by means also of their own funds, this bridge should be thrown open to the public.

5829. The northern end of Southwark Bridge abuts upon the City?—Yes, it does.

5830. You hold another appointment connected with the City, do you not?—Yes; I also hold the appointment of prothonotary and clerk of the papers, and clerk sitter of the Sheriffs' Courts.

5831. What are your receipts in that capacity?—I have a salary of 100*l.* a year. I receive an allowance for livery of 2*l.* 13*s.* 4*d.*, and I derive emoluments from fees, amounting, in the year 1852, to 21*l.* 6*s.* 9*d.*

5832. What are your duties?—The duties are not very onerous now. The old Sheriff's Court has, in point of fact, little or nothing now to do since the passing of the City Small Debts Act, and especially since the extension of the powers of that Act to debts not exceeding 50*l.*; but the corporation of London appointed me to hold those offices at that time rather because they contemplated some improvements themselves in the Sheriffs' Courts before the Small Debts Act was passed. I held the first of those appointments from the year 1832. When I was elected to the office of comptroller of the Bridge House estates I tendered my resignation. The corporation were then contemplating improvements in the Sheriffs' Courts so as to throw it open to the public generally, and they requested me to continue the duties of that office, in order that they might not be encumbered with the appointment of new officers, or any claim founded upon vested rights. As other offices have fallen in of the same kind, the whole of the offices have been accumulated upon me, with the exception of two of the clerk sitters. The business of the office was for many years conducted at Whitecross Street prison, under the provisions of the Act of Parliament for removing the compter in Wood Street, and the Poultry compter. The resort to a prison being considered very objectionable, the corporation were desirous of removing it from there; and in passing the Act for the Small Debts Court, a clause was inserted which enabled them to do so. Looking at the operation of the Small Debts Act, although

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the corporation did not feel that they could supersede the old Sheriffs' Courts altogether, they were not desirous of incurring unnecessary expense in the establishment of a new office and a new set of officers, therefore they requested me to take the duties of the office, performing them at my own office, thus avoiding the necessity of having another office for the discharge of those duties.

5833. Is that court now completely in a state of suspended animation?—It is so; the business is virtually annihilated, with the exception of replevins and writs of trial from the superior courts.

5834. Would there be any objection to the abolition of the court by Act of Parliament if the position of the officers was properly regarded?—I should think not. The Small Debts Court has virtually superseded the Sheriffs' Courts, and although I think one court in the City of London would be very desirable in the old fashioned form of court and jury, the Mayor's Court would be better adapted for that purpose than the Sheriffs' Court. The Mayor's Court being the superior court, plaints in the Sheriff's Court might be removed at any time into the Mayor's Court.

5835. If any business came before the Sheriff's Court, it would be as a Small Debts Court, would not it?—Not conducted on the same principle; the Sheriff's Court business is conducted in the same way as business at nisi prius.

5836. The subject of jurisdiction would be small debts, would not it?—Debts of any amount. At the same time there was a power of removal to the superior courts. The counsel in the old Sheriffs' Courts were the same counsel as in the Mayor's Court, the City pleaders. The corporation bought up all the rights of the City pleaders, and they have thrown open the Sheriffs' Courts to all attorneys, with a view of increasing the practice of that court.

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SIR JOHN KEY, BART., having been sworn, was examined as follows:

5837. How long have you held the office of chamberlain?—Since June last.

5838. There was a contest for the office?—There was.

5839. We have heard from several witnesses an account of that contest. Some statements have been made with reference to the expenses of the candidates. One of the witnesses, Mr. Rose, stated in answer to Question 2924—"I think Sir John Key told me "that his election cost him upwards of 7,000*l.*" Is that a correct statement?—It is not. I never had any communication with Mr. Rose.

5840. Have you any objection to state what the cost of your election was?—I should think about 5,000*l.*; but I should say, in all contests where a person happens to become a candidate for any public office, whether it be a municipal or a Parliamentary contest, the expenses are ordinarily very large. I do not think that that altogether springs from any corruption in the constituency, but there are certain individuals in such cases who come forward, calling themselves agents, who cause a very large expense. As a proof of the expenses incurred on these occasions, I will refer to one fact. About nine or ten years ago, when the late chamberlain was a candidate for the office, I also was a candidate. It so happened that I was then living in Gloucestershire. Sir William Heygate died, I believe, on Sunday; his death was communicated on Monday to my son, but no communication came to me till Tuesday's post; consequently I did not get it till Wednesday afternoon. I am merely referring to this, to show how expenses are incurred. I assembled a few friends, and a committee was formed. After sending round circulars, I found that the chances of success were very problematical, and I consulted my committee whether it would not be the most honourable course to withdraw from the contest. I was strongly advised to try the result of a poll; but on Saturday night, after about two and a half days, I sent in a letter to the effect that I retired; at the end of that time I had a bill of 850*l.* sent in to me. That will enable you to form some idea of the amount of the expenses which are incurred on such occasions.

5841. While the election was going on, probably expenses were to a great extent incurred without any very accurate knowledge on your part as to what the object of them might be?—Quite so.

5842. After the election was over, did you make any inquiry as to the objects of the expenditure?—I have had an account of some of them. From one of those who acted as agent I have had no account. From the principal agent I find that, during the course of the contest, eighty cabs were kept at 1*l.* a day, waiting to bring up the voters; there were sixty clerks employed, as I am informed. All those matters would lead of themselves to considerable expenses. There were persons brought up from various parts of the country, some of whom had their expenses paid; others came at their own expense.

5843. Were the expenses of the conveyance of non-resident voters considerable?—No; I believe they did not exceed the amount of the actual cost.

5844. Were the expenses of canvassing agents large?—They were a large item in the account.

5845. Did you retain many attornies?—Yes; from the peculiarity of the circumstances, I had several agents. Living in the country, I was not at all aware of the probability of a vacancy, till some friend wrote to me, informing me that if I contemplated starting as a

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candidate it was necessary that I should come immediately, there being several parties canvassing. I came to town, and found that some of those parties had made an arrangement, and that the persons whom I had contemplated as my agents were engaged, or were so situated that they could not act for me. My principal agent was waiting to see whether the party who was intended to be brought forward by those with whom he and I had previously acted was disposed to start. By this uncertainty I was kept in suspense some days, and this rendered it necessary that I should employ another agent. This gentleman referred to, who had the book of the voters, and everything connected with the constituency, after some time however was prepared to come to me, so that I had not only himself but the other agent. He also had engaged the principal hotel for his client; I therefore had to engage others, which also increased the expense, as when he joined I was bound to take his plan also.

5846. Was any considerable sum expended in refreshments for voters, in tavern bills, and public houses?—I am disposed to think a very small amount. The bill at the hotel where my committee always met was paid by myself. It was very small; not much above 100*l.* for refreshments.

5847. Was there any expenditure in the nature of an allowance to voters for loss of time?—I am not aware. I believe there are a certain number of persons, not exceeding 300, though represented by the agents to amount to 2,200, who come and vote and have money for their loss of time for the day. I do not know it of my own knowledge.

5848. You feel sure that the total expenses of your election did not exceed 5,000*l.*?—They were about that amount, I believe, certainly not more.

5849. Since you have been elected, have you regularly discharged the duties of the office?—I have, constantly, from morning to night. In reference to that question, to shew the recklessness with which people swear to statements of the facts of which they know nothing, I beg to call your attention to Question No. 243. The witness states there, that the situation is a perfect sinecure. The question is, "Is that an office the duties of which "are weighty and arduous?" The answer is, "I believe it is the next thing to a sinecure." I refer also to Question 350: "Is it the amount of remuneration received by the chamberlain "that you object to, or the mode in which that remuneration is given?—Both. It is an "office approaching very nearly to a sinecure on the part of the chamberlain himself. The "former Commissioners describe the office as one of great labour and of the greatest "responsibility. Do you believe that to be an incorrect description of the office?—Certainly, "inasmuch as the duties are performed by deputy. If they had spoken of the office of "chief clerk to the chamberlain, it would have been a very accurate description of the "duties." The witness in 362 is asked, "Is not the chamberlain in a position of personal "responsibility which no clerk or deputy can be?" He answers, "No, he is not." I will now refer to the responsibilities of the duties performed by the chamberlain. It must be an office of great responsibility, inasmuch as he is responsible for the whole of the City funds. During the last year, the receipts for which he was responsible coming through the office were 1,219,511*l.*; payments 1,229,242*l.*, making a gross total of money passing over the counter 2,448,753*l.* I should say that this is not altogether cash; but the amount of actual money received by the chamberlain was about 800,000*l.*, the actual revenue of the City being about, say 200,000*l.*

5850. Does the chamberlain give security?—He does. He gives a very large security, and he is confined by a deed into which he enters at the time of assuming the office, as to the mode in which those sums are to be dealt with.

5851. What is the amount of the security?—The amount of security which he gives is 30,000*l.*, in responsible parties who must be approved of by the Coal, Corn, and Finance Committee, and by the Court of Aldermen. Every month he is obliged to present his accounts before the committee, and if there be any sum appropriated or deposited in a manner, or upon securities which they do not strictly approve of, or if there is a larger balance than they think proper, at their recommendation an alteration is made. When there is a sum of money beyond the amount which the chamberlain is authorized to have at the bankers, he must deposit it on certain securities; it is generally lent upon what is called calls, because there is less risk of loss upon any sum of money being suddenly demanded than there would be by investing it in the funds. He might invest it in Government securities in the public funds, but inasmuch as money might be called for suddenly, and if there should be any fall, there might be a loss occur, the plan I have adopted is to lend it out on what are called calls, so that when any emergency arises and the money is wanted, it is received back; the nature of the security being the security of the person borrowing at call with the collateral security of either City bonds or Government securities.

5852. You would obtain a lower interest if it was lent at call, would not you, than if you invested it in the funds?—No, I think not generally; at the present time it would be a larger interest.

5853. The whole of the responsibility in respect to the application of the funds in the hands of the corporation at any moment is vested in the chamberlain?—It is. If any loss occurs from his mismanagement, he is the person responsible for it.

5854. That part of his business in fact, to a certain extent, involves the business of a banker, does not it?—It does.

5855. In making an arrangement with respect to the employment of those funds, does

he act upon his own judgment?—He principally advises with the banker and with the chief clerk, and probably, with the broker—that is the plan I have adopted.

5856. Does he take any detailed instructions from the committee of the Common Council?—No; but every month he lays before them his accounts; and, as a proof of the close attention the committee pay to that, when I first became chamberlain I invested a sum of money upon call on the responsibility of eminent bill brokers, Messrs. Gurney, a house whose responsibility is equal to the bank. I took as collateral security, by the advice of the banker, Canada bonds at 6 per cent., thinking that that was a more prompt mode of turning the money again, if required, being of more ready sale or rather commanding a better price in the market. The committee, however, considered the matter, and thought that the security ought to be Goverment securities; therefore, I had those Canada debentures replaced by City bonds.

5857. Does the banking part of your business occupy much of your time?—Considerable; above a certain sum all amounts are paid by cheque—several cheques are signed in a day. I never sign a cheque without ascertaining that there is a proper warrant for it, and that the committee, by whom the cheques are warranted, have not overdrawn the amount placed to their credit by the order of the Common Council. Again all small sums under 100*l.* are paid through the desk of the cashier. Feeling that I am responsible for it, whatever may be the confidence I have in the cashier, which is great, I see every night what payments have passed through his hands, or if I am not able to do so at night I do so the next morning, and so as to all payments which have been made to him. The number of payments passing through his desk alone in the course of the year are 10,535, and receipts 9,088, total 19,623. I am responsible for those, and therefore I should not feel comfortable unless I looked into them myself. I find that the office occupies my attention and time from ten in the morning till five in the evening, and sometimes I am obliged to take papers home with me afterwards.

5858. Are there not other duties attached to the office of chamberlain?—There are, but not so responsible, nor of so heavy a nature.

5859. Will you describe them?—The Commissioners are probably aware that whenever an office falls vacant, the common council refer it to a committee to consider the duties of that office, the emoluments, and so forth, to see if any change can be advantageously made, either in the manner in which the duties of the office are performed or the emoluments derived from it. In my case that was done—there are a number of duties which devolve upon the chamberlain—one is to admit persons to the freedom of the City. Another of them is of a judicial character—to hear and decide all disputes between masters and apprentices, which frequently occur; the chamberlain has the power, when he thinks necessary, to commit an apprentice to Bridewell.

5860. Will you describe a little in detail the nature of that duty; are there many of those cases of apprentices which come before you?—The numbers are uncertain; sometimes there may be three or four in a day, at other times days may elapse without any.

5861. It is a jurisdiction peculiar to the City, is not it?—It is.

5862. Nothing of the kind appears elsewhere?—Not that I am aware of.

5863. A justice of the peace possesses no such power under the general law?—I believe not.

5864. What sort of complaints are they to which the jurisdiction applies?—If a master does not fulfil the duties which he is bound by the indenture between himself and the friends of the apprentice to fulfil, the apprentice has the power of calling the master before the chamberlain, and inquiring into the case. If it is his opinion that the master has neglected his duty or that the apprentice has neglected his, the chamberlain inquires into the case, and adjudicates between them. It sometimes happens that there is no chance of their ever acting together, and he discharges the parties from the bond into which they have entered.

5865. He has the power of cancelling the bond, has he?—With the consent of the parties.

5866. Which class of complaints is most numerous, the complaints of the master against the apprentice, or the apprentice against the master?—I think, according to my experience, complaints by the master against the apprentice.

5867. Considerably more numerous?—Yes.

5868. The ordinary nature of the jurisdiction is this; it is to interfere in cases where the master complains against the apprentice?—Yes; where the complaint is not of a criminal nature.

5869. What is the redress which you ordinarily give to a master; in what manner do you interfere?—A great number of the cases are decided by giving judicious advice to the apprentices.

5870. You read the apprentice a lecture?—Yes. In other cases where they are very obstreporous, and those complaints have been repeated, they may be committed to the Bridewell. In nineteen cases out of twenty they never get to the Bridewell; but when they do generally the next day a very penitential letter comes to the master to intercede for them.

5871. Are there many cases of committals to the Bridewell?—Not a great many.

5872. How many in the course of a month, should you think?—As to committals to the Bridewell there are very few, because I invariably avoid going to that extreme if I can

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possibly persuade the apprentice to return to his duty, and endeavour to give satisfaction to his master. I generally find by letting a case stand over for a fortnight, telling the apprentice that the result will depend upon his conduct whether he goes to prison or not, I hear no more of it.

5873. Do you commit apprentices of both sexes to the Bridewell?—I have never had one female apprentice before me.

5874. There are a great many female apprentices in London, are there not?—I am not prepared to answer that question; I believe not in the City.

5875. Your experience, of course, at present has been rather limited, but from wha you have observed of the nature of that jurisdiction, do you think it is attended with beneficial effects?—I think it is very much so.

5876. You think it is a jurisdiction which it is desirable to maintain?—Yes. I think it acts very advantageously; it leads the master to act in a greater spirit of kindness towards his apprentice, and if the master does not teach the apprentice the branches of his trade, if he is disposed to make a use of him as a servant or in any way not intended when the boy was bound apprentice, it is very beneficial in calling the master to a sense of his duty.

5877. You say generally the interference is on behalf of the master against the apprentice?—It has been so in the majority of cases, according to my experience.

5878. Then it operates rather for the protection of the master than the apprentice?—In London apprentices are apt to get into very bad associations, and sometimes a little lecture from the chamberlain, and the dread of the Bridewell, may arrest them in an evil course.

5879. Have you read Captain Williams' evidence in regard to the cases of prisoners committed to Bridewell?—I have not. I should add that with regard to apprentices committed by the chamberlain they are kept separate from criminals who are committed to Bridewell.

5880. Captain Williams states that the comptroller sometimes exercises the power of committing apprentices to Bridewell?—That would be in case of the absence of the chamberlain from ill health.

5881. The comptroller acts as the deputy of the chamberlain?—He does in that case, and for the purpose of the admission of freemen; in no other case does he do so.

5882. Captain Williams is asked, "Are there many instances of apprentices committed "by the City authorities to this prison?" His answer is, "They average about ten a "year." Do you think that is a correct statement?—I should think so. In the great majority of cases the very threat of sending them to the Bridewell, or rather the advice given them by the chamberlain, has the desired result without proceeding to such extremities.

5883. He says, "Confinement in the prisons acts most mischievously on boys. I have "repeatedly spoken of it, and the authorities are themselves aware of it." He says, "I "have always urged the abandonment of this Bridewell as a penal establishment." Do you concur in that opinion?—The experience I have had during the short time I have filled the office has been rather the other way. I do not, however, put my judgment in competition with that of Captain Williams. I suppose the half dozen whom I have sent to Bridewell have not been there a day or two days before a very penitential letter has come to the master, the master has applied to me, and I have let them loose again, and their conduct has been much better after.

5884. For how many days can you commit an apprentice?—I never commit for above ten days.

5885. If you interfere on behalf of the apprentice, what punishment can you inflict upon the master. Suppose an apprentice came before you and complained that his master had ill treated him, what redress can you give to him supposing he establishes his case?—If it were a case in which his master had ill treated him, so far as that it amounted to an assault, I should send him over to the other side of Guildhall, and he would be left to the ordinary law.

5886. There might be a case of maltreatment coming within your jurisdiction, probably, which would not amount to an offence according to the general law; how would you deal with a case of that sort?—I apprehend if there was a continuance of ill usage on the part of the master, or if he neglected to teach the apprentice his business, there would be power to cancel the indenture. I have not had such a case.

5887. Has there been a single case since your appointment in which you have interfered on behalf of an apprentice?—There has.

5888. What have you done?—I have told the master the duties he should perform, and he has promised to rectify the cause of complaint, and I have told the apprentice that if the ground of complaint were not removed he was to come again and I should take further measures.

5889. Have you the power of cancelling the indenture without consent?—I am not quite sure how that would be in case of a master neglecting his duties.

5890. Are there any other duties connected with the office of chamberlain?—All the freemen of London are admitted through the chamberlain.

5891. Have you anything to do with issuing notices to persons who do not take out their freedom?—I have never given any directions of that kind; some time ago sundry

notices were sent out for the purpose of enlarging the constituency rather than with any other object.

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5892. You have no personal knowledge upon that subject?—None; no notices have been sent out since I have been in the office. Another duty is to receive from the town clerk, upon the order of the Court of Aldermen, the names of the several persons presented by the Wardmote Inquests as carrying on business within the City, and not being free, to cause such persons to be summoned before him and to direct prosecutions in case of non-compliance with the customs of London, to attend the Lord Mayor and all common halls and common councils, and on all state occasions, and deliver over the City regalia to the Lord Mayor upon his being sworn.

5893. Do you attend all common councils?—Yes, and Courts of Aldermen. If any member of either court has any question to ask as to the financial affairs of the City, I must be prepared to answer him. I do not attend the whole time, but my duty is to be present at every court. The chamberlain has to receive all rents, profits of markets, tolls, and other revenues of the corporation, with which he is annually charged by the comptroller, to make all payments on account of the corporation, and to ascertain that such payments are by warrant or order of competent authority and conformable to the various resolutions and orders of the Court of Aldermen or Common Council, and to keep accounts thereof, and to arrange the same for the purpose of affording any necessary information thereon. I should state that we have 4,000 tenants, paying 103,095*l.* annually; that includes the receipts from the prebend of Finsbury. Besides that, there are moneys in the nature of coal duties and others which we have to receive, amounting to about 700,000*l.* more.

5894. Mr. Scott explained how the expenses of the chamberlain's office were managed; he said that the profits on all the balances were brought to account, and that a sum was assigned to the chamberlain not greater than 2,500*l.* a-year, but that some years it had not amounted to that sum?—That is the case; the sum is 2,500*l.* a-year; I am not aware whether it has always amounted to that. Formerly the chamberlain was paid in a different manner, as you are aware, but he is now, by the deed he enters into, paid in the manner which has been stated.

5895. At present the entire emoluments of the office can never exceed that sum?—They can never exceed 2,500*l.* a-year. I beg to call the attention of the Commissioners to the answer to Question 353. The witness says, "An overture was made to Mr. Scott "during the contest that his situation should be improved pecuniarily if he would "resign, and a threat conveyed that if he persisted in the poll after a certain time, he "would lose the appointment, for that the new chamberlain would appoint some one "else." I distinctly swear that no such overture was ever made—nothing of the kind passed.

5896. No such overture was made with your knowledge?—Certainly not. The only thing I can attribute such a misstatement to arises from the fact that, on the last day of the contest, on Saturday, Mr. Scott communicated through a mutual friend the wish to know whether, provided he resigned, I would enter into an arrangement not to discharge any of the clerks. My reply was, that I never had had any intention of making any alteration. Of course I could not make any such engagement, because I did not know how they might perform their duties; but I never contemplated any such proceedings. That was the only communication which was ever made. I added, if he did resign, it must be before 6 o'clock, because I must send round a notice of it by post. However, his committee did not advise such a course, and that put me, of course, to a very considerable expense more, because I had to send round to all parts of the country to bring up my voters.

5897. Have you the power of dismissing any clerk in the office?—Certainly.

5898. Without any authority from the Court of Aldermen or the Common Council?—Yes. The chief clerk and the cashier, when they are admitted, must be approved of by the Court of Aldermen, and also by the Coal, Corn, and Finance Committee of the Common Council; their power is confined to giving their approval.

5899. Are the appointments of the clerks in the office made by the chamberlain himself?—All of them.

5900. You state distinctly that no overture of the nature described in the answer to this question was, so far as your knowledge and belief extend, made to Mr. Scott during the contest?—Nothing of the kind; so far as my own knowledge goes, I swear it was not, and as to my belief, I am quite convinced that no member of my committee would have made such a proposal without my knowledge.

5901. Do you know whether Mr. Scott was under any impression that such an overture was made to him?—I never heard anything of the kind from him; the only communication from him was, that he should have been glad to have saved all further expense on the Saturday, when this inquiry to which I have referred was made; but his committee would not suffer him. I wish, also, to call the attention of the Commissioners to Question 361. The inference from the answer to that question is, that the duties of the chamberlain are performed by the clerk. Had Mr. Scott been elected, he would have made a very good chamberlain I am quite convinced, but he would have himself elected the same chief clerk that I have now. He would not have performed the duties both of chamberlain and of chief clerk, which seems to be the bearing of the evidence of some

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of the witnesses; they seem to suppose that the two offices would have been amalgamated; each of the clerks, I should state, gives security, though to a smaller amount than the chamberlain. I will also call the attention of the Commissioners to the answer to Question 312. After insinuations of corruption have been made throughout, there is a statement there by which I am put forward as the author of it; the statement there made is diametrically contrary to the fact. It is said that the first corruption with regard to elections began at the period there mentioned, and that the sum of 15,000*l.* was expended at that election. It is said that there were then 400 men, called 'Longshore men, who were controlled by Alderman Lucas, and that Alderman Lucas, by his influence over those men, effectively secured the return of his friend Alderman Key. That is quite contrary to the fact. It may be in the recollection of some members of the Commission that that was a time of great popular excitement; I suppose there never was a greater degree of popular feeling exhibited than on that occasion; it was about the period of the passing of the Reform Bill. I had taken a somewhat active course in forwarding that view, and towards the close of the first year of my office, I was waited upon by a deputation, to know whether I would serve a second time, the view being, that as I had previously done to a very large amount, and with great effect, I should lend any influence which I might possess to assist in forwarding that measure, with respect to which I had taken so active a part. The majority of the Court of Aldermen were at that time on the opposite side in politics. The Commission is aware that the Lord Mayor is returned by the livery, but the livery must return two names to the Court of Aldermen, from which the court choose one. The persons who wished to carry out the objects of the Reform Bill being aware that the majority of the Court of Aldermen was against that measure, an arrangement was necessarily made with some alderman who had served once before, and who, therefore, had the power of refusing to serve again, that if he were returned with me to the Court and were chosen, he would agree not to serve. The alderman who was accordingly named with me, after having been returned by the livery and chosen by the aldermen, refused to serve, as previously arranged; that occurred three times, there being an eight days' poll on each occasion. I am quite convinced that the whole election did not cost 1,500*l.* instead of the expense being 15,000*l.*; and as to the assertion that Alderman Lucas returned his friend Alderman Key from his influence with the 'Longshore men, the most violent and hostile opponent I had at that time was Alderman Lucas; therefore, when a gentleman swears that Alderman Lucas returned me by his influence, he swears that which is contrary to the fact, the fact being, he did all he could, and used all his exertion against me on political matters.

5902. The statement here is that the expenses of the two candidates amounted to from 12,000*l.* to 15,000*l.* Do you happen to remember, without reference to what were the expenses of the other candidate, what your expenses were?—They were very small. My impression is that the two together would not have amounted to 1,500*l.* or 2,000*l.* to the outside.

5903. Do you think your own were 1,000*l.*?—My impression is that they were not. I do not think that they came nearly to 1,000*l.* There were no expenses of treating or anything of that kind.

5904. The poll, you say, was kept open for twenty-four days?—Yes. There having been three elections, the aldermen, from political motives, the majority being opposed to the Reform Bill, each time having chosen the alderman whom the livery did not wish to be chosen.

5905. Is there any other statement which you wish to refer to?—I desire to refer to Question 340, and also to Questions 1455 and 1464, both referring to the same circumstance, though the evidence is given by different witnesses. It is said, in answer to Question 340, that the aldermen at the late contest subscribed 100*l.* each, which is untrue; although, if it had been their wish so to do, no one would have any right to complain, as they would have as much right as any parties to return a member from their own fund. But the imputation in the subsequent questions is that the money was subscribed out of the public funds. With respect to the 100*l.* being agreed to be subscribed by the aldermen, I say distinctly that no such agreement was ever made or contemplated.

5906. Was any such subscription ever made?—No, nor ever contemplated.

5907. Was any subscription made either by the aldermen or by any officers of the corporation, towards the expenses of your election?—None whatever. I paid the whole out of my own funds. With respect to the answers to the subsequent questions, it is clearly implied that such subscription was made, and that it was made out of the funds of the City. I met Mr. Wallis after the election, and he congratulated me upon some good news which he had heard; he said there was a large subscription being made, that the aldermen had subscribed about 2,000*l.*, and Baron Rothschild 1,000*l.* I said it was very good news, but unfortunately it was not true; that I had not heard of any such event having occurred—he must have been perfectly aware therefore that no such subscription was made. In the answer to 2,815, it was implied that twelve of the City officers have the same income as twelve cabinet ministers, namely, 45,480*l.* Taking the twelve highest paid City officers they only amount to 19,600*l.* That is not quite a correct statement, therefore; besides, the persons making that statement in reference to the cabinet ministers merely refer to the salary alone, without any reference to the expense of the office or their enormous patronage, while, in the comparison, they include the whole expenses of the

office to which such officer belongs. Another witness swears that in reference to the Borough of Leeds, under the head of justice, the whole expense is 729*l.* 11*s.* 3*d.*, while the fact is that it is 5191*l.* 4*s.* 5*d.* according to the statement which he himself gives. So as to the borough expenses of Leeds—the witness states them to be only 2439*l.* 15*s.* 6*d.* while they are in fact 6348*l.* 19*s.* 3*d.* I merely mention those circumstances amongst many others, as showing how recklessly people are swearing to what they call evidence against the corporation. Another witness has sworn that the corporation are adverse to all improvements. If the Commissioners will bear with me a moment, I will show them a map of the improvements which have been made, not only in the City, but at the west end of the town, by the corporation. (*The witness produced and explained the same.*) Those improvements which are marked out of the City, are made out of the 8*d.* coal duty. There is already a debt of about a million upon that duty, the whole of which has been laid out upon improvements without the City, in addition to the Commissioners of parks and palaces now having the whole proceeds of the coal duty 9*d.*, for improvements entirely out of the City. This fund is also pledged to pay off the million debt contracted on that tax, for improvements made out of the City, and to which improvements out of the City, the City also contributes 11,000*l.* per annum out of the City funds. I mention this because a great outcry is raised against the City on account of the 8*d.* and 1*s.* coal duty, while Her Majesty's Commissioners of parks and palaces receive the whole of the sum of 11,000*l.* from the City funds in addition.

5908. Are there any other duties attached to the office of chamberlain which you have not mentioned?—He has to prepare and lay before the Court of Common Council, after Lady-day in every year, a statement of the produce and expenditure of the City's estate for the preceding year. To engross on vellum the rental of the City's estates, markets, tolls and other income of the corporation, prepared annually by the comptroller, and to prepare an account of the arrears of such rents, tolls, and other sources of income, and to deliver an abstract of the same to the Court of Common Council. To prepare and furnish such accounts as may be required from time to time by the Courts of Aldermen and Common Council, or any of the committee of the corporation; to see that the rents, tolls, and other sources of income are regularly paid into the chamber, and to report to the committee of City Lands such as may not have been paid in due course. To prepare accounts that may be required by order of the Queen in Council, or either House of Parliament, as well as the several accounts directed by Act of Parliament to be presented annually. The accounts directed to be presented annually are in No. 14. To receive and pay monies under the authority of Acts of Parliament for effecting public works and improvements, and to keep accounts of the same agreeably to the directions of those Acts. To receive and pay all monies in relation to the orphans' fund, and accounts of loans, &c., connected therewith. To report quarterly to the Court of Aldermen the surpluses applicable to the payment of debts charged on the said fund. To arrange and make out for audit by the Commissioners for auditing public accounts, a statement in detail of every sum received and paid on such account, and to attend the said Commissioners on their examination of the same, and to deliver annually to both Houses of Parliament and the Court of Aldermen abstracts of the accounts of the said fund. To receive and pay all monies on behalf of the Commissioners appointed under the Acts of Parliament for paving, cleansing, and lighting the City of London; to keep detailed accounts of the same, and deliver abstracts thereof to Parliament; and to keep accounts of all other funds under his care, and to furnish abstracts or copies of the same for audit, or other purposes when required. Those are the principal duties, but the most responsible and those which occupy the most time are those in reference to such a large amount of money as passes through his hands—either money belonging to the City, or for which they are responsible as trustees. There is only one other point to which I will take the liberty of adverting. A great many people have given their opinion as to the manner in which the aldermen perform their duties in their capacity of magistrates. I was an alderman for thirty years before I resigned my situation to become chamberlain, therefore I can speak with some experience as to the manner in which they perform their duties, and not only from that thirty years' experience, but during that time having occasionally attended police offices and acted as a county magistrate. I give it as my firm opinion that it would be impossible to find any set of men chosen as they are, who are more intelligent, and who attend more anxiously and closely to their duties than the magistrates of London do; they give their most anxious attention to their duties as magistrates; and, in reference to a legal education being necessary, I think that men who have lived to a certain period of life respected by their neighbours, and who have had sufficient talent to make their way in the world are quite as capable as any other men can be of performing the duties of magistrates, a proof of which has been given before the learned judges and others, as to the number of convictions and committals. Nine tenths of the cases which come before the magistrates are cases which do not require any legal knowledge; they are mere matters which common sense would enable them to decide, or if they do require legal knowledge, they always have a clerk of considerable legal attainments who advises them upon those points. I apprehend that legal magistrates who are professional men also have their clerks to assist them. My experience convinces me that the aldermen of London perform their duties more to the satisfaction of the citizens than any paid magistracy would do besides. It does not always follow that because a man has had a legal education and is a paid magistrate, he

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will be fit for the office; there may be other influences at work which are much more objectionable as leaving the choice of the magistrates to the persons whose magistrates they are. I have also, during that period, attended committees of the corporation, and I can testify to the anxiety always shown to conduct the duties of those committees honourably and independently, to the advantage of the corporation and of the public at large. They devote a vast deal of time and give their most anxious attention to the various subjects coming before them, of which the vast improvements made in the City afford ample proof; and as to the sewers, I have seen most of the cities on the continent, and I hesitate not to affirm that no sewers in the world are at all comparable to those of the City. There has been no jobbing which I have seen during my experience either in the Court of Aldermen, or in the Court of Common Council. I have seen nothing but an anxious wish to perform the duties committed to their charge. Then again the aldermen have a considerable advantage in being members of the Central Criminal Court, for though they have never interfered with the judges as to any legal point, or any question which arises during the trial, they may sometimes advise as to the sentence to be pronounced. They have one great advantage in acting as magistrates there—that they have an opportunity, of hearing from time to time the way in which the learned judges lay down the law on criminal subjects. They must be blockheads indeed, if with that advantage they do not fit themselves to perform the duties of magistrates, as well at least as any other magistrates, even those who boast of legal education.

Joseph Daw, Esq.

JOSEPH DAW, ESQ., having been sworn, was examined as follows.—

5909. What office do you hold under the commissioners of sewers?—I am principal clerk.

5910. How is the commission of sewers in the City constituted?—It is appointed by the Common Council, under the provisions of the Act of Parliament which was passed for the purpose.

5911. That is a local Act, confining its provisions to the City of London?—It is.

5912. What is the power which enables the corporation to issue the commission?—The power is given to them by Act of Parliament, and dates back originally as far as Charles II., if not to a period anterior to that. From that time they have continued to appoint the commission of sewers.

5913. Is that commission appointed by the Common Council, under their seal?—Yes.

5914. How many persons does the commission consist of?—The Lord Mayor, the recorder, and the common serjeant, *ex-officio*, and all the aldermen and deputies, and one commoner from each ward, except the ward of Farringdon Without, from which there are two commoners on each side of the ward.

5915. All the commissioners are members of the corporation?—They are.

5916. It is, strictly speaking, a corporation commission?—Unquestionably.

5917. Is there any advantage in having a commission issued in this formal manner, rather than a body of persons appointed by the corporation?—They are precisely the same, only they are appointed under the commission by the powers of the Act of Parliament, and act independently of the corporation; that is to say, after their appointment, they execute all their functions totally irrespective of the corporation of London as a body.

5918. Is it desirable that they should have that sort of independent power?—It has been always so considered. Deriving their revenues entirely from rates upon the inhabitants of London, in that sense, they may be deemed rather to act for the inhabitants than for the corporation.

5919. Have they any other source of revenue, except the sewers' rate?—The consolidated rate is the chief rate. I should explain, perhaps, to the Commissioners, that in our commission we are not only a commission of sewers, but also a commission for paving, lighting, and for sanatory works, and as commissioners of paving, for executing improvements.

5920. Are all those powers given under that commission?—Yes.

5921. Does the Act of Parliament refer to all those powers?—It does. I should say that we effect improvements (which we have done within the last 30 years to the amount of nearly 100,000*l.*,) under the Metropolitan Paving Act, commonly called Michael Angelo Taylor's Act. By that, we are empowered to effect improvements wherever it is thought expedient to do so; and we have done it. To explain the usefulness of those improvements, I should say that the same power is vested in every paving trust in the metropolis; but I am not aware that it has been exercised to any extent except by the commissioners of the City of London, who have, from the outset, done so.

5922. You have the power of making two rates, the sewers' rate and the consolidated rate?—Yes.

5923. Are those rates upon the same assessments?—Yes.

5924. What limit is there to those rates?—The limit is, that we may not make the consolidated rate to exceed 1*s.* 6*d.* in the pound in the year, or the sewers' rate to exceed 4*d.* in the pound in the year.

5925. Is the assessment up to the full value of the rental?—No. I should conceive not.

5926. Who makes the assessment?—The assessment is made by the aldermen and the common councilmen of each ward. The Act of Parliament provides that it shall be made from the poor rate assessment, unless the poor rate assessment be deemed, in any case, a wrong one, in which case power is given to the commissioners to amend it, as they may think fit, upon the advice of surveyors to be appointed.

5927. Practically, probably the assessment is made by taking the poor rate assessment subject to an appeal?—Probably this is the case.

5928. What is the amount of the expenditure for those two purposes? Do you go to the full extent of your powers in making the rates?—No. We have not done so for some years.

5929. How much does a penny rate produce?—About 4,500*l.* We estimated the rental at about 1,100,000*l.* We have not raised the consolidated rate to the full amount for several years past.

5930. What is the general amount which you levy in poundage?—About 54,000*l.* the consolidated rate would produce, at 1*s.* in the pound. We had, some years ago, a 1*s.* 1*d.* rate. That was followed by a 1*s.* rate. The two last years, it has been a 1*s.* 3*d.* rate. The sewers' rate has been 4*d.* in the pound for several years till the last year, when we made it 2*d.*, and in 1846 and 1847, it was only 2*d.* in the pound. We are now reducing the sewers' rate, and the probability is that it will be less even than 2*d.* in future.

5931. Taking one rate at 4*d.*, and the other at 1*s.*, the taxation under your commission would be about 1*s.* 4*d.* in the pound?—Yes.

5932. Do you happen to know what is about the amount of the poundage for the police rate, in the City of London?—I do not know. I have seen it stated as 7*d.* in the pound.

5933. Do you know whether they collect 7*d.* in the pound?—I cannot say.

5934. Those are the only three rates levied by the corporation, are they not; the police rate, the consolidated rate, and the sewers' rate?—The only three.

5935. Are your two rates collected by distinct collectors, or by the same collector?—Generally speaking, the same collector collects all three.

5936. Does he collect them at the same time?—That I cannot say; it is very likely he may. As far as we are concerned, he collects for us, independently of the police rate.

5937. Would not it save expense and time to consolidate the three collections?—I apprehend it would save time; but I do not see any particular advantage that would result from it, because the poundage would be the same.

5938. The poundage might be reduced?—I think it is as low at the present as it could be fairly reduced to.

5939. At present, are the three rates all upon the same assessment?—I apprehend they are. We should wish them to agree in all cases.

5940. What are the duties of your commission so far as relates to the consolidated rate?—Our duties as relates to that are, to pave the streets, to light them, and to cleanse them; to effect such local improvements as may be, from time to time, deemed expedient; to execute such works of a sanitary character as the nature of our new Acts of Parliament require, and we shall shortly have duties, as a cemetery board, which are devolved upon us by the recent Act of Parliament, constituting the commission a burial board for the City of London.

5941. Does that give you the power of making additional rates?—It gives us the power of raising money upon our consolidated rate by loan, or otherwise, as we may think fit. We propose to raise the required sum by loan upon the credit of our rate.

5942. Is there any parochial power within the limits of the City, for any of the purposes which you have described?—No.

5943. The whole of the lighting, paving, and the other sanitary works which you have described, are done by the commission?—Entirely so.

5944. What is done under the sewers' rate?—Our duties consist of the construction of new sewers where they are required, which are now very few in number, inasmuch as we have completed almost the entire sewerage of the City of London. There are duties as regards reparation, cleansing, and supervision of the sewers, as well as the construction of private drains.

5945. Does any inconvenience arise from the separation of the City commission from the other commissions of sewers north of the Thames?—I do not conceive that any inconvenience has arisen at any time, and it can hardly arise now, because there is the best possible feeling between the two commissions. The powers of our Act of Parliament and theirs are made to dovetail in such a manner, that no difficulty can arise. If there did, the matter is referrible,under our Act of Parliament, to the lords of the Committee of Privy Council for trade, at once to decide upon the question which may be in issue between the two commissions.

5946. Does the district of the other commission of sewers completely surround yours; does it extent eastward of yours as well as westward?—Yes; it surrounds us on every side north of the Thames.

5947. What do you consider to be the advantages of a separate commission of sewers for the City?—We have effected all the works which are necessary for the City

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of London at the cost of the inhabitants of the City of London; and, therefore, it would be very unfair that they should now be subjected to taxation for the cost of the drainage of surrounding districts; that is one reason why they should not be united. Then, again, the ancient and prescriptive right of self-taxation for these purposes has been with the City of London for so many centuries, that it would be unjust, unless there were a strong reason for it, to deprive them of it. The machinery, as far as regards the sewerage, has worked extremely well for many years past. I am not aware that, during the twenty-two years that I have been in the service of the commissioners, there has ever arisen any difference of opinion, or any question, between the two bodies. In respect to the lighting I may say that we have, through the intervention of the commissioners, effected of late a very considerable reduction in the charge which has been made for gas to the public lamps, as well as influenced the price paid by private consumers. There has been a reduction of twenty-five per cent. within the last five years thus effected in the public lights.

5948. What improvements have your commissioners executed under the Acts of Parliament which you refer to?—From time to time, wherever it has been thought necessary to widen any street, and an opportunity has presented itself, they have availed themselves of the power to do so. To quote an illustration, Chancery Lane may be mentioned. The southern end of Chancery Lane we have been for some time widening; and we are just upon the eve of bringing that work to a close. I have no hesitation in saying that, had the north end of Chancery Lane been within the jurisdiction of the commissioners, of which so much was said about widening it some time since, it would unquestionably have been done. The same power is given to the trustees for paving of the parish in which it is situated to effect it as we enjoy.

5949. Does your Act give to the commissioners the power of what are called Wide Street Commissioners?—The power of widening wherever we think necessary.

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WILLIAM HAYWOOD, ESQ., having been sworn, was examined as follows:

5950. You are the engineer to the City commission of sewers?—I am.

5951. What are the duties which you perform in connexion with the commission?—My duties may be said to be co-extensive with the functions of the commission itself; inasmuch, as I have the direction of the whole of their works, and am generally their adviser as to the propriety of the execution of those works, which are various and extensive. The commissioners have actually the control, directly or indirectly, over nearly every one of the physical conditions of the City which are likely to affect the health and comfort of its inhabitants. They take charge of the whole of the sewers, and also the whole of the pavings; of the scavengering, lighting, removal of dust from the houses, and the charge generally of the whole of the public ways, which implies the power of control of projections of every description, both above and beneath the pavement; of controlling, to a certain extent, the times when the gas, and water, and other companies shall open the pavements; and the hoards and scaffolds which are put up. Every shop front, every grating, indeed every species of construction which is put out from the front of a house, is not allowed to be projected without the consent of the commission. Upon all such points, I am their principal adviser. The area of the City is one square mile. There are within the City 1,000 public places, and 16,000 houses. What I mean by public places are distinct and separate public ways, having distinct names. There are fifty-one miles of public way. I prepare plans and specifications, and estimates of all the sewers. I take charge of their execution, and make up the accounts of the work. I also prepare schedules, plans, and specifications for the various contracts for pavings and artificers' works generally, and lighting and cleansing. I estimate the cost of constructing private drains beneath public ways; make plans of all the houses for the drainage of which application is made to the commission. I direct how the drainage of those premises shall be laid out and executed, and I keep in my office documents, showing the private drains for the future inspection of the owners of property. I have, as a matter of course, to make various surveys, drawings, estimates, and reports, which are required by the commission from time to time in relation to their numerous works. I take charge of the construction of public urinals, the numbering of houses, the naming of the streets, and the hoards and scaffolds. I have also some control over ruinous buildings, when they are likely to affect the public safety.

5952. Is there any building Act in the City?—There is.

5953. Is it peculiar to the City?—I believe I am the only officer in the metropolis who has any control over ruinous buildings, except the district surveyor. Mine is a more prompt power with respect to buildings likely to become ruinous, than the district surveyors appear to have.

5954. The district surveyors are under the Metropolitan Building Act?—Yes.

5955. Does that Act apply to the City?—Yes.

5956. Is their jurisdiction concurrent with yours?—No; but they do not clash at all. I have a more prompt power than they have. I am generally called on to give

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the commission advice on all sanitary matters which come under their control, involving the execution of works, as to the regulation of slaughter-houses, lodging-houses, and dwelling-houses; questions in relation to the water supply, smoke consumption, houses unfit for habitation, nuisances, and generally on all miscellaneous business which must necessarily attach to a commission controlling the interior of 16,000 houses, so many miles of public way, and having such a wide range of functions.

5956 a. Do you consider the sanitary police of the City is in general in a satisfactory state?—The sanitary police of the City is in a very satisfactory condition. I am not prepared to say that as necessities develop themselves, during sanitary progress, it may not be capable of improvement; but it is the only section of the metropolis that I am aware of at the present time which can be said to have any special sanitary staff, conducted upon any complete system.

5957. There is a medical officer attached to the commission of sewers, is not there?—Yes; and inspectors of nuisances, who make a large amount of domiciliary visitations. Whenever the medical officer finds, from the detailed returns of the registrar general, that deaths have occurred in premises of a nature which leads him to infer that the condition of those houses is unsatisfactory, domiciliary visits take place by the inspectors. They report what sanitary works are required to be done, and orders, upon recommendation of the officer of health, are issued by the commission for the execution of those works. Those orders have amounted to between 1,000*l.* or 2,000*l.* annually.

5958. The medical officer of the commission makes an annual report, does not he?—He does; and he also makes the before-mentioned weekly reports of what he advises to be done in the interior of premises which are reported by the inspector of nuisances to be in an unsatisfactory condition.

5959. The Lodging-House Act does not extent to the City, does it?—The City had an Act which empowered them to enforce the regulations for lodging-houses, before there was any similar power in the metropolis. Therefore, they have the same power in the City as outside the City now exists for the rest of the metropolis.

5960. Are those powers exercised?—Undoubtedly.

5961. In an efficient manner?—A very efficient manner.

5962. Have you anything to do with that inspection?—No; it rests with the medical officer and the inspectors of nuisances; but if anything is to be done in the interior of those premises which require works to be performed compulsorily by the commission, it falls within my department, more or less. There are six inspectors of nuisances under the commission; they are at the same time inspectors of pavements; they take charge of the scavenging and dusting, have the general superintendence of the public ways, and, indeed, the whole of their respective districts.

5963. Do you know whether the inspection of lodging houses in the City is efficiently exercised, and the number of persons sleeping in them regulated, so as to prevent unhealthy and improper crowding?—Every house which has been registered by the commissioners as a lodging house has cards affixed in each room, stating the number of persons permitted to dwell in that room, and stating what sex is to sleep in the room—the numbers having been determined by the medical officer.

5964. Are those regulations enforced?—Yes.

5965. If any one of those regulations is contravened, what happens?—The proprietor is summoned before the commission.

5966. Is there a power of punishing him?—The clerk can better answer that question and others in relation to the lodging houses, than I can.

(*Mr. Daw.*) The course is to summon the party, if he disobey the orders of the commission, or do not act up to them, before a magistrate. We have this day a man summoned before the magistrates at the Guildhall for that particular offence.

5967. There is a power of punishing him, is there?—Yes; by a fine for disobeying the orders of the commissioners. I need not say that it is very difficult in many cases to enforce it.

5968. Do you believe that the inspection is efficiently carried on by your commission?—I think it is very fairly and efficiently carried on; it might be more efficiently done if it were done with the more continuous assistance of the police. I mean by night. It is evidently by night in those places that the nuisance of overcrowding occurs.

5969. Have not the police given you assistance?—They have periodically given us assistance.

5970. Do you know how the Lodging-House Act is carried into effect in the rest of the metropolis?—I believe by the police.

5971. Do you know how it works?—I do not, except as I have read from time to time of cases in the public newspapers.

5972. Do you know whether your commission have ever taken any means of ascertaining whether the lodging-houses are as efficiently inspected in the City as they are in the metropolis under the new Act?—The police have examined several of them, and made their reports from time to time. Our own officers sometimes examine them, but our immediate officers examine them by day only. The police we wish to examine them at night, it being at night that they most require it.

5973. If there is no night inspection, the inspection must be very inefficient?—There are not in the City many common lodging-houses, in the ordinary sense of the term. I

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mean lodging-houses receiving persons indiscriminately at fourpence or fivepence per night, and so on.

5974. In the neighbourhood of Smithfield are there not such houses?—There used to be some, but I rather think they have been got rid of, with the exception of three or four at most, if there are so many. I should say that our operations in that respect have been the cause of closing a great many of them.

5975. (*To Mr. Haywood.*) Have you observed any inconvenience or any advantage to arise from there being a separate commission of sewers for the City?—I have heard it vaguely stated that inconvenience arises, but I never heard a reason given for that statement.

5976. Have you ever observed in your own experience any practical evil to result?—No, not the slightest. I have examined very closely into the allegation, and I am quite unable to find an instance, either recently or in years gone by, in which there was the slightest inconvenience resulting from the existence of separate jurisdictions, even at a time when the necessity for co-operation was not felt so much as in the present day. At this period if there were any differences upon points jointly affecting the two commissions, or the metropolis generally, there are ample means of setting it right, in the manner which has been described to you by the principal clerk; but there never did exist any, and I can scarcely conceive that any are ever likely to exist.

5977. With regard to one branch of the duties of the commission, no inconvenience probably was likely to arise, namely, all that branch which is included under the consolidated rate?—There is just as much inconvenience likely to arise as with respect to the sewers—I mean that as far as regards the paving, there is just as much ground for alleging possible inconvenience as with regard to the sewers. The only shadow of a reason I have ever heard assigned for the desirability of annexing the City to the general commission for the metropolis, has been that it was just possible that the corporation might object to the external commissions draining through their area. Such a thing is not at all likely to have existed, and at the present day I need scarcely say it would be perfectly absurd to suppose any commission having an outfall sewer could object to any external commission draining through that sewer. At the present time there are, I believe, more outlets provided at the City boundaries than are likely to be immediately wanted by the metropolitan commission, and if at any time a junction with the City sewers is required, the application to connect those sewers is generally complied with, within a week or two, by the City commission, and the work executed within a month. I have had cases within the last four years in which trifling portions of the area of the metropolitan commissions have required drainage into the City sewers; the whole of the requisite outlets have been provided within an exceedingly brief time after the demand for them has been made. The extensive area under the metropolitan commission of sewers obliged them to separate the area into districts, under the charge of different officers who co-operate, when necessary, in precisely the same manner that the officers of the City commission of sewers co-operate with those of the metropolitan commission of sewers whenever it is essential for the public benefit. I beg, however, to observe that I consider there is great practical benefit in the contract of the pavings being joined to that of the sewers,—particularly in a district so peculiar in its traffic, &c. as the City of London.

5978. You have observed that to be the case, have you?—I have no doubt of it whatever.

5979. And the lighting?—Whoever takes charge of the paving, as a matter of course, must take charge also of the cleansing and the lighting of those pavements, and the projections over them. Those duties seem intimately combined.

5980. The water supply is wholly independent of the commission?—Yes; and the gas supply also. But the commission can compel the owners of property to have a proper water supply on their premises. Under the powers of their Act of Parliament they can call upon the owner of a house to make provision of all which is essential to the health and decency of the inhabitants.

5981. Are those powers exercised?—I might use a large word to express how very much has been done in that way. There is scarcely a house in the City which has not been looked to. The owners of half the houses within the City, I should say, have been compelled to do something to those premises, and though there is at the present time a great deal to do,—and undoubtedly will be a great deal to do so long as the poor are dirty in their habits, and misuse so *much what is provided for their comfort*—there has been a vast deal done. The mere enumeration of the notices which have been served under different heads to meet various necessities would prove that; but I believe at the present moment there is not a house in the City of London which has not a daily water supply of some kind, contained in a receptacle more or less efficient. I may say that the commissioners in that branch of their labours have been somewhat fettered of late years by the uncertain condition of the mode of the metropolitan water supply;—the result being that the receptacles for the storage of water are not quite of so satisfactory a kind as it is possible they might be, but still every dwelling has a water supply in it or closely adjoining it, and with regard to the poorer dwellings, mainly through the exertions made by the commission and its officers, since the year 1849; prior to that year they having no power whatever over the interior of dwellings, their power stopping at the front walls of the premises.

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5982. In that year an amending Act was passed?—In that year the corporation applied for a new Act giving them extensive controlling powers, and they obtained it. The City was the first section of the metropolis which possessed the power of compelling the abatement of the issue of opaque smoke from furnaces; and since that time I believe nearly the whole of the furnaces have been so altered that the smoke is consumed. Even at the present time it is the only section of the metropolis which possesses power over slaughter houses, and of regulating the manner in which slaughtering is conducted—and power of seizing and confiscating diseased cattle or food unfit for human consumption.

5983. Is there anything else which you desire to state to the Commissioners?—I have only to say that, with regard to all projections upon and the charge generally of the public ways, with regard to the sewers, and the other branches of the services of the corporation, I am not aware of any portion of the metropolis where more care is taken for the accommodation and convenience of the public, and of the huge traffic which rolls through the City streets. The restrictions which existed upon persons breaking open pavements, and with respect to boards and scaffolds, &c., have all been either made more stringent or made wholly new within the last four or five years; entirely new rules and regulations with regard to all those matters brought under the control of the commission by their Acts of Parliament have been made, and the result has been most beneficial to the citizens and the public generally. I find in the printed evidence that it has been stated here by a witness (No. 59), that he cannot imagine that "The sewerage of the metropolis can be "sufficient and effectual under different administrations," &c. This is one of that class of vague allegations to which I have alluded, and must say that upon such a point it requires an engineer who has well considered the subject to give an opinion, and I should very much have liked to have seen a reason for that statement being made. At another place, instead of the blank statement itself (Question 234), a gentleman states that the "manage-"ment of the sewers is very unsatisfactorily done;" assuming that to apply to the works, I must confess that, as I am responsible to the commission for a very great deal of what is done, I feel that I am personally concerned in that statement. Now I beg to state my belief that, upon the whole, the sewerage of the City of London has been well carried out. I will state broadly, that more has been done within the City of London with regard to sewers than in any other section of the metropolis *in the same time.* For years, when the other portions of the metropolis were almost supine as regards the construction of sewers, the City commission imposed a heavy rate, and pushed on its sewerage, and early nearly completed them. They have constructed a map of sewers, which perhaps will never be exceeded in actual length within an equally small area. They have recently been enabled to reduce their rate to 2*d.* in the pound, and will shortly, I have no doubt, reduce it to 1*d.*; and it has not been that the City of London has had less sewers to provide within its area, and less difficulties to contend with than other portions of the metropolis have had, for it would be difficult to find any portion of the metropolis which has so much to do, and such numerous and varied difficulties to contend with.

5984. You consider the drainage of London to be nearly approaching perfection?—As nearly as may be expected, considering that the commission has sewers in its jurisdiction which were constructed long before sewers were used for their present purposes. Thirty or forty years ago, that which it is a statutable offence now not to do when called upon, it was a statutable offence to do at all; the drainage of fæcal matters, or house drainage, within the modern acceptation of the term, was at the time alluded to a statutable offence. The sewers which were then constructed were constructed for surface drainage only, and they do not answer their purpose so well or as efficiently as the sewers which have been constructed in more recent years; but I may say that upon the whole the sewers in the City of London are in a fair state of efficiency. In a few years the old sewers will be remodelled and adapted to the exigencies of the present day, and then I believe the sewers of the City of London will be in the highest possible state of efficiency.

5985. (*To Mr. Daw.*) Is the sewers' rate levied upon the same class of persons as the consolidated rate?—In all usual cases the occupier is assessed, but the rate is recoverable from the landlord on small property where the rental is less than 25*l.* a year.

5986. You levy upon the occupier?—Yes.

5987. But in case of the rent being less than 25*l.* a year, you assess the owner?—We assess the owner upon a composition, and recover from the owner in that case.

5988. In cases above 25*l.* a year, does the tenant recover from the owner?—He can, I think, if there is not any clause in his lease or agreement to forbid it; he then deducts it from his rent.

5989. Therefore, in all cases, it is intended that the immediate incidence of the sewers' rate shall be upon the owner?—Yes; that was felt as a reason why we did not, when we went to Parliament the last time, get the two rates consolidated into one.

5989 a. (*Mr. Haywood.*) As an evidence of the co-operation which exists for the public benefit between the City commission and the metropolitan commission, I may say that I have been, from time to time, associated with their engineer as regards works which mutually affect the jurisdictions or the metropolis generally. I was associated with Mr. Frank Forster, in 1851, in the preparation of his general scheme for the interception of the sewage flowing into the Thames. At the present time I am preparing, with the engineer to the metropolitan commission, the details of a scheme for that purpose.

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5990. In your experience there has always been a disposition between the two commissions to co-operate for purposes within the sphere of their duties?—Invariably; but the necessity for that co-operation occurs very rarely indeed.

Adjourned to to-morrow at twelve o'clock.

Friday, 20th January 1854.

THE RIGHT HON. HENRY LABOUCHERE, M.P., in the Chair.

James B. Bunning, Esq.

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JAMES B. BUNNING, ESQ., having been sworn, was examined as follows:—

5991. What situation do you hold in connection with the corporation?—I am their architect and surveyor.

5992. How long have you held that situation?—Since 1843. I was elected about Michaelmas 1843.

5993. Is the whole of the business done by the City of that description under you, or do you employ different agents for different purposes?—I am solely employed.

5994. In what way are you remunerated?—When I was elected in the year 1843, my salary was 1,600*l.* a-year, which included my office expenses; in 1847 it was raised to 2,500*l.* a-year, including my office expenses.

5995. What was the ground of that increase?—It was in consequence of the enormous increase of business brought to the office, and the increasing business.

5996. Had the office expenses been greatly increased in the mean time?—They had increased greatly.

5997. At what do you estimate the office expenses?—They are now about 1,000*l.* a-year, but my salary in the year 1852 was fixed at 2,500*l.* a-year, and an allowance of 1,000*l.* a-year for office expenses.

5998. Does that allowance cover all the expenses?—Yes.

5999. Do you receive any other payment besides your salary?—The salary is made up in this way: I receive from the City's cash, 1,300*l.* a-year; for attending to the Bridge House estates, 600*l.* a-year; the Finsbury estate, 500*l.* a-year; from the Coal-fund, 50*l.* a-year; and there is an estimate amount of 50*l.* for preparing plans and putting them upon leases of any property which may be let, one on the lease and another on the counterpart. In consequence, however, of the leases of the Conduit Mead estate being renewed last year, (a renewal which recurs every fourteen years) there was an accumulation of 413*l.*, which increased my salary, with five guineas for subpœnas, which I received in 1852 for attending upon trials, to the total amount of 2,888*l.* 18*s.* When the Conduit Mead leases are completed, I should judge the receipts from that source will fall back to something like 50*l.* a-year; they were not quite that amount when I was elected, there being but few leases granted at that time.

6000. Was this arrangement made by any one on the part of the City, or did each of those separate trusts make a separate arrangement with you for the business which you do for them?—The salary was arranged by a committee, I believe, called the officers' and clerks' committee. When any appointment falls vacant the duties of the officers are referred to that committee, and it is then considered what salary the future officer shall receive. At the time of my election, they made the salary much less than my predecessor received.

6001. What did he receive?—I can hardly tell you. I think it was something like 2,000*l.* a-year; then he held a district surveyorship, and did private business, not in the City, but out of the City. I am not allowed to practise in any shape or way whatever.

6002. You are not allowed to have any private practice at all?—No, and not only so, but I was deprived of a district surveyorship which I held at the time of my appointment.

6003. Were all those payments arranged by this committee which you have mentioned, or was the payment from the corporation first arranged, and then the separate trusts allowed to make separate arrangements with you?—The whole arrangement was made by this one committee with the sanction of the Court of Common Council.

6004. They took a general view of all your duties connected with the corporation, and they made one general arrangement?—Yes; whether they called upon the comptroller of the Bridge House estate to give them any account of the labour to be performed for that estate I know not.

6005. Your salary and emoluments vary between 2,500*l.* a-year and 3,000*l.* a-year?—I should think the amount would be 2,500*l.* a-year in future.

6006. It cannot greatly exceed 2,500*l.* a-year?—I think not.

6007. You have no other sources of income connected with the City?—None.

6008. What are your duties?—They are very multifarious. I have to attend the Court of Aldermen and the Court of Common Council when required; for the Court of Aldermen I have to attend to the ruinous buildings.

6009. What do you mean by the ruinous buildings?—Any building which may be in danger of falling.

6010. You have to keep the City buildings in a proper state of repair?—Not in repair; only to provide against the falling of those which have been represented to the Court of Aldermen by the official referees to be in a dangerous condition, and likely to injure the passers-by.

6011. Are you speaking of buildings which are the property of the corporation and of other buildings in the City, the state of which may be dangerous to the passers-by?—Not of buildings belonging to the corporation, but of those represented to be dangerous by the official referees. I should not ordinarily interfere with any buildings unless they belonged to the corporation. Then, in the capacity of their surveyor, if they were in a dangerous condition, I should attend to them.

6012. Is it a common thing for a building belonging to the corporation to be allowed to get into such a state of repair that it is actually dangerous to the passers-by?—Certainly not. If any buildings within the City are in a dangerous condition, and the district surveyors find them so, the official referees send notice to the Lord Mayor, which is laid before the Court of Aldermen. I am instructed to shore up any such buildings, and hoard them in, and the solicitor is instructed to give the parties notice to repair and amend that building or buildings according to the directions given to them.

6013. What description of buildings are you speaking of?—Any building in the City which may be in a dangerous condition. The corporation, however, I hope, take better care of their buildings than to allow them to get into such a condition.

6014. How is this duty performed in other parts of the metropolis?—I believe a notice from the district surveyor is sent to the parish authorities; what steps they take I do not know. I have heard from the official referees that, whenever any complaint of the kind is sent to the City authorities, it is always attended to immediately, and I know it is so, because it is my duty to attend to it.

6015. Will you proceed with the enumeration of your duties?—I have also to attend the committee of aldermen with respect to the prisons—Newgate, Giltspur Street prison, the debtors' prison, Whitecross Street, the Borough Compter, and I have recently erected the prison at Holloway.

6016. Have you seen Captain Williams's evidence with regard to the City prison?—I saw it in the *Times*.

6017. You have not read the evidence in full?—I read to this effect in the paper, that Captain Williams had been kind enough to express himself satisfied with the accommodation given in the gaols.

6018. He expressed also an unfavourable opinion of some of the old prisons?—I have had an opportunity of being frequently with Captain Williams, and I also know well the prison at Newgate—that it is not fit for the present arrangement of prisoners, or the discipline which is wished to be carried out. There can be no question but it is a fine old prison.

6019. Captain Williams says the internal arrangements are such as to render it unfit for use as a prison according to the present system of prison discipline?—There can be no question about it.

6020. Your opinion accords with Captain Williams's as to Newgate?—It cannot, without considerable expense, be made suitable for carrying out the same discipline which is carried out at our new prison, because there are very few separate cells. In the new prison at Holloway there are 436 cells and fourteen work-rooms, which are equal to ninety-six additional cells. There is every accommodation there for carrying out almost whatever kind of discipline may be wished.

6021. Are you acquainted with the state of the City Bridewell?—I have nothing to do with it. I have to attend to all the requirements of those prisons—when I say that, I mean all appertaining to my profession. If anything is wanted in the nature of repair or alteration I have to survey it, and with regard to any work which the governors wish done, before they can do it I represent it to the aldermen, and I am desired to see it carried out. I examine the artificers' bills, and certify that the charges are correct.

6022. Do you give an estimate before the work is done?—Very frequently; in fact, nothing is allowed to be paid till I have certified that the amount is correct.

6023. Is any expense incurred in regard to building or repairing the City property of which you have not given a previous estimate?—Anything beyond 50*l.* is generally put out to public tender. If it is under 50*l.* the tradesmen of the corporation generally do that work, and that work is performed upon fixed prices, which are year by year sent in by the various tradesmen to a committee called the City Lands' committee.

6024. In the case of the erection of a considerable building, such as the Holloway prison must have been, how is it done; is it done by contract?—Yes. I think there were twelve or fourteen of the most respectable builders in the country written to. The lowest tender is accepted.

6025. Do you give the plans?—Yes.

6026. In every case?—In every case. I have a plan of the prison here (*producing the same*).

6027. In the event of the City undertaking a great building would there be any competition between different architects, or would it go to you as a matter of course?—Since I have had the honour of holding the position I do there has been no competition for any building.

6028. Has there been any considerable building undertaken except the prison to which

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you have adverted?—The Coal Exchange I built, and also Billingsgate Market. For the new cattle market I made a number of plans, when it was proposed to keep the cattle market where it now is, that is, by enlarging it considerably. Of course, all those plans are now abandoned, and I am forming a new market for the corporation at Copenhagen Fields.

6029. In that case, the City have not resorted to the advice of any other architect?—Not another person.

6030. Has that always been the practice of the City in former times?—It has not. About twelve years before my election I had been by competition the successful candidate as architect of the City school, which I built for the corporation. At that time I was an entire stranger to them.

6031. Was there a City architect at that time?—There was a gentleman who was called the clerk of the works.

6032. Do you know why the City have altered their system, and now, when there are buildings of importance to be executed, do not resort to any competition between architects, but always employ their own City architect?—I am very much gratified that they do so, because I should feel very much hurt if it were otherwise.

6033. What was done in the case of the rebuilding of the Royal Exchange?—There were advertisements for designs.

6034. There was a City architect at that time?—Yes; the gentleman who had then the title of clerk of the works of the City.

6035. Do not you think, as a general rule, without in the least meaning to express the smallest doubt of your eminence as an architect, that when a great public building is to be erected, there is an advantage in throwing it open to competition, to a certain degree, and receiving the suggestions of more than one eminent architect, and adopting the plan which may appear to present the greatest advantages?—It is very difficult for me to give an opinion upon that point. I should only hope that it will never be so while I am the City architect.

6036. Is there any clerk of the works now?—No, the office is merged in mine.

6037. Can you state what the average expenditure, since you have been the architect, has been in the construction and reparation of buildings?—About 36,300*l.* was certified by me upon different buildings in 1852.

6038. Supposing such a misfortune were to happen as that the Royal Exchange were again burnt down, should you consider that you had, in virtue of your office, a right to the exclusive preparation of a plan for rebuilding that exchange, and that it would be a wrong done to you to apply to any other architect for suggestions?—In the case of the Royal Exchange, that is not entirely under the jurisdiction of the corporation, because the corporation are united with the Gresham trust, which I believe, is with the Mercers' company. One part of that body might wish to employ their architect, and the City might wish to employ their own, therefore, under such circumstances, they might be very glad to advertise.

6039. Suppose there was a necessity for building a new Mansion House?—I should try very hard to prevent anybody competing for it, because I should like to erect it myself—not that it would give me 1*s.* more salary.

6040. Will you proceed in the statement of your duties?—I am at this moment, by direction of the Court of Aldermen, who contemplate erecting a lunatic asylum, looking out for a plot of ground. I am in treaty for one conjointly with Mr. Alderman Lawrence and Mr. Alderman Cubitt.

6041. Where is that site?—The site at present spoken of is adjoining our prison at Holloway. A very large amount of area is required for the lunatics, therefore, we are compelled to go to some distance from the City.

6042. In point of air of course it is desirable to be at a distance from very crowded buildings?—Yes.

6043. Do you think the site is, in a sanitary point of view, one which is well calculated for the object?—I think it is; and it offers this advantage that the aldermen when they paid a visit to the gaol would have an opportunity also, without going any greater distance, of inspecting the lunatic asylum.

6044. How was the expense of the Holloway prison defrayed?—Out of the cash of the City.

6045. A loan was effected, was it not?—I think so. The whole of those arrangements were made by Mr. Scott.

6046. You did not inquire into the manner in which the money was raised?—I had so much to do to attend to the expending of it that I did not do so.

6047. By whom is the City architect appointed?—By the Common Council.

6048. I suppose it is considered a permanent office?—One hopes so, though I am elected annually.

6049. The usual course has been to continue the same architect unless there was some reason for his removal?—I have never heard any instance of such an officer being displaced.

6050. There never was a City architect before you, was there?—No, not permanent.

6051. The appointment of a City architect is a new system, is it?—When I was first appointed I was called the clerk of the works.

6052. In point of fact, except in name, you are exactly in the same situation which the clerk of the works to the City formerly occupied?—Precisely; only performing all the architectural business of the corporation—whereas other persons were formerly called in, now no one is called in.

6053. When the officer was called the clerk of the works it was the habit to employ other architects, from time to time, for business strictly architectural; now you are the architect as well as the clerk of the works?—I am.

6054. Will you proceed to state any other duties which you perform?—Emanuel Hospital also comes under my care and the almshouses. And since I have been elected I have built new schools and dormitories to that establishment. Whatever is required I have to attend to, just as I have with respect to the gaols.

6055. Have you anything to do with the laying out of the streets?—Yes.

6056. Have the great City improvements, which have been made of late years, been conducted altogether under your management?—They have. On Lord Mayor's day I have to attend to the fitting-up of the hall, and whatever may be required to prepare the buildings for that banquet. For the management of the City lands there is a committee called the City Lands Committee. They have under their control the public buildings, Guildhall, the Courts of Law, the officer's residences, the Monument, the Sessions-house, the public stairs, consisting of Sommer's Quay, Billingsgate, Old Swan, All Hallows, Cousins-lane, Southwark Bridge, Dowgate Dock, Queenhithe, Stew-lane, Frigg-lane, Paul's Wharf, Puddle Dock, and Whitefriars. Wherever any repairs are necessary, or any pile is pulled away, attached to those stairs, I have to attend to it. I have nothing to do with the river Thames, but with those stairs only which lead to it.

6057. Have you anything to do with the bridges themselves?—I have to do with London Bridge. I have recently laid before the Bridge House Committee a proposition for throwing projecting footpath over each side of the bridge, which is now before the Bridge-house Estate Committee. It will be considered by them. They have ordered a survey to be made with respect to the security of the bridge, which will be reported on; and I have no doubt steps taken to carry out that improvement.

6058. When the present London Bridge was constructed who was the architect employed?—Sir John Rennie.

6059. He is not an architect, is he?—No; Sir John Rennie is an engineer.

6060. Do you conceive if a new bridge was required, as a matter of course, you would be employed in the construction of that bridge?—No.

6061. You think an engineer would be employed?—Yes; having to give my time so entirely to the duties of an architect and surveyor, I should really not like to undertake the construction of a bridge across the Thames; in fact my duties are so multifarious that I could not do it.

6062. It is your business to report upon the state of the City bridges, is not it?—It is.

6063. Is any engineer consulted on that subject?—Sir John Rennie will be consulted and so will Mr. Page, with respect to the present state of London Bridge; it only awaits an appointment of Sir John for us to go into the subject of the bridge, and ascertain in what state it is at the present moment, before a report is made to the Bridge House Committee.

6064. Are there any apprehensions entertained of the state in which it is?—None whatever. The committee were only desirous to ascertain if the system, which I had suggested, of throwing these projecting ways over the bridge would be approved by Sir John Rennie, because I had mentioned to them that I should not like to interfere with a magnificent work like London Bridge without consulting him.

6065. The alterations which you propose, I understand, merely to relate to the way over the bridge, and not to the stability of the bridge itself?—No; they relate to the appearance. It is proposed to throw out a projection of something like twelve feet on each side. Of course it would not improve the appearance of the bridge as an architectural structure, but whether the accommodation to the public is to override that or not, is a point for the committee to determine.

6066. In reporting upon the bridges do you confine your attention exclusively to the constructive part of the bridges, or do you look at all to the consequences which may follow from the erection of the bridge to the water way?—My duty, I consider, with respect to London Bridge is merely to attend to any repairs which may be necessary. If any accident should occur, or any stone be misplaced, or the paving should require renewing, I should consider it my duty to attend to it; but if it should happen that the arches should be defective, and require the careful inspection of an engineer, I should decidedly and immediately ask the committee to let some eminent engineer be associated with me, or to enter upon it himself.

6067. Your attention has not been at all called to the difference which has been produced by the greater width of waterway under the present bridge, as compared with Old London Bridge?—I should not like to speak to that subject. Mr. Leach is here, who will give you every information on that point.

6068. In making any temporary construction of an ornamental nature, do you act upon your own judgment, or do you take instructions from any of the committees or City authorities?—I always submit any idea that I may have for the purpose of decoration to

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the entertainment committee, and I ask their permission to have it placed in any position I think fit. If it has received their sanction, they generally know before it is placed there the sum of money that it is to cost.

6069. What may be called questions of taste then would be decided by them?—The decision is made by them whether they will have it or not. It is my duty to survey the City estates, which consist of about 6,084 houses and buildings,—the dilapidations are surveyed, the rentals are assessed, and reports made to the committee.

6070. Do you assess the rentals?—Yes.

6071. Therefore you are the surveyor and valuer as well as the architect?—Yes.

6072. Those duties occupy more of your time than the architectural part of your business, do not they?—They take up a very large portion of my time. I assure you I have no sinecure.

6073. Was the salary that was paid to the clerk of the works, when he was so called, the same as that which you now receive?—I think his salary was about 2,000*l.* a year.

6074. Do you consider the 500*l.* a-year to be added in consideration of your being architect as well as clerk of the works?—No; I cannot say that I think that is the reason. I am quite sure if the corporation were to employ a professional gentleman and pay him as professional gentlemen are ordinarily paid, his salary would be very large indeed.

6075. Are you speaking now of your services as architect, or your services as clerk of the works?—Of the whole of my services.

6076. You said that that your predecessor had 2,000*l.* a-year as clerk of the works;—you,besides being clerk of the works, give your services as architect to the City, and you have an increase over his salary of 500*l.* a-year?—Yes.

6077. Supposing he was properly remunerated as clerk of the works, is not it probable that the 500*l.* was given to you in consideration of your acting as architect as well as clerk of the works?—I think the corporation raised my salary seeing the enormous amount of the duty I had to perform. I am reminded that when my predecessor held the appointment which I now do, Sir Robert Smirke was called in for the improvements; since I have held the appointment, no person has been called in in any way whatever. The Bridge House estates also fall under my care. I have to attend the committees, and to survey the properties, which consist of about 6,000 houses and buildings. Of course the whole of them have not come under my supervision at present, but a very great many of them have.

6078. Before your appointment as architect to the City had you in your private capacity conducted as an architect the construction of any considerable buildings?—I had built schools. I built the City schools, a workhouse, and warehouses. Previous to my building the City schools, I did not know an individual connected with the corporation.

6079. Had you been engaged in constructing any buildings unconnected with the City?—I had built a workhouse, gentlemen's houses and warehouses.

6080. You had built considerable houses for private individuals?—Yes. I have to attend theCoal, Corn, and Finance Committee, under which committee I built the Coal Exchange. The boundary marks have also been affixed twenty miles round London under my superintendence, on each road, canal, and railway. The General Purposes Committee I attend; they have under their care the Mansion House. I report upon the repairs and the general state of the building and the furniture.

6081. Is the Mansion House in a good condition?—In a very fair condition. For the Markets' Committee I attend to the Leadenhall butchers' and poultry markets.

6082. In what state is Leadenhall market?—It is a very confined site.

6083. Would not it be desirable that the present site of Leadenhall market should be changed?—It would be very desirable to enlarge it.

6084. Is it in a convenient situation?—I should think so long as the present system exists of allowing slaughtering at the Whitechapel. I imagine that the slaughtering at Whitechapel serves that market principally.

6085. There is a large hide market there?—Yes; that is a separate market from the butchers' market and the poultry market.

6086. A very large traffic in hides is carried on there,—is not there?—A very large.

6087. Could not more use be made of Farringdon market than is now made of it?—It is very difficult to know what to do with that market.

6088. It is an extremely good and spacious market, is not it?—It is very spacious, but very dark.

6089. At present it is not above a third or fourth part used, is it?—Perhaps half of it in point of area is used, certainly not one-fourth of the arcades is used.

6090. You may say that to a very great extent at present it is not used?—It is not.

6091. It is one of the best situations in the City, is not it?—I should consider it in a very good situation.

6092. You have a large market there which is only used to a very slight extent, and you have other markets which are greatly crowded, such as Leadenhall market and Newgate market; could not the City make some better arrangement with their markets?—It is very difficult to induce a trade to move, or drive a market from one side to another.

6093. Has any effort been made for the purpose?—I am at this moment designing a dead meat market to be placed on the side of Smithfield.

6094. That would be in place of Newgate market?—Yes.

6095. Newgate market is altogether insufficient for the trade?—Quite so.

6096. The trade in dead meat in the City is increasing, is not it?—Certainly.

6097. In consequence of railways and steam boats, the facilities of transport of dead meat from the country have been greatly increased?—Yes; and the number of houses used by butchers for the sale of tollable articles far exceeds the area of the market itself.

6098. Would not it be possible to use Farringdon market for the purposes of Newgate market?—The whole subject is now before the Markets' Committee.

6099. Do not they move rather slowly in such cases?—I do not fancy so; it is very difficult to get money to do all these things.

6100. Farringdon market is actually built, and ready for use for any other purpose?—Till Newgate market is annihilated, it will be very difficult to get the dealers to move from there.

6101. What is the state of Blackfriars Bridge?—I should rather refer you to Mr. Walker for information on that subject, he having the care of that bridge. I have the care of it only to the same extent as I have the care of London Bridge; that is, I look after the stone work and the pavement. I have lately erected Billingsgate market.

6102. Is that in a satisfactory state?—I hope so. Any repairs or alterations with regard to any of those markets, I and my staff have to attend to, so as to see that the wants of every tenant are carried out. I have a very efficient staff of gentlemen. No alteration can be made, and no line of hooks can be put up, without obtaining first of all the permission of the Markets' Committee; and before a bill can be paid, it must be examined by my people, and certified by myself. I also do what is necessary in the City of London School. Under the Officers and Clerks Committee there is a Small Debts Court, which I altered. I altered some extensive premises for the purpose of carrying on the Small Debts Court. With respect to the Improvements Committee, I have to attend their meetings, to value the freeholds and leaseholds required for the improvements. We have at the present moment in hand the continuation of Cannon Street, from the statue to St. Paul's Churchyard. We have an improvement going on in Threadneedle Street, in Mark Lane, in Dowgate Hill, and the formation of a street from Farringdon Street to Clerkenwell. On that site, also, it is proposed to erect lodging-houses for the poor. A site has been purchased, and the buildings I dare say would have been commenced before this time, but for having received notices with respect to a railway which it was proposed to bring there. Even now, there is a proposition to take a line of railway across Smithfield, terminating at the Post Office. The Improvements Committee have under their care all the improvements. They have now before them the proposed street from Cannon Street to Blackfriars Bridge; and a plan for the raising of Holborn Hill. I have been called on recently to make another estimate for that purpose; and, instead of the amount of 316,000*l.*, in consequence of the great rise in materials, the works which we should have to perform to raise the road, would amount to something like 333,000*l.*

6103. Would you have no property for that 333,000*l.*, which would produce rent?—No; it would be all loss. In making an improvement through valuable property, it will be seen at once there must be a very large amount of loss; because every shilling we pay for goodwills is gone. There is something also for compulsory sale; the rents are forced up to their utmost. For example, in the case of Cannon Street, the claims sent in for that line, amounted to 1,177,153*l.* 2*s.* 4*d.*

6104. Do you mean for the line which has been already made, or the line which is projected?—For the line which has been already made. Those claims were settled at 796,566*l.* 3*s.* 5*d.*, being about one-third less than the claims: but that is a very large sum.

6105. Was that money all loss, or did you get any property which would yield rent?—We shall obtain about 300,000*l.* back.

6106. You lost about 400,000*l.* out of 700,000*l.*?—We lose something less than 500,000*l.*; we make up the rest by the sale of the frontages.

6107. I suppose the frontage value is increased by the construction of the new street?—Wonderfully. The system adopted by the committee, I think, is very admirable. The ground is staked out by myself, and plotted upon the plan. As we have cleared from street to street, we have advertised it; parties have come forward who wished to establish themselves there in their business, and that accounts for their giving so large a figure for this property; the frontages are valued by myself. They are sealed and given to the chairman; and when all the tenders are opened, mine is also opened. The committee then will not let the property go for less than I have valued it; but in nearly every instance the parties themselves have bid more.

6108. Will not the effect of this alteration be ultimately considerably to increase the value of the property belonging to the City?—I think it will. Those frontages are sold and made a deduction from the outlay.

6109. The area of the City estate is not increased by the population?—It is not so at all.

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6110. Has your attention been attracted to the sufficiency of the great thoroughfares of the City for the increased traffic of the present time?—Yes; the committee scarcely ever meet that the subject is not discussed; the difficulty is to know where to begin in the first place, and next to know where the money is to be obtained to carry out any improvement.

6111. The City is locally situated between the eastern and western extremities of the metropolis, both of which are generally increasing in size, as well as between the northern and southern extremities?—Yes.

6112. The thoroughfares remaining for the most part unchanged, their width not being increased, except by very slight improvements, of course the traffic must increase as the population of the metropolis increases?—No question of it.

6113. Therefore, in consequence of no change taken place in the City, the great City thoroughfares year by year become more unequal to their traffic?—No doubt of it.

6114. Have you made any observations which would enable you to estimate the amount of obstruction which now occurs in the great thoroughfares of the City; have you ever placed persons to count the number of carriages or vehicles which are stopped on certain days?—I have not done so; it has been done, I believe, but not by me. I experience the inconvenience daily.

6115. Take, for example, Cheapside; I suppose there must be few days in the year in which at some portion of the day an obstruction does not occur at Cheapside?—I think Cheapside will be very much relieved when Cannon-street is opened, it will be opened very shortly; the committee were extremely anxious that it should have been opened before Messrs. Berens and Blumberg make a claim for something like 100,000*l.* for their property. We had nineteen meetings before it was settled. On the 1st or 2nd of February, I think, we shall commence pulling down that property, and I think we shall get through shortly.

6116. Are not there frequent obstructions between St. Paul's and Temple Bar?—Yes.

6117. In summer when London is fullest, there must be constant obstructions in the whole line of communication?—Yes; and I think the removal of Temple Bar will obviate that in some measure.

6118. Temple Bar does not obstruct the roadway to any great extent, does it?—I think it does. There would be room enough for one more carriage if that were removed.

6119. Ludgate Hill is a very narrow passage, is it not?—Yes.

6120. Do you conceive that the funds at the disposition of the City are sufficient to enable them without extraneous aid to put the great thoroughfares of the City, particularly those running east and west, in a satisfactory state?—I should think their funds are inadequate to it.

6121. Has it ever occurred to you to consider whether any means could be devised for raising some rate or tax upon the whole of the metropolis, for the purpose of widening streets which are metropolitan thoroughfares?—No; I have not considered the mode of raising the money.

6122. Do you think it would be desirable that some fund should be created in which the whole of the metropolis should have a common interest, and which should be applicable to public works, and particularly to widening streets in which all the inhabitants of the metropolis have an interest?—I imagine the preference would be given by the public to a continuation of the coal tax, rather than that any direct taxation should be put upon them for improvements.

6123. Is it your belief that the present coal tax is a tax which it is desirable to perpetuate for that purpose?—I should imagine so.

6124. Have you had any means of observing whether it is a tax which the public willingly pay, as being appropriated to general metropolitan improvements?—It has been so much brought before them recently, that I think objections have been raised where they otherwise never would have been thought of. It is a tax paid by persons who hardly know that they pay a tax, it is so exceedingly indirect.

6125. So far as you have had any means of observing that portion of the coal tax which is not expended by the City, that is to say the produce of the 8*d.* and the 1*d.* duty, do you believe that those improvements have been fairly distributed over the metropolis and properly executed?—Yes. I should imagine that more has been done in the City than over the metropolis generally.

6126. That has been partly derived from the produce of the 4*d.* duty. I am now speaking of the produce of the 8*d.* and the 1*d.* tax?—I cannot answer that question. I have not entered into the detail of how the money was expended.

6127. Has your attention been at all directed to those metropolitan improvements which lie out of the limits of the City, executed out of the produce of the coal tax?—I have had nothing to do with them.

6128. You have formed no opinion with respect to the manner in which the rest of the coal duty has been expended?—No. I have before me a map (*producing the same,*) showing the line which was proposed in conjunction with the improvements going on westward in 1846, and at this moment it is being revived. I may add that I have recently erected for the corporation the orphan school at Stockwell, for the reception of 150 orphans of freemen.

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6129. What will be the expense of the new cattle market?—At the present moment I should say about 300,000*l.*

6130. Including the cost of the ground?—Yes. If a larger amount of lairage is put upon the ground, or if a hide market is placed there, of course the expenses will be increased.

6131. Is that expenditure made under contract?—Everything.

6132. How do you set about getting a contract?—A contract was entered into for the draining. Some six or eight respectable builders were written to, the lowest tender being taken. The contract for the sheep penning, the bullock lairs, and the ironwork was by public tender.

6133. Is that the usual way of transacting business in your office?—It is the invariable practice.

6134. Do you consider yourself bound always to accept the lowest tender?—When parties are written to, because it is considered you would not write to a man unless you considered him equal to carrying out the work. When it is by public tender, the committee have the option of accepting it or not.

Mr. F. Woodthorpe.

Mr. Frederick Woodthorpe having been sworn, was examined as follows:

6135. What office do you hold connected with the corporation?—I am one of the minuting clerks in the town clerk's office.

6136. How long have you held that situation?—Since 1838.

6137. What are the duties which you have to perform?—I attend to minute the proceedings of the several committees, and keep that record under the direction of the town clerk.

6138. Do you mean that you act as secretary or clerk to those committees?—Yes.

6139. To how many committees do you act in that capacity?—To the Thames Navigation and Port of London Committee, to the Consolidated Committee, to the Police Committee, to the General Purposes Committee, to the Markets Improvement Committee, and to other casual committees when required.

6140. Are you able to act in that capacity to all the committees which are appointed by the common council?—No.

6141. How are those duties performed when you do not attend?—By the other minuting clerks, of whom there are three besides myself.

6142. Your duties are somewhat analogous to those of a committee clerk of the House of Commons?—Rather more than those of a committee clerk of the House of Commons, because we have to minute every proceeding, and as far as possible, though not to take the words, yet to give the meaning of evidence given before the committee, so as to assist in forming the resolutions. We also have to draw the reports under the direction of the town clerk, which is not the case in the House of Commons.

6143. In that way you become acquainted, no doubt, with the business transacted by the different committees which you attend?—I do.

6144. Will you state what is the establishment of the town clerk's office; how many clerks are there attached to it?—There are four minuting or committee clerks, Mr. Firth, myself, Mr Welton, and Mr. Barber; there are also four copying clerks, and there is a clerk employed in sorting the papers and books, and keeping them in order and regularity, Mr. Farmer, and there is one messenger.

6145. Can you state what the entire annual cost of the establishment is?—The allowance for the cost of the establishment is about 1,800*l.* a year, exclusive of the allowance to the party I have just named, Mr. Farmer, which is a recent addition.

6146. The office is in Guildhall?—It is.

6147. Is there any retiring allowance of any kind to the clerks engaged in the City?—There is not any actually provided for.

6148. Is it usual to make some allowance on the retirement of a clerk after a certain number of years service?—After many years service a clerk naturally looks to consideration at the hands of the corporation, and I believe it is usually rendered.

6149. Not upon any definite scale?—Not any.

6150. Each case is considered upon its own ground?—Yes; and there being no general rule that a retiring pension should be granted, many members of the corporation have from time to time considered, whether they should not establish some system of causing their employees to insure their lives.

6151. At present the situation would be very much like that of a clerk in a banking house where there would be no claim, but the firm would naturally feel bound to consider equitably the case of any servant who had been long in their employment?—I believe that would be so.

6152. There is no system of annual deduction from the salary in order to create a fund for superannuation allowances?—There is not.

6153. You stated that you attended the Conservancy Committee?—I attend the Thames Navigation and Port of London Committee, and they practically have a great deal of conservancy business before them.

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6154. What are the duties of that committee?—The duties are somewhat divided, though nominally joined. One portion is the Thames Navigation, which is carried on under Acts of Parliament relating to the river westward of London Bridge; the other is the Port of London eastward of London Bridge; but the committee and the corporation generally consider that though there are separate Acts of Parliament for the two branches of the service, they are intimately connected, and that the Port of London is not restricted merely to that portion upon which the tonnage dues can be at present expended.

6155. How often does that committee meet?—Their regular meetings are once a month. I speak of the grand committee. At each meeting of the grand committee they appoint a sub-committee for certain purposes, and they meet upon the average about twice in the course of a month.

6156. Practically it may be said that there are three meetings of the committee in a month?—Yes; but of late years that number has been materially increased. I merely mention what is the regular mode of transacting business. The number of meetings has been materially increased, and in the year 1852 they had upwards of eighty meetings.

6157. Is there much business transacted by that committee?—A vast deal.

6158. Without going into great detail, can you give the Commissioners an idea of what the nature of the business is which they transact?—The business is carried on in a very regular mode. The first proceeding is to appoint their sub-committee. The committee then receive applications from parties who are desirous of having accommodations in the river, making embankments or driving piles, the regulation of private moorings for a temporary purpose, steam-boat piers, and other works of that kind, which are constantly occurring. The proceedings of the sub-committee during the previous month are read and considered by the grand committee, and either sanctioned or otherwise.

6159. Does it often happen that they are set aside?—Very seldom. They also receive communications at every meeting from persons occupying warehouses or engaged in trade on all parts of the river on various subjects. They then receive reports from their officers, the water bailiff, Mr. Leach, the engineer, and Mr. Rowland, the principal harbour master.

6160. Is the business generally of an important kind?—Exceedingly so.

6161. Is it urgent; are there questions which require immediate consideration and decision?—There are sometimes.

6162. Is it your belief that the Navigation Committee do much which tends to keep the Port of London in an efficient and commodious state?—I think they do, as far as their means will admit.

6163. There means are very limited, are not they?—Their means are very limited, excepting for specific purposes, for which certain sums are devoted, such as the tonnage duty.

6164. What are those specific purposes?—The principal funds are the tonnage duty fund, the Thames Navigation Committee fund, and the rental fund.

6165. What are the specific purposes to which they are applicable?—The purposes to which the tonnage duties are applicable are explained in the Acts of Parliament; they are for the improvement of the moorings of the Port of London, and for carrying on the harbour service. They are not applicable in any way to the actual improvement of the river, except in connection with those matters.

6166. Do you think that that fund is sufficient for those purposes?—It is quite sufficient with economical arrangements, such as have been adopted by the corporation.

6167. What are the purposes to which you say the present funds are inadequate?—The Thames Navigation fund is very inadequate.

6168. What is the object of that fund?—The Thames Navigation fund is applicable to the locks and towing paths on the upper parts of the river.

6169. Is there any fund by which the shoals in the river can be removed?—Not any; except when the corporation advance the money out of their own funds for that purpose.

6170. That is one of the purposes for which the present funds are inadequate?—Quite so, unless the tonnage duty fund were rendered applicable to those purposes.

6171. Would that fund be sufficient?—It would certainly not be sufficient for the entire work, but it would materially assist in carrying on improvements in the river.

6172. Are the present shoals serious impediments to the navigation at certain states of the tide?—Upon such practical points, of course, I should desire to defer to the opinion of gentlemen who are occupied in daily work upon the river; but it comes under my cognizance a good deal.

6173. From the information which is before the committee which you attend, do you believe that the shoals which impede the navigation at certain states of the tide are numerous?—They are; I believe they have been very much increased, in consequence of the extent to which the water now ebbs, compared to what it used to do before the removal of old London Bridge. That is the case with the shoals lower down, as well as above bridge; the water decidedly ebbs lower than it used to do.

6174. Has the removal of old London Bridge made a great difference in the ebb and flow of the tide?—A very material difference.

6175. London Bridge operated to a great extent as a dam?—It did.

6176. It prevented the tide from running up, and also from running down, to a considerable extent?—It did.

6177. That change has effected the flow of the river, both up and down, to a great extent?—To a material extent.

6178. And I suppose that has increased the expense of maintaining the river, has not it?—It has, decidedly.

6179. Does the corporation take any charge of what may be called the police of the river traffic, with regard to the over-crowding of steam boats, and matters of that kind?—They do as to the crowding of steam boats; the Court of Aldermen have power to pass byelaws for the regulation of that traffic.

6180. Is that power at all exercised under the control of the Navigation Committee?—Not at all; it is with the Court of Aldermen.

6181. It is considered as a mere matter of police?—It is.

6182. Are any of the members of the Navigation Committee, persons who have any peculiar acquaintance with navigation, or the state of the Port of London?—There are several of them who have.

6183. Do they attend very regularly?—Very regularly indeed.

6184. More so than the rest of the members?—Possibly more so than the other members.

6185. Have they been members of the Navigation Committee for some years?—One gentleman to whom I refer, has been a member for five years, Mr. Phillips.

6186. What particular means has he had of becoming acquainted with questions of navigation?—He has been an extensive lighterman upon the river Thames for nearly forty years.

6187. Have you seen the evidence which Mr. Matthews gave to this commission?—I have.

6188. Has the case of his client ever been before the Navigation Committee?—It has.

6189. Can you give the Commissioners any information upon the subject of his complaint?—I can. I am able to detail the entire proceeding.

6190. Will you have the kindness to inform us what your view of the case is?—The water bailiff, in the performance of his duty as watching encroachments made without permission, reported that some material was being thrown into what is known as Block House Dock, at Gravesend. Mr. Wharton, the freeholder of the adjoining property, also communicated with him upon the subject. The Navigation Committee took the matter into consideration, made inquiry, had a report, with plan, by their officer, and eventually instructed the City solicitor to take proceedings against the parties. When he was so instructed, Mr. Oakes, who claimed to be the freeholder of the adjoining property on the shore, also put forward a claim to the ground of the Block House Dock, and stated that his tenant was executing those works with his permission; but upon being informed that the corporation proposed to take proceedings to prevent the encroachment, he said he would order the work to be stayed, and would put in a formal application to embank the premises. The committee thereupon suspended proceedings until he did put in his application. He put in his application as the owner of that particular spot, as well as the freeholder of the property adjoining; but he asked permission of the corporation to embank the premises in the usual way. The corporation entertained his petition, viewed the premises, and heard the parties, when Mr. Simmons, the tenant of Mr. Wharton, who had previously communicated upon the subject attended, and seriously objected to any work for filling in that dock, claiming that it was an ancient public water-way. They had opportunities on either side of explaining the grounds of their claim to the committee; the committee felt that they were so conflicting, that they should not do their duty by operating on either side; they therefore declined to give Mr. Oakes a grant for the embankment, and they declined to take any part for Mr. Simmons in removing what had already been done, believing that it was far more a question between the parties themselves than for the Navigation Committee, it not really affecting the public navigation of the river.

6191. Subsequently there was a litigation, was not there?—There was. Mr. Matthews applied to the corporation for the assistance of their officers in giving information as to the matter in litigation, and the committee readily acceded to his request, and instructed their officers to give him every assistance.

6192. Then he says, having obtained a verdict, the City declined to remove the obstruction. Will you explain to us why it was that the City did not interfere at that subsequent stage of the proceeding?—I believe, though I state this not from actual resolutions upon the books, the principal reason was this; the matter was not of such great importance to the general navigation as to induce their interference unless a clear case of right could be shown; they felt that interference on either side might prejudice the rights of the other party, and they expressed the opinion, that though they would not make a grant of the embankment to Mr. Oakes, yet the filling in of the dock would be rather an advantage than detrimental. They felt, therefore, that it would be rather inconsistent to commence proceedings against the parties as if for a nuisance, when they had already expressed an opinion, that instead of being a nuisance, it would be rather an improvement.

6193. The rights of the parties seem to have been decided by two decisions, one at law, and the other at equity; the rights of the parties, therefore, were clearly defined?—No doubt.

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6194. You say, with respect to the alleged obstruction, the view taken was that it was rather a benefit to the river than a detriment?—That the filling up of the dock would be rather an advantage than injurious. The committee were not generally satisfied that there was any such advantageous use, either to the public or to Mr. Simmons, individually, as to meet their interference.

6195. Would the Navigation Committee have had the power of removing that obstruction, without taking proceedings at law?—I do not think they would; at all events, I think their power to require its removal would have been, to an extent, so doubtful, that they would have proceeded by indictment. For example, if the party, upon notice being given to him to remove it, had not done so, the committee must have instructed the water bailiff to take a staff of men and remove it themselves.

6196. This person seems to have been under the impression, that the Navigation Committee had the power of removing the obstruction without ulterior proceedings?—They could only have done it even then by asking the Lord Mayor for his authority for the water bailiff to act.

6197. The Lord Mayor would act on the advice of the Navigation Committee, probably?—I presume he would; but under the present circumstances, I believe the Navigation Committee would have prepared an indictment, instead of instructing their officer to abate the nuisance as in former times.

6198. (*Chairman*).—What are the duties of the Consolidated Committee?—The Consolidated Committee was appointed for the purpose of communicating with the Government, and of carrying on suits which had been instituted either by or against the corporation on several matters, and generally to consider the affairs of the Corporation, and to interfere where it should be actually necessary.

6199. It is a kind of governing committee, is not it?—It is more of an advising committee.

6200. It has considerable executive duties with large discretionary powers conferred upon it, has not it?—Yes.

6201. For instance, we have been told that in the case of any expenditure of money for particular purposes, it is at the discretion of the Consolidated Committee, whether that should take place or not?—Not without authority from the Court of Common Council. I do not mean to say that they could not, in their discretion, spend money for specific purposes which might appear to come under their general reference; but in most cases I apprehend they would apply to the court like any other committee.

6202. One instance has been prominently brought forward. An idea, at one time, prevailed as to the propriety of encouraging and promoting a newspaper, for the purpose of advocating the interests of the corporation?—The subject was never brought under the attention of the members of the Consolidated Committee as a committee.

6203. When the repayment of the money advanced by individual members was authorized, was not that by the Consolidated Committee?—The only instance of that kind, I apprehend, was a payment of the sum of 250*l.* to Mr. Scott, and a payment of 280*l.* to Mr. Remembrancer.

6204. In a case of that kind, would the Consolidated Committe authorize an expenditure of that description, without going to the common council for its authority to do so?—They considered that they had authority.

6205. Do you mean that they had previously obtained authority?—Under the general terms of their reference, they considered that they had authority without specifically reporting to the court upon that particular case.

6206. That their general terms of reference were sufficiently wide to give them a discretionary power of expending money in that way?—They so considered.

6207. The common practice is for the committees of the common council to make orders for payments for purposes within their reference, is it not? For instance, the Navigation Committee would make orders for payments for purposes connected with the navigation of the river, without going for specific authority in each case?—That is the case. Might I be permitted to qualify my previous answer, with respect to the Consolidated Committee drawing money? I believe at the time those warrants were drawn, a report, which has been referred to before this commission, with respect to publishing the proceedings of the Court of Common Council, had been confirmed by the court, which decidedly gave them, beyond their general reference, those additional powers of drawing money.

6208. How is the expenditure of all those committees audited or checked?—Generally speaking, the expenditure comes under the cognizance of the court; but it is audited by the committee itself, whenever necessary.

6209. Is there no audit out of the committee of the accounts of the committee?—The whole of the accounts come before the City auditors.

6210. There is no previous and separate examination of the accounts of each separate committee?—No; except by the committee itself. In the case of trust funds, they are always carefully audited.

6211. To whom are those accounts rendered by the committee in the first instance?—In some cases, as in the case of the Thames Navigation Committee, they are rendered only to the chamber. I believe a return is made to Parliament of the expenditure of the tonnage duties' fund.

6212. What are the duties of the General Purposes Committee?—Principally to look after the Mansion House. But during the last two years they have had a very important matter under their consideration—an inquiry into the charges made, and the privileges maintained by the porters and meters of London.

6213. In the instance you have stated of the expenditure of money with respect to the press, was the discretion of the committee unlimited as to amount?—No express sum was mentioned by the court.

6214. Are you cognizant of the negociations which have gone on between the City and the trade, on the subject of metage?—I am.

6215. We should be glad to hear from some person, an account of the state in which that negociation is at present. Can you make that statement?—It is hardly sufficiently concluded to say that it is actually agreed on, but there has been a meeting of the sub or select committee of the General Purposes Committee with the members of the corn trade at the Mansion House, under the direction of the Lord Mayor as governor of the porters. At that meeting several suggestions were agreed to, which appear to be consonant with the feelings of the trade, and such as the corporation might fairly entertain.

6216. The object of the negociation has probably been to bring about a sort of compromise between the City and the trade?—Very much so.

6217. The footing of the compromise has been that the system of compulsory metage should be retained, and the trade have suggested certain conditions by which the working of it would be alleviated. Is not that the form which the negociation has assumed?—That is very much the form. It is rather the matter of charge that they object to. I can state distinctly that gentlemen of the trade, who gave evidence before the committee, almost unanimously spoke very highly of the system, both of metage and porterage, but they thought the charges too high.

6218. Did they speak highly of the system of porterage?—They did.

6219. Did not they think the system of metage a great deal too complicated as well as too high in amount?—They thought it was too complicated certainly, but the principal objection was the amount.

6220. Then they objected both to the form and to the amount?—It is so divided in its heads, that they certainly did object to that.

6221. Is there any other place in England where there is a compulsory system of metage?—I am not aware.

6222. Is that a point which has been inquired into by your committee?—It has been incidentally mentioned.

6223. You are not aware of there being any other corporation which has a similar right?—I am not.

6224. Looking to the great number of committees which there are connected with the business of the common council, is not that the result of the great complication of the affairs of the corporation, and the variety of trusts which they have to discharge?—Certainly. They have a vast and most multifarious business to transact.

6225. It seems rather the result of the great number of heads under which that business is divided than the actual business to be transacted, does not it?—The actual amount is very great.

6226. Is not the extent of that amount chiefly occasioned by this great sub-division rather than by the nature of the business itself?—It is a sub-division which is considered highly desirable, in order that matters may not clash one with another.

6227. What are the duties of the Police Committee? What amount of superintendance do they exercise over the police?—They have no superintendance over the actual executive force; but they superintend the supply of clothing and the various articles of store, and they have the supervision of the station houses.

6228. Is there any advantage in taking those things out of the hands of the commissioners?—The corporation decidedly considers so.

6229. Those are matters which in the metropolitan police are in the power of the commissioners, are not they?—I believe they are.

6230. In the corporation those are taken out of the hands of the commissioner, and managed by a committee of the common council?—They are.

6231. In your attendance upon the committee have you observed any advantage to arise from that division of labour?—I have not observed the slightest disadvantage.

6232. Have you observed any advantage. It would at first sight appear that the commissioner would be likely to be the best acquainted with what clothing and what stores were required for the police?—The committee consider that the duties of the principal officer of any police establishment should be confined to the executive management of the force. The supply of materials and the arrangement of money matters, in connection with that supply, are considered to be better under the control of the committee of the corporation.

6233. The idea is that it is managed with more economy by a committee than it would be by the superintendent himself?—They so consider, and with more efficiency also, they being subject to a very strong popular control through the Court of Common Council, who are annually elected.

6234. Probably the duties of that committee are not very onerous?—They are not now. They were at the commencement of the operation of the Act. They have also the

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arrangement of the rating. I do not mean the actual rating of the inhabitants; that is done in each ward; but they supervise all the rate books, and where objection arises, they make alterations if necessary.

6235. They supervise the assessment?—They do. They also supervise the receipt and the expenditure of money, and regulate all the collections.

6236. Is every member of the common council compelled to take his turn upon one committee or another?—It is as nearly as possible divided among the members, so as to render to each as much duty as can conveniently attach to one person. That is done at the commencement of every year.

6237. Is there any competition to be named on particular committees, or upon what principle is the selection made?—We are not positively acquainted with the mode in which the different wards arrange for members being placed upon committees; that is regulated among the members themselves. The returns are sent in to the town clerk; they are arranged in a tabulated form at a previous meeting, and the common council actually appoint.

6238. The common council always accept the recommendation of the wards, do they generally?—In some instances they make alterations, as they did yesterday, when the annual appointment of the committees came before them. In some instances they placed other members upon particular committees than those who had been recommended by the wards.

6239. Is there any other point which you wish to speak to?—I am not aware of any.

Mr. John Sewell.

Mr. JOHN SEWELL having been sworn, was examined as follows:

6240. What situation do you hold connected with the corporation of London?—I am clerk of the chamber.

6241. The chamber is the Chamberlain's Court?—It is.

6242. Is it your duty to attend the business relating to freedoms?—Yes.

6243. Can you explain the steps which have been taken for proceeding against certain persons for not taking out their freedom?—A proceeding was adopted, and notices were served against a large number of persons for not taking out their freedom?—I have merely the issuing of the summonses; the City solicitor has the instructions for the prosecutions.

6244. What is the particular business which is under your control?—I have not been clerk of the chamber the whole time I have been connected with the corporation. I have held three appointments. I was elected in 1809 as assistant to the clerk of the chamber. In 1831 I was elected assistant clerk of the chamber; and in 1842 I became clerk of the chamber.

6245. By whom were you elected?—By the Court of Common Council. My duties are to receive presentments, and to examine the several testimonials of all persons claiming to be made free. To make out copies of freedom, and official entries of all persons admitted to the freedom. To engross the official records (on stamps) of the admission of all persons to the freedom; and to prepare alphabets of the same. To enrol the indentures of apprentices and turnovers, and make alphabets of the same. To certify to the chamberlain, previous to the administering of the declaration on the admission of freemen, the respective necessary testimonials. To attend the chamberlain on his hearing the complaints of masters and apprentices; to take down minutes of the examination of the same; and to make out commitments to and discharges from Bridewell, and indexes of the proceedings. To enter the names of all persons presented to the Court of Aldermen by the wardmote inquests for carrying on business in the City, not being free thereof; the date of the summons, the date of hearing before the chamberlain, the orders made thereon, the time allowed (if any) by the chamberlain for taking up the freedom; and also the date of every action sued, commenced, or prosecuted by order of the chamberlain, and the result of such action or actions, and make indexes of the same. To bind apprentices to such freemen of the City of London as may not be free of any company of the said City. To keep an account of the various fees payable to the corporation, and to the officers entitled, on admission to the freedom. To examine the City's plate and regalia, and report the state of the same to the comptroller of the chamber, previously to the swearing in of the Lord Mayor, in order that the City's plate indenture may be prepared, and with the comptroller to witness the execution thereof; and to attend at the Mansion House on making over the City's plate to the Lord Mayor elect.

6246. What is the salary attached to your office?—Unfortunately, mine are fees; I am the only officer under the roof of Guildhall who is paid by fees. My fees vary very much, on account of the continued discussion in regard to the freedom of London. Since 1842 there have been continual discussions, and at the present moment I am very deficient in my receipts. The terms of my election were the following: this is the report of the committee presented to the common council:—"We are also of opinion, with reference to the "future emoluments of clerk of the chamber, that the fee payable to the person who may "be elected to the said office should in future be 6*s.* 8*d.* on each admission to the freedom "of the City by redemption, and 13*s.* 4*d.* on each admission to the freedom of the City by

" patrimony and servitude, in addition to the several small fees upon emoluments, turn-
" overs, bindings, certificates, translations, searches, hearings, renewed orders and commit-
" ments, which said several fees, upon the average of the last five years, will produce an
" annual income of about 568*l.*, as under, viz., admissions to the freedom by redemption,
" 435 at 6*s.* 8*d.*, 145*l.*; admission by patrimony and servitude, 519 at 13*s.* 4*d.*, 346*l.*;
" sundry small fees as above enumerated, 77*l.* 9*s.*; total, 568*l.* 9*s.* per annum.
" And we are of opinion, and recommend that the expense of providing the vellum, and
" engrossing on stamps the official records of the several admissions to the freedom of this
" City, should be included in the before-mentioned allowances; that the clerk of the
" chamber should be held responsible for the due performance of all the duties which now
" are or may be hereafter required of him, and provide at his own expense a competent
" person in the said office, so that the business of the same may be properly transacted in
" the event of his unavoidable absence."

6247. After making those deductions contemplated in that arrangement, what do you think the anticipated value of the office might have been fairly estimated at?—About 500*l.* a-year.

6248. What is the amount of the annual receipts which you now derive from that office?—I have not, on the average, received above 400*l.* a-year; scarcely that; between 300*l.* and 400*l.*

6249. That has been from the diminution of the number of freedoms?—From the agitation of the question, whether they would continue to summon parties, or whether they would enforce freedom. Various questions of that kind have been agitated.

6250. In the event of freedoms not being enforced, your receipts will be greatly diminished?—Very greatly diminished; they are so at the present moment; in fact, I earn nothing to speak of at present. They have not fallen off so much as I should have thought they would; for the last seven years there have been 679 freemen admitted on the average every year.

6251. Do you know how many were admitted last year?—Eight hundred and eighty-three. That was consequent upon the large number of parties who were suddenly ordered to be summoned; I think as many as 4,000 It was suddenly done. A bill was brought into Parliament two years ago, which was lost, and the corporation then determined to enforce the freedoms. The objection of most of the respectable parties who came forward was, that they said they should be most happy to take up their freedom, but would they then be made liable to serve as common councilmen, aldermen, or sheriffs? I said, " Yes." Then they said, " We should have no objection to give you 50*l.* to exonerate us from the " freedom."

6252. Was the object of the City, in instituting those proceedings, to enlarge its constituency?—It was.

6253. Not to obtain a revenue?—Certainly not.

6254. In the event of the freedoms not being compulsory, are you of opinion that they would be very little taken up in future?—It is merely the liability to serve the office that prevents it. In the case of the Brewers' Company, there are several of the great brewers who are freemen and liverymen of the Brewers' Company, and they will not take up the freedom of the City, though they might save some pounds a-week in the City tolls, because they would make themselves eligible to serve in those offices.

6255. No person can be elected a common councilman or an alderman without his consent, can he?—Yes; but the liability to the shrievalty is the principal thing objected to.

6256. You have no doubt that that state of things exists?—It has been continually manifested. The freedom of the City in many cases is sought after; it is a great pleasure to see apprentices coming after their time has expired to take up their freedom.

6257. Do you know anything of the chamberlain's jurisdiction in cases of apprenticeship?—Yes, I always attend him upon such occasions.

6258. What is the nature of that jurisdiction?—The chamberlain sits as a magistrate in his court; he hears the cases; a summons is first taken out by the master, or, if the apprentice complains, by the apprentice. The case is heard before the chamberlain, and after hearing the evidence, he adjudicates. If a boy requires a reprimand, which is very frequently the case, he very kindly reprimands him, and orders him home to his duty; if the boy comes a second time, he sometimes threatens him with punishment, but the chamberlains are always very loath to commit, unless under very peculiar circumstances.

6259. Sir John Key informed us that the majority of the cases were complaints of masters against apprentices?—Decidedly.

6260. Are the cases of complaints of apprentices against master very rare?—They are not very rare, I should think; the others are probably ten to one.

6261. In the case of a complaint of an apprentice against a master, what protection can the chamberlain give?—Our court is an intermediate court below the Mayor's Court; if we cannot settle any complaint in our court, we refer the warrant to the Mayor's Court, and there the action is brought on the covenant in the indenture.

6262. You give him no actual assistance, but you advise him to bring an action?—We very seldom find a master but obeys the mandate of the chamberlain; I scarcely know a case in which a boy has been obliged to bring an action under such circumstances.

6263. Is it your belief that the jurisdiction is beneficial in its results?—Certainly; having been in the office many years, my time is almost constantly taken up by consulta-

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tions in the case of boys who come and complain of their masters. I persuade them to get the masters to come to me; they generally come; we talk the case over for half-an-hour; it saves the chamberlain the trouble and the annoyance of doing so. In five cases out of six, I may say, I arrange them.

6264. The chamberlain and yourself act as a sort of court of arbitration between masters and apprentices?—Yes; it saves them from the necessity of going to law.

6265. It is a jurisdiction which is peculiar to the City, is it not?—It is. The chamberlain can only adjudicate with respect to apprentices bound to the freedom of the City.

6266. Is there any other part of your duties upon which you wish to make any statement?—No. The judicial department is the principal department; in fact, it takes up the whole of my morning. After four o'clock, I am generally obliged to remain till five or half-past five to complete my other duties.

6267. The committals to Bridewell are very rare?—Very rare indeed. We have a place in Bridewell which is appointed to the reception of those apprentices; they are not allowed to mix with the criminal part of the prisoners. Very frequently we have very distressing cases of fathers bringing their sons who are apprenticed to them, and those boys have been sent to Bridewell at the request of the father. In about three days we have penitent letters, and the matter is all forgotten. The commitments, on the average of the last seven years, have been about twenty in the course of the year.

6268. Are there any females ever committed to Bridewell?—No, never. I have had a few females bound apprentices who have taken up their freedom, but we have never had them before the chamberlain, except in one instance—she was merely reprimanded.

6269. There are a great many female apprentices, are there not?—Not bound to the freedom of London. Ours is a peculiar indenture, by which the master binds himself to find sufficient meat, drink, apparel, lodging, and all other necessaries according to the custom of the City of London. The bindings within the last seven years, have been about 427 a year.

6270. Has the number of bindings diminished?—I do not think the number of bindings very much diminishes. In 1847, there were 401; in 1848, 441; in 1849, 358; in 1850, 394; in 1851, 447; and there were last year about 500. In regard to the binding of apprentices, the custom of London prevents their being bound for any less term than for seven years, and they must also be bound, according to the custom of London, between the ages of fourteen and twenty-one. Now the term of seven years, when an apprentice is fifteen or sixteen, is continually objected to, and I should take the liberty to suggest that it be altered in this way, viz:—If the party applying to be bound is fifteen, let his indentures be drawn for the term of six years; if sixteen for five years; and if seventeen for four years, at their option. This would be a very satisfactory alteration for them, and they would then be out of their time at the age of twenty-one years, whereas an apprentice is often twenty-three or twenty-four before he is out of his time, to entitle him to his freedom of the City of London, by virtue of his service.

S. R. Goodman, Esq.

SAMUEL ROBERT GOODMAN, Esq., having been sworn, was examined as follows:—

6271. What situation do you hold connected with the corporation?—I am principal clerk to the Lord Mayor.

6272. How long have you held that situation?—Since the year 1843.

6273. Is it an office which is continued from one mayoralty to another?—Yes.

6274. What are the duties of your situation?—My duties are to attend the Lord Mayor or sitting aldermen at all times when they exercise the duties of magistrates, and generally to advise with them upon all criminal and parochial cases. To take minutes of all informations, examinations, charges and complaints heard before the Lord Mayor or magistrate. To superintend the preparation of all depositions and recognizances in cases of felony and misdemeanour. To advise with the Lord Mayor or aldermen respecting official letters and documents, to reply to those which relate to the magisterial duties, and to forward others to the different officers of the corporation to whose departments they more immediately relate. To inspect the several documents brought for the signature of the Lord Mayor, requiring the mayoralty seal, and to see that the acknowledgements of married women are taken in the forms of law. To prepare all precepts for wardmotes for the election of aldermen, and such elections of common councilmen as may arise during the year. To attend to the various applicants for relief, and generally to advise upon all cases whenever required by the Lord Mayor or magistrate, and to perform such other duties as they or either of them may from time to time consider requisite. To superintend the various officers connected with the Mansion House. To check the account of the cashier daily, and also the accounts of fines and fees paid by prisoners sent to the prisons. To keep a book and enter therein all articles given to the police, which are not claimed.

6275. You are a sort of legal adviser to the Lord Mayor?—I am.

6276. What are the duties you perform in the court where the Lord Mayor sits as magistrate?—I examine the witnesses.

6277. Do you advise the Lord Mayor upon the questions of law?—Upon questions of law I advise him, leaving matters of fact and expediency to the magistrate himself.

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6278. Are you a solicitor?—No. I was articled to Mr. Clarke of the Central Criminal Court.

6279. What is the salary attached to your office?—My salary is 500*l.* a year, and 150*l.* in lieu of certain freedoms.

6280. Are there any other emoluments?—I receive about 50*l.* a year for copies of depositions. The whole of my income from the office is 700*l.* a year.

6281. Is your whole time given to the duties of the office?—It was not on my first appointment, but it is now entirely; my whole time was given to it as far as was required at that time, but I held also a situation in Mr. Clarke's office for several years after I went to the Mansion House. I continued in the indictment office to assist there after I went to the Mansion House.

6282. You have now no official occupation except in connection with the City?—The business has increased so much that my whole time is now devoted to it.

6283. What are the hours at which the Lord Mayor sits in the magisterial court?—He takes the chair at twelve o'clock.

6284. Does he sit as long as there is any business to be disposed of?—He always sits till two; if the business continues till after two o'clock, he sits beyond that hour. It is very seldom that it is over by two o'clock; the court is kept open till the business of every applicant is attended to, but never closed before two.

6285. The court is not often over before two?—It is quite an exception for the business to be finished before two, the day before yesterday we did not close till ten minutes before five; it entirely depends upon the business.

6286. How many days in the week does the Lord Mayor sit?—He sits every day unless other courts require his attention.

6287. The court is always open?—Yes.

6288. And there is another court in Guildhall?—There is.

6289. There are two petty sessional courts constantly open?—Always.

6290. In the absence of the Lord Mayor does another alderman attend?—Yes; that is provided for generally the day before. If there is a Court of Aldermen or a Court of Common Council upon the list, the Lord Mayor provides another alderman to attend for him.

6291. Is there anything which you wish to state to us?—I should rather wish to state something respecting the expenses of our court in explanation of some charges which have been made against us. I have seen statements made that our court is more expensive than the police courts of the metropolis generally. I wish to call the attention of the Commissioners to the facts as they really are. The gross amount of expenditure upon the court for the salaries of the four clerks, the officers and the gaoler, the stationery and printing, coals, candles, incidental expenses for witnesses where parties are not committed for trial, and miscellaneous expenses, is 1,738*l.*

6292. What is the establishment of the court; there is yourself, and who else?—There is myself and an assistant clerk, a cashier, and what we call a summoning clerk; those are four clerks in attendance on the court. Then there is the messenger, the gaoler, the side door keeper and the front door keeper.

6293. What is the gaoler?—The keeper of the lock-up attached to the court; we use that for the reception of prisoners during the sitting of the court. Then there are two officers of the name of Forrester, who attend at the Mansion-house, who are not immediately connected with the justice-room; they receive together about 300*l.* The marshals who attend the Lord Mayor are state officers appointed by the Court of Common Council, and not by the Court of Aldermen, and they have nothing to do with the justice room.

6294. Do you know what are the expenses of the other court?—I do not; Mr. Wood is here, and he will be able to state.

6295. By whom were you appointed?—By the Court of Aldermen.

6296. By what tenure do you hold your office?—I presume during good behaviour.

6297. It is not an annual appointment?—It is not; the offices in the appointment by the Court of Aldermen are not so. May I be allowed to call the attention of the Commissioners to the subject of the recovery of tithes in the City?

6298. To what tithes do you refer?—Under the 37th of Henry the Eighth, there was a tithe of 2*s.* 9*d.* in the pound upon the City parishes generally.

6299. Upon the rental?—Yes, upon the rental; but that tithe only remains now upon about eleven parishes.

6300. Is it upon the rack-rent or some old valuation?—It is generally made upon the average of the poor rate.

6301. Then it is very productive?—Yes; but the mode of recovery, is that which I wish to call the attention of the Commissioners to; it is perpetual imprisonment, and that by the order of the Lord Mayor. The Act of Parliament passed in the reign of Henry the Eighth makes the tithe recoverable before the Lord Mayor, as Lord Mayor. No subsequent Act has touched that question.

6302. Does that say that any person not paying his tithe shall be subject to perpetual imprisonment?—It says, he shall be imprisoned till he has agreed with the curate for his tithes.

6303. That is till the money is paid?—There is no limit to it by the Act of Parliament.

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6304. Is that ever enforced?—The imprisonment has never been enforced since I have been in the office; we have been several times asked to carry it out.

6305. Do you mean that that has always been effectual in producing the money?—The order for payment has been effectual in producing the money or causing a settlement. I mention it for this reason, that in an adjoining parish the tithe may be a very small amount, and the mode of recovery may be by distress, or in the event of there being no distress, then by imprisonment by the recent Act of Parliament, not exceeding three months; so that in one class of tithes the imprisonment cannot exceed three months; in the other class of tithes the imprisonment may be for an indefinite period.

6306. In those thirteen parishes which you mention, are the tithes payable to the incumbent?—Yes. I think now the number of parishes is only eleven. St. Botolph's Bishopsgate has a local Act. At the Fire of London, a great portion of the City being burnt, it became necessary to obtain an Act of Parliament with respect to the parishes which were burnt; the tithes of no other parishes were affected by that.

6307. Those tithes are in the nature of a rate of 2*s.* 9*d.* in the pound; in fact precisely similar to a poor rate, or a borough rate, or a police rate of 2*s.* 9*d.* in the pound?—That is the operation, but it is not carried out in the same way.

6308. Instead of a rate leviable by distress upon the goods of the occupier, there is a power of imprisonment?—Yes; imprisonment alone, without the power of distress.

6309. If the occupier does not pay, he is brought before the Lord Mayor, and if the Lord Mayor thinks fit he can commit him till the money is paid?—That is so.

6310. The power seems to be excessive?—That was my object in calling it to your attention; many of the poorer class who have been summoned complain very much of it.

6311. The clergyman would, no doubt, be able to collect his tithes if he had the ordinary power of distress, without any power of imprisonment at all?—That would be the proper mode of recovery, I apprehend.

6312. Has any attempt been made to alter it by legislative enactment?—The question was brought before the Government in 1830.

6313. The corporation have no interest in the matter?—No; it was only in reference to the public complaint which is made by parties, that I referred to it.

6314. The Lord Mayor is called on to exercise a jurisdiction, to which a reasonable objection may be made?—Yes; and it is a very unpleasant duty to him. He would rather pay the amount in many instances out of his own pocket, than enforce the remedy.

6315. Does the same law obtain, do you think, in other parts of England?—No.

Thomas Wood, Esq.

THOMAS WOOD, Esq., having been sworn, was examined as follows:—

6316. What is your connection with the corporation?—I am chief clerk of the justice-room at Guildhall.

6317. You were formerly an alderman of the City of London, were not you?—I was.

6318. What are the duties which you perform in the court to which you are attached?—Very similar duties to those described by Mr. Goodman. I did not receive notice to attend here till late last night, and being so ill as to be scarcely able to attend here to-day, I could not go round to obtain my printed form. There are some duties personal to the Lord Mayor, and incident to his office, which Mr. Goodman has to discharge, which I have not.

6319. Your duties, so far as you are clerk to the magistrates at Guildhall, are similar to those of Mr. Goodman in the other court?—Yes.

6320. What is the establishment of your court?—There is myself, two assistant clerks, a receiver, a summoning officer, a gaoler, and a messenger.

6321. What are the duties of the receiver?—The receiver receives all the fines which are paid into the office.

6322. He is the same officer as Mr. Goodman called a cashier?—Yes.

6323. Are your duties similar to those of Mr. Goodman; do you examine witnesses?—Yes.

6324. You advise the magistrates on questions of law?—It is very seldom that that occurs; there is more said about it than is real. The Acts of Parliament generally are handed up to the magistrates, and if they have any difficulty, they ask the clerk any questions they may desire upon them; it is the duty of the clerk to advise them to that extent. It has been reported that the business is done by the clerk; that is far from being the case.

6325. Were you a professional person before you were appointed?—Yes, I have been upon the roll of attornies and solicitors from the year 1807.

6326. Is there any observation which you wish to make?—No further than as regards the expenses of the office. Our expenses are about 150*l.* less than at the Mansion House. I mention that because I have seen it reported that we exceed the expense of the metropolitan police, whereas I find for the eleven metropolitan offices the charges are 44,000*l* a-year.

6327. What are the hours the court sits?—The court sits from 12 till the business is finished. Sometimes it is not finished till five or six or seven o'clock; sometimes it is

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not later than two o'clock, but that is rather the exception than the rule; every day's business brings with it its own duties.

6328. The magistrates sit according to rota, do not they?—They do.

6329. One alderman sitting every day?—Yes, sitting a week at a time.

6330. Has the business of the court a tendency to increase?—It has increased in one way, and decreased in another. It has increased in consequence of the great number of Acts of Parliament enlarging the summary jurisdiction; it has decreased in certain descriptions of crime, but in others it has also increased; upon the whole, I should say the criminal business would be rather upon the decrease, but not much; there has been a slight decrease comparing one year with another for the last few years. The summary jurisdiction which is very wholesome and very much resorted to, which is the best test of its value, is greatly upon the increase.

John Clark, Esq.

JOHN CLARK, Esq., having been sworn, was examined as follows:—

6331. (*Chairman.*) What situation do you hold connected with the corporation?—I am clerk of the peace for London and Southwark. I also hold the office of clerk of the Central Criminal Court, and that is by the appointment of the court and not of the corporation of London.

6332. The City of London, being a county, appoints a clerk of the peace?—Yes.

6333. What are your duties?—To prepare and issue precepts for holding the several quarter sessions, and summoning the jurors. To prepare and issue writs to the sheriffs and bailiff to return jurors for the trials of indictments when required. To issue writs of subpœna to compel the attendance of witnesses to give evidence. To attend the sessions and enter and record all the proceedings of the court. To prepare and pass bills of indictments to be preferred to the grand jury, and to enter the pleas, verdicts, and judgments thereon. To make out lists of the trials and business to be done. To make abstracts of all indictments for trial for the use of the court. To make out all orders made by the court. To file all recognizances and convictions returned to the sessions, and also petitions and appeals, and draw up and enter the orders made thereon. To take affidavits, and to administer the oaths of qualifications for officers, and to enter the appearances and defaults of the parties bound by recognizance. To make out a calendar of prisoners convicted, acquitted, and discharged by proclamation, and those touching whom any particular orders are made by the court, a copy of which is delivered to the keeper of the respective prisons in which such prisoners are confined, and to discharge the recognizances of such persons who perform the conditions thereof, and put in process to the sheriffs or bailiff at the end of each session the recognizances of persons who make default, and also all fines, issues, and amerciaments set and imposed by the court, and to deliver a copy thereof yearly to the Court of Exchequer. To make certificates of indictments found, and copies of indictments or records and other matters when required. To return writs of error and certiorari. To file certificates of surveyors under the Building Act. To file notices of persons who keep printing presses, and deliver out certificates that such notices have been filed, and also to file notices of freemasons' lodges. To file and enrol amongst the records of the court the rules of building and loan societies, and to deliver out certificates of such enrolment. To make a return to the secretary of state, after the end of each session, of all prisoners committed or held to bail, shewing the nature of the indictments presented against such of them as are indicted, and the verdicts thereon, together with the judgments of such as are convicted. To make an annual return to the secretary of state of all applications to the justices in petty sessions under the bastardy laws. To make a monthly return to the secretary of state of all convictions of juvenile offenders transmitted to the clerk of the peace. To prepare and issue precepts for and to attend special sessions for licensing victuallers, billiard-table keepers, and dealers in game (*this duty is included in the 4th paragraph of this answer, and applies to quarter sessions and not to special sessions*) and for hearing appeals against poor-rates and other purposes, and to record the proceedings at such sessions, and make out such orders as are consequent thereupon. To prepare and issue to the ward beadles notice of the holding of the special sessions for poor-rate appeals, and for licensing victuallers and others. To prepare all licences to victuallers, billiard-table-keepers, and dealers in game. To prepare licences to passage brokers under the Passenger Act. To receive and hold the custody of plans and other documents directed by Acts of Parliament or by the Houses of Parliament to be deposited with the clerk of the peace, and to attend persons requiring to inspect the same and to carry out the directions of such Act of Parliament with respect to such documents. To attend the Courts of Aldermen and Common Council or committees of such courts when required, and to make returns of various kinds to them, and also to the Houses of Parliament and other parties having authority to require such returns.

6334. What is your salary?—I have no salary; I am paid entirely by fees.

6335. What is the average amount of your receipts by fees?—The return which I made, commencing with 1848 and ending with 1852, averaged, I think, about 350*l.*; in the year 1852 it was 340*l.* 10*s.* 8*d.*

6336. Is that from all the sources connected with your office?—As clerk of the peace

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for London and Southwark. Out of that amount about 300*l.*, in round numbers, was received for fees as clerk to the licensing magistrates, and 40*l.* as clerk of the peace.

6337. A complaint has been made to us of the system which has prevailed at the Old Bailey of taking fees for the admission of the public to the gallery, varying according to the amount of interest of the trial; have you any knowledge of that practice?—I believe the practice exists, but it is a practice with which the court, as a court, has nothing to do. The money is received, I believe, by persons appointed by the sheriffs, and a part is paid to the sheriffs.

6338. You know nothing about it?—Nothing at all. It is not in any way with the sanction of the court.

6339. Your duties at the Central Criminal Court are paid for separately, I suppose?—They are.

6340. Does that come from any corporation fund?—Not at all. I said I received nothing as clerk of the peace, but as clerk of the Central Criminal Court I do receive from the corporation of London a sum of 30*l.* per annum to find a clerk to pay orders of costs which are made by the Central Criminal Court. The Act which established that court, the 4th and 5th of William IV. chapter 36, directed that the treasurer, or some known agent of the treasurer, for the respective counties, that is the counties of London, Middlesex, Essex, Kent, and Surrey, should attend the justices and judges of oyer and terminer and gaol delivery during the sitting of the court, to pay all such orders. Some considerable inconvenience was found by the treasurers of the respective counties, and an arrangement was made by them to pay to some individual whom I might name a sum of money per year to take that labour upon him. The City of London have paid now for some time past the sum of 30*l.* per annum, which I hand over to the clerk who pays those expenses.

6341. Is there any other statement which you wish to make to the Commissioners?—I am not aware of any, except that I understand the magistrates are said to license free vintners, many of whom keep brothels and houses of that kind. I believe such not to be the fact. There are not above two or three free vintners who are actually licensed as publicans, and as free vintners they have only authority to sell wine in their own houses, and not spirits.

6342. Have the vintners no privilege with respect to the retail vend of spirits and wine?—Of wine they have. A free vintner, in his own house, may retail wine without a licence.

6343. Do you happen to know whether that has led to any abuse?—I am not aware of any.

6344. You attend the licensing magistrates?—Yes.

6345. Would not you be likely to hear on those occasions if there were any complaints of particular houses?—Before the general licensing meeting in each year, the Common Council of the respective wards have meetings, at which all complaints, if there be any, are discussed, and in all cases in which complaints have been made against publicans, the matter is discussed at the licensing meeting, and if the complaints are sufficiently strong to induce the magistrates to withhold the licence, they do so.

6346. Are there many applications for licences which are refused?—Of old licences there are not, unless upon very strong grounds.

6347. For new houses are many licenses granted?—I should say for new houses the licences are seldom granted, unless a strong reason is shown for granting a licence for an additional house.

6348. Are many applications made for licences for new houses?—I cannot state the number; there are certainly a considerable number of applications each year. I have understood that some remarks have been made as to the committals by the aldermen. I have made a return to the Court of Aldermen showing the average number of convictions and acquittals, and the convictions in London, as compared with the committals, certainly bear a very fair proportion to those which come from the police courts.

6349. Out of a certain number of committals by the aldermen, the number of convictions is as great as out of a similar number of committals by the police magistrates?—It is greater, I think.

6350. When a bill is not found is the person discharged immediately at the Old Bailey?—Not till the grand jury is discharged:

6351. Is the practice the same upon the circuits?—I believe it is. The prisoners are not discharged until the grand jury have been discharged, unless by special application.

6352. They are not discharged immediately the grand jury come in and state they have ignored the bill either at the Old Bailey or on the circuits?—No.

6353. Do you know whether that practice originated at the Old Bailey?—I have always supposed the reason for the prisoner's not being immediately discharged to be, that the rejection of the bill was not a discharge from the offence itself, but that another bill might be presented.

6354. At the same assizes?—I believe, of late, a rule has been laid down that a second bill for the same offence should not be presented.

6355. At the sessions at Exeter a learned counsel stated that it was a practice which had originated at the Old Bailey. He sent up a statement making a complaint against the corporation of London as being the persons who originated the practice?—It is quite

mpossible that they could have originated it. The aldermen are only some of the commissioners named in the commission, and they seldom interfere at all, never acting in the absence of some legal commissioner.

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STEPHEN WILLIAM LEACH, Esq., having been sworn, was examined as follows:—

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6356. What situation do you hold connected with the corporation?—I am engineer of the Thames navigation and of the port of London. I am also principal receiver of tolls, arising out of the western part of the navigation, under the jurisdiction of the City, and I receive the rents and fines for projections on the bed of the river.

6357. What is the amount of your salary?—I hold several appointments under the corporation. I am paid separately for each. As engineer to the Thames navigation, I receive 300*l.* a-year;—as engineer to the port of London, I have received 100*l.* a-year;—as receiver of tolls, I receive 131*l.* 1*s.* 7*d.*, paid to me by poundage. I have an allowance for house rent, and for coals and candles, of 40*l.* a-year;—commission on the sale of gravel raised from the bed of the river, 3*l.* 3*s.* 6*d.*; the poundage I received for the collection of rents and fines for accommodations on the river, was 20*l.* 11*s.* 7*d.*; making together 594*l.* 16*s.* 8*d.* That was subject to deductions for the salary of a clerk, and travelling expenses of 149*l.* 14*s.* 10*d.*, leaving the net amount 445*l.* 1*s.* 10*d.* Since that time, in the course of last year, my salary as engineer for the port of London was spontaneously on the part of the Navigation committee increased.

6358. By how much?—250*l.* a-year.

6359. What may be considered the present emoluments of your office, allowing for deductions?—About 700*l.* a-year.

6360. Are you allowed to take other professional business?—My time is fully occupied for the City.

6361. Do you take your instructions from the Navigation committee?—Entirely.

6362. In what way do you chiefly perform your duties with regard to the river?—Taking the western navigation first,—that extending from Staines to London bridge—I have the care of all the works, all the locks, weirs, towing paths, and everything of that kind. It has been the practice of the Navigation committee to keep a staff of workmen for those repairs; it is always necessary to have a number of skilful men at hand, in order to meet any emergency which may arise; therefore on that account they have always been in the habit of employing a staff of workmen of their own, rather than of contracting for works.

6363. Does the City of London maintain all the towing paths up to Staines?—Yes.

6364. Where do the towing paths commence?—At Putney.

6365. Are there any locks between Putney and Staines?—Six.

6366. Are those maintained by the City?—They are.

6367. You inspect the towing paths and the locks, and point out any repairs or alterations which are necessary?—Yes; and then I superintend them. I have also to design any new works which may be required, and to carry them out. At times a very considerable amount of attention is required to bills brought into Parliament affecting the river Thames. I have to examine all such, and advise the committee upon them. Then, of course, I have to attend every meeting of the committee. That disposes of my duties above-bridge.

6368. Do you do anything between Putney and London Bridge?—Very little at present, as far as engineering works are concerned.

6369. So far as any interference of the City takes place between those two points, who is it that guides them by any observation or survey?—I have to advise the City upon any engineering question.

6370. Do you interfere in any question which does not involve engineering matters?—No. In case of encroachments upon the river, there is an officer whose duty it is to watch them.

6371. What officer is that?—The water bailiff. His duties extend throughout the whole jurisdiction of the City.

6372. He is a very efficient officer, is not he?—He is.

6373. A statement has been made as to materials having been thrown into the river at Blackfriars Bridge; do you know anything upon that subject?—Yes; the Navigation committee referred it to the water-bailiff and to me, to examine whether any impediment had been created to the navigation by those materials being thrown in. I made as accurate an examination as I could, and I satisfied myself that it was impossible that the vessel which had received damage could have touched the bottom at that place.

6374. You think she must have touched the bottom higher up?—Yes; and we had the evidence of watermen who saw her in a sinking state before she arrived at the bridge.

6375. What sort of vessel was she?—A small iron steam boat; one of those which ply at the halfpenny fares. There is another class of duties that I have to perform above-bridge—that is, receiving the tolls which are taken upon the Thames navigation. Those are tolls granted by Act of Parliament for barges navigating upon the river up to Staines

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6376. How do you collect those tolls?—They are collected at the different locks, and at another place in the tideway also.

6377. You collect them by your collectors?—I collect them by my collectors, but I have the supervision of them, and I may state that there is not a single barge passes subject to toll which does not undergo my own check; in most cases seven or eight times over.

6378. Those tolls are probably collected at the locks in other navigable rivers?—I expect in the same way.

6379. What are your duties below bridge?—I have the general superintendence of all engineering works in the river below bridge. I have to advise the Navigation committee upon all projections into the river, the removal of shoals and every other work which is proposed to be carried on, and to superintend all such removal of shoals and other works.

6380. Are there many shoals in the river which impede the navigation?—There are several.

6381. Whereabouts?—Beginning from the neighbourhood of Erith, they extend up the river more or less to London Bridge.

6382. Would the effectual removal of them be a work of great expense?—It would.

6383. Are the funds at the command of the Navigation committee sufficient for their removal?—Not as they are distributed at present; they are confined to certain objects by Act of Parliament, and it is not considered that they are applicable to the general removal of the shoals.

6384. Would they be sufficient for that purpose if that restriction by the Act of Parliament were removed?—I think they would.

6385. You think the operations of the Navigation committee are at present impeded by Act of Parliament restrictions on the appropriation of their funds?—Decidedly so.

6386. Do you think the state of the river is becoming worse?—I think it is.

6387. Materially?—Yes, but slowly; more particularly in the upper part of the river; in the Pools themselves perhaps less so, though from the alteration in the mode of carrying on trade in the river, the inconveniences are more felt.

6388. Has not the removal of old London Bridge produced a great effect upon the flow of water up and down the river?—A serious effect, and the effect is still going on.

6389. Can you describe to us the extent of that effect?—As far as the navigation is concerned the effect has been very injurious, and it has led to the sinking of Westminster and Blackfriars Bridges.

6390. Is not some effect produced upon the ebb and flow of the tide below bridge?—Yes.

6391. To what extent has the difference gone?—Unfortunately, no steps were taken to ascertain that till recently. Within the last year or two the Navigation committee have had a number of self-registering tide gauges erected for the purpose of keeping an accurate record of the flow and ebb of each tide. At the same time they have had a very accurate section of the river taken in quite a novel form, which records with the utmost accuracy the existing state of the river, so that it will be possible hereafter to judge exactly what the effect of any dredging operations or other works upon the river may have been.

6392. The effect of the removal of London Bridge is that the river clears its bed more completely than it did, is not it?—Yes.

6393. It carries down a greater quantity of silt into the sea?—I do not think that arises so much from the removal of London Bridge, as from the constant action of the steam-boats.

6394. Does not the tide run down with greater velocity than it did before?—It does.

6395. Would not that carry away a greater proportion of the silt?—I do not think the matter is sufficiently light to be carried away by the stream till it is set in motion by the steam-boats.

6396. The water becoming more muddy through the action of the steam-boats, of course a greater quantity of silt will be carried down?—Exactly so.

6397. I will read to you the statement of one of the witnesses before the Commission the Rev. Charles Dalton, who is rector of Lambeth. He speaks of the part of the parish of Lambeth being at certain high tides submerged, and he adds; "Mr. Edwards's statement "I understand to be this—that none of this inconvenience took place before old London "Bridge was removed, and that it is caused by the greater freedom of the water coming "up through London Bridge. Since I received the letter from the secretary to the Com- "mission I have made a great deal of inquiry of the watermen on the river, and I am "told that before London Bridge was built this did not take place. The City of London, "I believe, are not responsible for repairing the banks of the Thames, but as they built "London Bridge it is argued that it was their duty, before they did so, to take care to "require the holders of property to raise the banks and provide for the consequences "which would ensue.—On taking down old London Bridge, which operated as a dam, you "think they ought to have guarded against the consequential damage of the alteration?— "That is the argument which is used." Do you believe that the amount of damage done to the property on the banks of the Thames, since the removal of London Bridge has been considerable?—In individual cases there may have been very considerable damage done, just in this way, that higher tides flow up the river now than used to do before the

removal of old London Bridge—therefore, they may flood the surrounding country and do mischief.

6398. Is it a fact which comes within your knowledge?—It is a generally received opinion, by those acquainted with the state of the river, that it is so. I do not think there is any record to prove it accurately.

6399. Is it the duty of the City to embank the river so as to prevent the river flooding the country?—Certainly not.

6400. That is no part of their duty as conservators of the stream?—Certainly not.

6401. What do you conceive to be the main duties of the corporation as conservators of the river Thames?—Chiefly to prevent encroachments upon the bed and soil o the river, or to regulate them.

6402. To see that nothing is done on the banks to impede the navigation?—Yes.

6403. Is that a very important duty in regard to the navigation of the river?—Yes, it is.

6404. The conservancy has very little to do with the stream itself, has it?—Inasmuch as the conservator regulates the encroachments upon the bed and soil of the river, it has very much to do with it.

6405. The conservancy has very little to do with the current of the water itself, has it?—That rather depends upon the extent to which the conservator's duty is thought to go.

6406. Do you think it is essential that the control over the soil and bed of the river should be combined with the duties of conservancy?—Decidedly, it is very important that they should be united.

6407. Are you acquainted with the state of Blackfriars Bridge?—Yes.

6408. In what state is it?—It may be said to be in a very dangerous state now; it is propped up, but there is no security against its settling further at any time.

6409. Do you think it was the removal of old London Bridge which affected it?—I have no doubt about it whatever.

6410. How long has it been in its present insecure state?—About two years.

6411. The more complete flow of the tide has loosened the attachments and foundations of the bridge, is that the case?—No, not exactly. I believe the received opinion about it is this, that the bridge itself in the first instance was built upon improper foundations.

6412. What is the date of Blackfriars Bridge?—It is between eighty and ninety years old; it was merely built upon a kind of frame-work with nothing more to secure it. At the time it was built the river ebbed out to a less extent than it does now, the bed of the river was also higher than it is now. At that time there was an equilibrium between the pressure of the piers themselves and the surrounding bed of the river aided by the then existing depth of water; the removal of London Bridge has caused the bed of the river to become lower and the depth of water to become less; the equilibrium therefore has been destroyed, and as the piers stand upon clay which is compressible their weight has caused the settlements which have occurred. The same is the case with Westminster Bridge.

6413. In the event of rebuilding those bridges, is it likely to affect the river more or less, according to the manner in which it is done?—If the bridges are rebuilt I apprehend the foundations will be taken down to a much lower level; in fact proper foundations put down.

6414. Would that affect the ebb and flow of the river?—Not at all.

6415. It is not likely that anything done with respect to those bridges will materially affect the ebb and flow of the river?—Not at all.

6416. The foundations of Waterloo Bridge are quite secure, are not they?—I do not consider them so.

6417. Is Blackfriars Bridge in as bad a state as Westminster Bridge with regard to its foundations?—I think it is.

6418. What is the state of Southwark Bridge?—I have never heard any complaint about it.

6419. You believe that to be solid?—Yes.

6420. Has not the removal of London Bridge very much affected the freezing of the Thames?—It must have tended to prevent it.

6421. The Thames has never frozen since the removal of London Bridge, has it?—I cannot say that I have seen it myself in London; higher up I know it has done so.

6422. It has not frozen over this year, has it?—It has not. I should state, as the question of the subsidence of those bridges has been mentioned, that having that circumstance before them has operated with the Navigation committee to deter them from going on with the removal of those shoals, which interfere with the mooring of the tier of ships, with the rapidity that they otherwise would have done. The scouring of the river has taken place to the greatest extent towards the centre of it, and there its effect in the subsidence of those bridges has been chiefly shown; it has appeared to the Navigation committee that if they had deepened the moorings for tiers to a considerable depth at once the same effect might have been produced upon the heavy warehouses at the sides. They have therefore gone very cautiously to work; they have improved the moorings to a great extent in the river, but they have been advised to go on cautiously, so that the same effect which has been produced upon the bridges shall not occur with the warehouses.

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6423. Do you think, upon the whole, the duties of the conservancy and the protection of the river are efficiently exercised by the City with their present powers?—No; they have not sufficient powers.

6424. What alteration would you recommend to be made? What additional power would it be desirable that they should possess?—In the first instance they require funds.

6425. Without going to any great expenditure, what addition to your funds do you think would be desirable?—I was directed by the committee, two or three years ago, to estimate what works were really required in the shape of deepening the river.

6426. What is the present annual expenditure for the purposes which you have been explaining?—That takes place under two or three different funds. I will first state to the Commission what the state of the funds, under the Navigation committee, is at present. I will take first, the upper navigation. In the year 1777, the first improvement in the navigation took place. The corporation themselves, out of their municipal revenues, contributed 10,000*l.* towards certain works in the river, nothing having been done before that. Parliament, after that, gave them a toll, but there was a great deal of dissatisfaction with the state in which the navigation was. The corporation then resolved to grapple with the question, and, in the year 1810, they went to Parliament for sufficient powers. They built the six locks which have been mentioned, and did other works, and incurred a debt of 175,000*l.* in doing so. For a length of time, the increase of trade on the river did not answer their expectations, and the fund became 15,000*l.* in debt. The corporation advanced that 15,000*l.* Afterwards the trade assumed a more flourishing state, until in the year 1848, they had reduced their debt of 175,000*l.* to 134,500*l.* About that time, the railways came fully into operation, and through their competition with the river, a great falling off in the tolls has taken place. In the year ending Michaelmas, 1839, the amount the corporation received for tolls upon that part of the river was 15,823*l.* 7*s.* 1*d.* In the year 1852, it was 7,158*l.* 16*s.* 1*d.*, being a difference of nearly 9000*l.* They have the interest, of course, to pay upon the debt, and the works to maintain. The fund, therefore, may be said to be almost in a bankrupt state. Seeing that that was the state of the fund, the corporation within the last three years have, on one occasion, authorized an expenditure of 5,000*l.*, and on another, 10,000*l.* in addition, out of their own funds. That is the state of what is called the Navigation fund. Another fund, which the Navigation committee have the management of, is that of the rents and fines arising from projections and accommodations on the river. That amounts to about 800*l.* or 900*l.* a year. That is expended almost entirely in the removal of shoals, and in other works connected with the navigation. The third fund they have control over is the tonnage duty fund. That is a fund arising from tonnage on shipping entering the port of London, and is at present confined to paying the expenses of maintaining moorings in the river, and paying the harbour master and the necessary staff.

6427. That is about 17,000*l.* a year, is it not?—It is.

6428. That is, in fact, the principal fund that the Navigation committee have to rely on?—It is.

6429. But its application is very limited?—It is.

6430. Your view is that those restrictions should be removed, and that it should be applicable to the general purposes of the Navigation committee?—I think it is very likely that the shipowners might complain of so general an application of it. I think so far as the tide flows, and so far as vessels can be made to go which pay these dues, this fund ought to be applicable.

6431. Suppose it is desirable to remove a shoal, how is that paid for?—Either out of the corporation revenues or out of this little rental fund.

6432. Then, in truth, unless you resort to the corporation estate, you have no adequate fund for such purposes?—No.

6433. You must either have the general funds of the corporation, or go to a fund which the government is now contesting with you?—Yes.

6434. There is no fund of a secure nature which is applicable to the purposes of the removal of shoals?—There is not.

6435. Will you proceed to state what, in your opinion, would be the amount of revenue which ought to be effected to keeping the river in a good state and providing for the removal of shoals?—I will first of all mention the estimate I have made of the amount required for the removal of shoals. With respect to the western navigation, as far as the flow of the tide extends above London Bridge, I estimate that 40,000*l.* for dredging is required for putting the river in a state that sea-going vessels would be able to make use of it. To deepen the moorings where the tiers lie now, in addition to what has been already done, a sum of 18,000*l.* is required, and to remove the shoals generally in the river, and deepen the channel, so that vessels could come to the tiers, would cost 180,000*l.* more.

6436. Have you made any calculation what for some years to come would, in your opinion, be the annual expense in order to keep the river in a proper state for navigation?—I have not. I think, after those works had been carried out, the expense would be trifling if they were judiciously done, but then again there is a very heavy expense required to put the locks and weirs I have spoken of in an efficient state. They were all built of timber, and they have been built 40 years, and are in fact worn out.

6437. Is their condition of importance to the general state of the river below?—It

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is of great importance to the land adjoining, and it is also of importance as affecting the back water of the Thames. That was a subject which received the attention of the Tidal Harbour Commissioners to a very great extent, some years ago; and they deemed it of the utmost possible importance that the natural back water of a river should be maintained in the best possible state.

6438. What in your opinion would be the sum requisite to put those locks and weirs in a proper condition?—There are two of those locks which the Navigation committee have just given orders shall be replaced by new ones. That is under an arrangement with certain water companies, which under the powers of Acts of Parliament, intend to derive their supply from the upper part of the river. That abstraction of water renders it necessary to rebuild two of those locks, so that the rebuilding of two of them is provided for. The others are in that state, that anything in the shape of repair would be thrown away upon them; it would be far cheaper at once to rebuild them, which would cost about 20,000*l.*

6439. In authorizing the abstraction of water, has its effect upon the river been thoroughly considered?—Yes, it has. The Navigation committee retained the services of Mr. Walker and Sir William Cubitt, to judge whether the representations which I made to them upon the subject were correct. I believe they fully concurred in what I had said, and in the anticipations I had formed as to the extent of the damage which would be done.

6440. What is the general purport of those recommendations?—The rebuilding of those locks, and the performing a very considerable amount of dredging, involving an expenditure of about 30,000*l.*

6441. That being done, are you of opinion that no injury would accrue to the river in general?—Certainly; except it may be from the abstraction of so much back water; but I do not think that that will practically be an evil.

6442. The City have no connection with any water company, have they?—None whatever.

6443. Nor with any water supply?—No.

6444. Is there any other point to which you are desirous of calling the attention of the Commissioners?—Perhaps there may be one or two points which would have been far better explained by the principal harbour master, had he been able to attend. Unfortunately, he is ill; but there are two or three subjects which have been referred to by former witnesses, which, I think, require that the Commissioners should be fully informed as to the facts of the case.

6445. With respect to the statement of Mr. Powles, in answer to Question 1034, that the care of the navigation of the river is entirely intrusted to the corporation, have you any remarks to make?—The mooring of vessels in the river, and the whole conduct of the harbour service in the river, is defined by certain byelaws. Those byelaws have to be approved by the Trinity House, in the first instance, and by one of the chief justices afterwards. They go into the utmost possible detail as to the duties of the harbour masters.

6446. The harbour masters have to carry those regulations into effect, have not they?—Yes; but their duties are defined with the utmost possible minuteness by those byelaws.

6447. The corporation do not finally make the byelaws under which their officers act?—They make the byelaws; but the byelaws have to be approved by the Trinity House, before they are carried into effect.

6448. The officer who carries them into effect is the City's officer?—Yes. Question 1045 is, "By whom are those harbour masters appointed?" The answer is, "By the common council; by what is called the Navigation committee." Neither the common council nor the Navigation committee have a single word to say in the appointment of the harbour master; it rests entirely with the Lord Mayor. The harbour master then has to undergo an examination at the Trinity House; and they certify whether or not he is fit to be harbour master. It only rests with the Navigation committee to allot him his station, and to appoint who shall be superintending harbour master.

6449. Do you think the harbour masters are highly efficient officers?—Highly so.

6450. Is it the fact that none of the aldermen are members of the Navigation committee?—It is not the fact. I think there are twelve of them members of the Navigation committee.

6451. Do they frequently attend?—The aldermen do not attend so frequently as the commoners do.

6452. Is it the case that the Navigation committee is so constructed as to exclude mercantile men?—Not at all; it is the fault of mercantile men themselves if they are excluded. Those who complain of the constitution of the Navigation committee are most of them electors of the City; and it is their fault if they do not send those whom they consider proper men into the common council.

6453. Do those members of the committee who have no professional knowledge of matters connected with navigation interfere much in the business?—Yes.

6454. In what way can they advantageously interfere? How can traders who have never directed their special attention to those subjects judge of an engineering point con-

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nected with the navigation of the river?—They cannot perhaps judge of an engineering point, but they sit more as a jury to receive the evidence they can get upon points, and form the best opinion they can upon them. If you are to judge by the results, I think they show that they perform their duties properly. With respect to the service with which I have been most connected, the upper river service, if you are to take absence of complaints as an evidence, it may be said that they perform their duties well. They have had sufficient power to carry out the works properly on the river since the year 1810, and I am aware of scarcely a single complaint having been made against them from that time to this; so far from that, the general opinion among carriers on the river has been that it would be very much for their benefit if the jurisdiction of the corporation were extended to Reading instead of stopping at Staines. That opinion has been expressed to me over and over again.

6455. Do you attach any value to those official visits which the members of the committee pay to points on the river—Yes.

6456. In what way are they beneficial?—I will take the most extensive one they make; that is one which by their standing orders is made in the month of May every year. At that time I have to lay before them a detailed report, with the estimate of the works which I consider necessary to be performed in the river. They go through those items seriatim, and I have to point out the spots where the works are to be done. In many cases they can as well judge as I can myself of the necessity of them. They order them or otherwise, as they think proper, and afterwards they make another visitation to see if those works have been carried into effect.

6457. I suppose they chiefly must rely upon your judgment in matters of that kind?—In engineering matters, decidedly.

6458. A suggestion has been made by Mr. Powles in answer to Question 1049, as to a compound committee, formed of members of the Trinity House and members of the corporation. He is asked, "Your proposal is to make a compound committee, partly of "members of the common council, and partly of persons connected with the Trinity House "and other public bodies representing the navigation. You would not take the power "entirely out of the hands of the common council, and create some new superintending "authority?" He says, "I would not take the power out of the hands of the cor- "poration, but I would make it compulsory upon them to admit into that body persons "elected by such commercial bodies as I have indicated, so that, whether we may or may "not be members of the common council, we may be represented there. Then the diffi- "culty would be got over of mercantile men not being able to attend to municipal affairs, "because they might be called into action in cases where they can be of no use." What do you think of that suggestion?—I think the Navigation committee, as it is constituted now, is much more independent than such a body would be. I think that if some body must be added to the Navigation committee, possibly the Trinity House would be the least exceptionable, because they are most independent, but circumstances arise which show that it is perfectly necessary that the Navigation committee shall be as independent as possible of local interests. In a case we had last year, the London Dock Company wanted and obtained powers from Parliament to make a new entrance to that dock. That involved the removal of a tier of colliers, and of course it attracted the attention of the coal trade, who feared that their interests would be injuriously affected. I can conceive, if there had been a representative from the London Dock Company on the Navigation committee, there would have been a jealousy on the part of the other dock companies, who might think that this removal of a tier of colliers was giving an undue prerence to the London Dock Company. As it was, the independent position of the Navigation committee enabled them to effect an arrangement satisfactory, I believe, to all parties.

6459. If the Navigation committee were formed of persons interested in the trade, you think they would not be sufficiently independent to decide with justice?—Quite so.

6460. On the other hand the body may be so independent as to have neither interest nor knowledge of the question, which is the charge made against the present Navigation committe; how far do you think that charge is merited?—My own opinion is that it is not merited; but supposing it were, I apprehend any difficulty of that kind might be met by having a board of reference. If a person felt himself aggrieved, or any interest felt itself aggrieved, by the management of the Navigation committee, there might be a body to whom appeal might be made.

6461. The control of the navigation of the river seems to be a subject which involves a great deal of technical and special knowledge. It is alleged that the Navigation committee, who are merely a committee of the common council, have not a sufficient amount of special knowledge of the subject to render them competent to administer such concerns. You being a professional person, acting under their control, what is your opinion?—It is a precisely similar case to that which daily arises. Take the case of the boards of directors of railways. They do not pretend to exercise judgment upon the engineering questions which are continually brought before them.

6462. Directors of railways are not very fluctuating bodies, whereas the Navigation committee is a fluctuating body, is it not?—Yes, it is.

6463. You think, by the advice of professional and skilled persons which they receive, they are competent to manage the affairs which are intrusted to them?—I do. It

is always their habit, if a question of particular importance presents itself, to go to the very highest authorities they can upon the subject. *S. W. Leach, Esq.* 20th Jan. 1854.

6464. Is there anything else which you desire to call to our attention?—There is one point upon which the Commission have been somewhat misinformed; and that is, in the evidence of Mr. Martin Pratt, the secretary to the General Steam Navigation Company, in No. 2,462. By a provision in the Admiralty regulations themselves, those regulations cease as soon as a vessel comes within the bounds of the port of London; and then the regulations which the byelaws point out begin to take effect. Those regulations as to lights have been approved by a most competent body, as far as the lights are concerned,—viz., the Trinity House.

6465. Then, in fact, there is no conflict of regulations?—There ought not to be any difficulty. It is the fault of the person showing the lights, if there is any.

6466. There is no conflict of regulations?—Not at all.

6467. If parties do not show the proper lights, they do not obey the regulations?—Precisely so. The different regulations which are spoken of do not apply to the same part of the river.

Adjourned to Tuesday next, at twelve o'clock.

Tuesday, 24th January 1854.

The Right Hon. HENRY LABOUCHERE, M.P. in the Chair.

The Right Hon. James Stuart Wortley, M.P., was further examined as follows:— *J. S. Wortley, M.P.* 24th Jan. 1854.

6468. Is there anything in the evidence which you have already given, to which you are desirous of calling our attention?—Yes. When I was asked upon a former occasion as to the propriety of a public body like the corporation of London producing their documents and their titles except upon compulsion, I referred to a circumstance which I believed to have occurred, and which I had a strong impression was somewhere recorded, namely, that in an instance of that kind where, without compulsion, the corporation of a large town had produced their documents, it had led to the taking of a technical objection to their title, which resulted in the forfeiture of their property; and when this was mentioned before Lord Eldon, he had rebuked them for taking that course. I then said I believed the instance to which I referred was the town of Hull. I have made inquiry, and I find it reported in the case of Cock *v.* St. Bartholomew's Hospital, Chatham, 8th Vesey, Jun., page 140. The corporation alluded to was not the corporation of Hull, but the corporation of Newcastle upon Tyne. This case was upon an analogous point but not altogether the same, and the object was to compel a corporation to produce certain documents in which other parties were interested. In the course of the arguments the defendant's counsel said, "The ground of defence is that perhaps those deeds might dis-" prove their title to these very lands, as in the instance of the Newcastle case. Lord " Chancellor. This is a very important case. I admit the Newcastle case is a good lesson " upon this subject of production; they produced their charters to satisfy curiosity, some " persons got hold of them, and the consequence was that the corporation lost 7,000*l.* a " year." Since that I have written to the town clerk of Newcastle, Mr. Clayton, who will be known to some of the Commissioners as a man of great distinction in his profession, and I have from him full particulars which, however, with the leave of the Commission I will not mention in public, but they fully confirm this statement of Lord Eldon. It appears that there was an action in which the corporation of Newcastle were the plaintiffs and it was in consequence of having voluntarily exposed their charters that their rights were disputed. Lord Eldon was himself a counsel in the case, and therefore it was that he had a knowledge of the facts. It turned out that in consequence of their having so exhibited their title an objection of a purely technical nature was taken, and the result was a loss to the corporation of 7,000*l.* a year, which they had enjoyed for centuries.

6469. Was that property in land or was it in the nature of tolls?—It was in the nature of tolls. There is one other matter which I wish also to correct, with reference to the negociation in 1847, as to the suit about the bed and soil of the river. I produced upon the last occasion a Bill which I stated to be the final terms of the compromise between the Government and the corporation of the City. On looking to the clause which constituted the new board, the chairman will recollect that he was surprised to find that, in point of fact, though it transferred the conservancy to the new body, that new body in all respects derived its existence from the corporation. I find I was mistaken in the copy of the Bill. I had the Bill as it came from the first recommitment and not from the second. In the second Bill an alteration was made and it was provided, after naming the Lord Mayor and three other aldermen and some of the common council members of the board of conservancy, that the remaining five out of the fifteen should be elected by the corporation but subject to the approval of the Crown, the avowed object of that being to give the Crown power to object to those persons being other than persons independent of the corporation. Therefore it gave the Crown a direct power of nominating in fact, though by the circuitous mode of a veto, five of the members of the board of conservancy. The second clause is, "that the Lord Mayor for the time being of the City of London, shall be " one of the conservators; that three others of such conservators shall be aldermen of the City

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" of London, and shall be elected by the Court of Mayor and Aldermen of the said City in " the inner chamber; that six other of such conservators shall be members of the common " council of the said City, and shall be elected by the Mayor, Aldermen, and Commons of " the said City in common council assembled; and that the remaining five of such conser- " vators shall be elected by the Mayor, Aldermen, and Commons of the City of London, in " common council assembled, subject to the approval and provisions herein-after mentioned," and then by the 8th clause it is provided. "That if the Mayor, Aldermen, and Commons " in common council assembled, shall not within three months after the commencement of " this Act, have elected five persons who shall be approved by the said superior board on " behalf of Her Majesty, and in like manner—if when a vacancy shall occur in any one of " the five persons who are to be so elected by the Mayor, Aldermen, and Commons in " common council assembled, subject to the approval of the said superior board on behalf of " Her Majesty, the Mayor, Aldermen, and Commons in common council assembled, shall " not, within six weeks after such vacancy has occurred, have elected a person to supply such " vacancy who shall be approved by the said superior board, then and in either of such cases, " and from time to time as often as the same shall happen, it shall be lawful for the said " superior board, on behalf of Her Majesty, to appoint such persons or person as they may " think fit, to be such conservators or conservator,"—so that it gave virtually to the Crown the power of naming five persons upon that commission.

6470. At present I presume every member of the Conservancy committee is a member of the common council?—That is the case. At present the Lord Mayor is conservator on behalf of the corporation, the conservancy, in fact, being managed by a committee of the common council. In consequence of the notification which I have mentioned, there was some hesitation on the part of the City whether to accept that term of the compromise or not; and I have here the proceedings of the Court of Common Council upon it. In the first instance there was a Court of Common Council held, and they refused to accept that modification by a majority of thirty-three to twenty-four; but the division being close, another notice was given upon the subject, and eventually they acceded to that arrangement by a majority of forty-eight to twenty-one. This was very near the end of the session, and the Bill appears not to have gone further. Then the proceedings in the suit were resumed, and the negociation went off. Upon that occasion, the Court of Common Council resolved, "That in order to carry a Bill, so important to the public as the "Thames Conservancy Bill, it is under all the circumstances expedient to accede to the "suggestion, that the conservators should consist of the Right Honourable the Lord "Mayor, for the time being, three aldermen, to be appointed by the Court of Aldermen, "six commoners, to be appointed by the Court of Common Council, and five freemen and "citizens, to be also appointed by the Court of Common Council, such five freemen "and citizens to be subject to the approval of the Crown."

6471. That gave virtually and really the appointment of those persons to the Crown?—Yes. And at that time the City were, to the extent I have named, willing to acquiesce in it. I must so far guard myself as to say that I have no authority to intimate that they would consent to it now. I must abstain from expressing any opinion upon that subject one way or the other.

6472. Will you allow me to refer you to the evidence of Mr. Powles on the subject, in page 111 of the evidence. He says "I have lately had occasion, within the last three or "four months, with one or two other gentlemen, to attend the Navigation committee on "matters of business; and on looking round the room, it was impossible, with all due "respect for those gentlemen, not to see that they had no qualification whatever for the "duties they had to discharge. But they have a good harbour master, and therefore the "business is well done. Now, many years ago, the corporation itself brought a Bill into "the House of Commons for regulating, or improving, in some way, the conservancy of the "river. It was proposed in the House of Commons that a clause should be inserted in the "Bill that the Trinity House and each of the great Dock Companies should appoint a "member on that Navigation committee. As soon as that clause was propounded in the "House, the corporation withdrew the Bill. I think that in that they showed an "exceedingly unwise and narrow policy; because, in the first place, there is no emolument "attaching to the performance of those duties, and in the next place, the body could "not but be improved by introducing into it intelligent men, who would be put "there either by the Trinity House or by the Dock Companies." Mr. Powles seems to be under the impression that there was a jealousy on the part of the corporation towards the commercial bodies, such as the dock companies; and when that clause was inserted, the City withdrew the Bill. According to your statement, that does not appear to have been the case?—I take for granted that Mr. Powles was speaking, as I was on the last occasion, from memory merely, and certainly he is mistaken in the fact he has here deposed to. The fact was, the City eventually consented to the only modification of the board, which was proposed. It was not in the House, but in committee, and was proposed by myself. I having no connection with the corporation at the time, moved the resolution in the committee, upon which that arrangement was adopted, which was afterwards acceded to by the Court of Common Council; but I remember the question being very fully discussed in the committee, and some members of the committee contending for putting the chairmen of the dock companies, or persons connected with the shipping interest *ex officio*, upon that board; other members of the committee, of whom

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I was one, objected to that, and preferred that the Crown should have the power of nominating those persons; and on this ground, viz:—that if they were put on the board it would only be substituting a class of interested persons, that they would come to protect particular interests, such as the interests of the dock, an establishment of which they were officers or members; and in fact, that they would come to serve their private and commercial interests, rather than promote public objects. With regard to the present Navigation committee, there are some men upon it, no doubt, who have a great knowledge of the subject. I believe at this moment the gentleman who will succeed to the chair of the Navigation committee, in the usual order this year, will be a gentleman of great experience upon these subjects; but speaking generally, no doubt the committee consider themselves rather as a jury, to be guided by their harbour master, to hear what his opinion is, and as men of sense and men of business generally to act upon his representation, and judge of the wisdom of the course he recommends. If they were all persons connected with the river, they would have their separate interests, and not be so likely to act together, as if they had no other motive influencing them than a regard to the public benefit.

6473. The effect of the arrangement to which you came with the Government, so far as it was completed, was, as I understand, this,—that the whole of the funds at present under the control of the Navigation committee should continue to be applied to the conservancy, and that in addition to those funds, there should be whatever profit might be made from the right which the Government are now contesting with the City in the soil of the river. The Government was to grant that right upon the condition that the whole of the proceeds should be applied to the conservancy?—Precisely so.

6474. And this compound fund, the fund composed of these two branches of revenue, was to be managed as at present by a committee of the common council. Are the commissioners to understand you that that has been a matter which has been much considered?—No, not in detail. The whole of the proceeds of the river, amounting at present to only 1,100*l.* a-year, were to be paid into a fund for the specific purpose of being applied either to the conservancy of the river, or being handed over to the Government to improve the banks and approaches to the river. The Government has to be permitted to fill up the blank which we left, with half or two thirds, or even the whole of that income, if they chose to take it.

6475. Did you consider at all the question whether the fund which would be so constituted would be sufficient for the proper maintenance of the conservancy of the river?—Yes, that has been well considered; it is manifest that the sum is wholly inadequate. It is a great mistake to suppose, as is supposed by many people who are uninformed on the subject, that the corporation take a part of the proceeds of the river; even a very distinguished person very conversant with finance, lately told me, when talking about the river, that he had always supposed the profits of the river were very large, and that the corporation derived great benefit from it. So far from that being so, the 1,100*l.* a-year is a mere trifle compared with what is really required, and which in truth is paid out of the corporation funds. When the suit began there was a sum of 60,000*l.* about to be applied to the particular purpose of carrying out Captain Bullock's report. Of course if you take the conservancy from the City, you must find funds somewhere else for the support of the conservancy. You cannot take the conservancy out of the hands of the City, and still call upon them to spend their general funds in the maintenance of the conservancy.

6476. Has any estimate ever been made of the sum which may probably be required for the proper maintenance of the conservancy?—I am not aware whether any estimate has ever been made of the annual sum likely to be required, but in the year 1846, there was a report published of the works which Captain Bullock and Mr. Walker recommended, amounting to 60,000*l.*

6477. Those works would be done once for all probably?—Some of them, I presume, were the removal of shoals which from time to time grow up again. I believe there were some of them about which there was a difference of opinion among water engineers whether their removal would be a benefit or not. At that time, no doubt, if the suit had not been commenced, a very large sum of money would have been laid out; the consequence of the suit has been that nothing has been done, comparatively speaking, for the last ten years.

6478. I suppose there is no doubt that the present state of litigation between the Crown and the City is very detrimental to the proper maintenance of the river?—Extremely so, and it was upon that high ground that Lord Seymour, with the authority of Lord John Russell and the heads of that Government, took up the subject as a matter of policy.

6479. When you were last before the Commission you stated that you wished to reserve some remarks which you were desirous of addressing to us upon your own court. Are you now prepared to make those observations?—I am. I hope I shall not detain the Commissioners more than a very short time, but as reference has been made to the state of the City courts, I think the real facts should be accurately stated, as far as I can state them. One witness referred to the Central Criminal Court and to the jurisdiction and proceedings in that court. That is not a corporation court, although the corporation is to a certain degree connected with it, and supplies the funds which pay the judicial salaries. I do not know how far the Commissioners will therefore take notice of that

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court, or of its proceedings. I refer to the evidence of Mr. Pulling. I confess I agree with him very much that the result of recent legislation has been in the wrong direction. At the time that the Central Criminal Court was established, the jurisdiction of the courts of Quarter Sessions within the metropolitan districts was confined to simple felonies; the consequence was that all burglaries, housebreaking, and compound felonies were tried at the Central Criminal Court, and perhaps the Central Criminal Court, taking the present staff, was overburthened, occasioning inconvenience and expense. The remedy applied was by an Act passed two years ago, restoring to the Quarter Sessions their jurisdiction in those confirmed felonies, and leaving to the Central Criminal Court only those more serious cases which are now tried there, diminishing the labours of the Central Criminal Court, increasing greatly those of the Westminster Quarter Sessions, and no doubt effecting an improvement so far as the delay and expense is concerned, but in other respects I think the effect has been extremely injurious. For my part I think if it could be managed it would be very desirable to concentrate the whole of the criminal jurisdiction of this metropolis in one court, that court sitting almost permanently; Her Majesty's judges, of course, only attending occasionally as they do now, and an apportionment of the labour being made between the judicial officers who may be there. The consequence of the other course is this, that the Court of Quarter Sessions, which sits weekly, sits at the same time as the Central Criminal Court. Occasionally, a witness is absent because he has to be at the sessions, which, however, does not often happen. When we want information about a prisoner as to what prisons he has been in, it often happens that the police officers and gaolers who could give information are away at Clerkenwell, attending the sessions. But there is a more serious evil which occurs to an extent which is lamentable. There is but one bar, and can be but one bar, whose interest it can be to follow this branch of the profession, the consequence is that the same bar to a great extent practises at the sessions as at the Old Bailey. It is impossible for them to foresee when their cases will come on, or make any discrimination so as to refuse one case and accept another. The result is that briefs are handed over from one counsel to another, just as it suits the convenience of counsel, and the conflicting sittings of the courts; and persons who retain counsel are deprived of the advice they have a right to reckon upon. It amounts in some cases to great injustice to prisoners,—an injustice however which is often inevitable as far as counsel are concerned. At the very last sessions Mr. Justice Cresswell was complaining loudly—the counsel for the prosecution was taken away in the middle of the case, and the result was that in a complicated case public justice was as nearly as possible defeated. I do not see myself any objection to concentrating the whole jurisdiction in one court. Why the assistant judge of the court at Westminster should not come and assist us I cannot see. There must be some increase of the judicial staff at the Old Bailey; but if that were done there is no reason why the court should not sit from week to week, and dispose of everything. You could then make arrangements for fixing a list of cases for trial upon particular days, and greatly diminish the expense of each. If in addition to that there were a modification of the grand jury law, though not an abolition of the grand jury, there would, in my opinion, be a great improvement effected.

6480. That appears to be Mr. Pulling's recommendation. In Question 1916 he is asked "The effect of that alteration of the law has been to take business from the Central "Criminal Court, and restore it to the Middlesex Quarter Sessions?" He says "Yes." "That "change is in your opinion in the wrong direction?—Yes. I would rather confine it to the "Central Criminal Court, increasing the staff and appointing assistant judges to that "court."—Precisely so. I very much agree in that recommendation. Our labour at present is considerable, though it is diminished from what it was when I was first appointed.

6481. Supposing the Lord Mayor and aldermen of the City of London were to be excused altogether from attendance at the Central Criminal Courts, the same objection would apply, and the same circumstances would occur about counsel not being able to attend, would not they, if the law continued with respect to the quarter sessions as it now is?—It would make no difference. There is one other suggestion which is worth consideration, I think; that is, whether it is worth while to keep up the quarter sessions of the City of London, at which, by the charter, it is necessary to have a quorum of four magistrates. I sit there as assessor to the Lord Mayor, and there must be three aldermen present besides the recorder. We try very trivial cases; we call together a great many gentlemen as jurymen and grand jurymen, for very little purpose, and I see no reason why that jurisdiction should not be transferred to the Central Criminal Court. With respect to the Lord Mayor's Court, my opinion is, that if we were assisted by the authority of Parliament in making a few alterations, that court is capable of being made of great value to the inhabitants of the metropolis. It has all the powers of the superior courts, with some exceptions. It has the same jurisdiction as the superior courts; it is free from all the objection which has been made to the extreme intricacy and nicety of pleading which has of late years caused complaints, and it is a cheap court at the present time, in which a great number of cases might be disposed of.

6482. The Lord Mayor's court consists of the recorder trying with a jury?—Yes; but the court being a customary court, of course, though we have power like other courts to alter our practice, we cannot alter the customary proceedings; therefore, within the corporation itself, unless it were under the charter of Edward III., which gives us the power of

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altering something in the corporation, provided the alteration be for the benefit of the public, we have no power of altering the proceedings in that court. Our power under that charter is so doubtful that we should hardly venture in so grave a matter to proceed upon it. With the assistance of the deputy-registrar, who is a barrister and a very valuable officer, and thoroughly acquainted with the business of the court, I have done my best to introduce all the improvements which were possible without the assistance of Parliament. Originally, and by custom, there were four common pleaders. You have had some evidence to the manner in which their exclusive privileges have ceased; but I am happy to say, by a late arrangement with the only two remaining common pleaders who had any claim, and in which they behaved with great liberality, all difficulty upon that subject has been removed, and the court is now open to all counsel. If the Commissioners wish it, I can give them a detail of the mode in which the exclusive rights of the common pleaders have been disposed of; but perhaps I should only be detaining them unnecessarily. One great difficulty we have had in the Lord Mayor's Court has been from the customary existence of an exclusive practice in four attorneys whose interests are vested, and valuable interests, and therefore of course must be fairly considered. There were four of those attorneys in the year 1837 who held their offices by purchase, with the right of alienation; their names were Williams, Remmell, Carter, and Ashley. In the year 1841 Mr. Williams died, having made a defective alienation. The City solicitor, upon that, was elected to fill that vacancy, without any right to alienation or any right to compensation, in order that the privilege should be abolished, the object being merely to fill the vacancy so that the corporation might deal with it as they pleased. In 1848, Mr. Carter died; his alienation was also disputed as not being perfect. The consequence was a compromise; the alienee consented to surrender his title on condition of being appointed without any right of compensation or alienation in future. There are therefore two of those gentlemen who have no such rights. In 1850, the third attorney, Mr. Remmell, sold his right of alienation to the corporation; they bought it up; he still has the exclusive right for his life, but his right of alienation has been sold to the corporation. There is now therefore Mr. Pearson, who was elected to fill the office for a time; Mr. Orton, appointed under the agreement I have mentioned in the year 1848; Mr. Remmell, who has only a life-interest in the exclusive practice; and Mr. Ashley, who has the exclusive practice for his life, and the right of alienation. I have by me what may be called the pedigrees of those offices, and the title traced through the different persons of whom they have been purchased from time to time, showing that in the olden times those offices were regularly sold. It has been a great object with the corporation, and since I have had the honour of holding office I have endeavoured to press it on, to come to some arrangement with those gentlemen for throwing the practice open to the general profession. Negociations were conducted upon that subject by a committee, called the secondaries committee, and we were in hopes at one time that we could have agreed with those gentlemen to the amount they should receive to compensate them for the surrender of all their exclusive rights. I was myself consulted by that committee. On the other hand, I must do the attorneys the justice to say that they have always expressed, though not to myself, their willingness to submit to reference, or to almost any arrangement which I thought was right. But unfortunately the committee and the attorneys have not been able to come to an arrangement for reference or otherwise. The committee called upon the attorneys to make a claim. Naturally they made a claim, which they desired should not be too low, and probably more than they would have been willing to accept; the result has been, that the committee refusing to make any offer, the attorneys made a claim for the amount, which was submitted to me, and I was obliged to say that I thought it was extravagant. In the meantime, an Act of Parliament had passed admitting all attorneys to practice in the inferior courts. In a case which was argued in the Queen's Bench, of which one of the Commissioners is cognizant, it was decided that that Act applied to the Mayor's Court. Whether it was an inferior court or not, speaking generally, it was held to be an inferior court within the meaning of that Act. The negotiations I have referred to having failed, and seeing the delay which must very likely occur, I advised the Court of Aldermen, who had the power to do so, to act upon that judgment, and to throw the court open to all practitioners, the committee at the same time saying that at the end of the year they would again consider the compensation to the attorneys, and that when they could ascertain what their losses were likely to be, they would give them a liberal compensation.

6483. Has the court been actually thrown open?—It is actually thrown open to all attorneys, and in the next month the year will have expired, when the committee is pledged to come to a consideration of the question of compensation. Unhappily there has been a misunderstanding between the attorneys and the committee, and the attorneys were induced to take a step, which I think has been very unfortunate, both for themselves and for every one else. Mr. Remmell has brought an action against one of the attorneys admitted under the authority of the judgment of the Queen's Bench, for a disturbance in his office. There have been 131 attorneys admitted, and had it not been for that action, I have reason to know that a great many more would have been placed upon the roll formed for the conduct of the court. The action has been tried before Lord Campbell. His lordship expressed an opinion that the corporation ought not to open the court without giving compensation to those attorneys. The present state of that cause is this: they have agreed upon a case which is to be argued, in which the custom is found for an

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exclusive practice of the four attorneys; but raising a question again upon the construction of the statute admitting attorneys generally to practice in the inferior courts. That is coming before the Queen's Bench. Lord Campbell intimated, at the trial, that if it came before that court they should adhere to their former opinion, and the result will be that it will probably go at once to the Court of Appeal in the Exchequer Chamber. The consequence of all this has been very injurious to the court, and it may turn out to be injurious to the attorneys themselves. I hope not; but there is no doubt that many more attorneys would have been admitted, and the business of the court would have increased much more rapidly, had not it been for that litigation which makes foreign attorneys afraid lest they should expose themselves to a similar action.

6484. Is there any question respecting the power of the corporation to admit all attorneys, provided they compensate those who have existing rights?—Yes; there might be doubts about that power, but there would be no one else interested in disputing that power. The only question before the Court of Queen's Bench is, whether the Act of Parliament which enables all attorneys to practice in every inferior court applies to the Mayor's Court of London. If it does, not only the Court of Aldermen have the power, but they are bound by the general law to admit those persons; and acting upon that, we have made a roll in that court, and no less than 131 foreign attorneys have been admitted, and I have reason to believe that the number would have been 231 but for this unfortunate litigation. This very day, when I leave this Commission, I shall attend that committee again to urge the settlement of this negociation with the attorneys, so as to remove the existing difficulty in carrying on business there. I am bound to add that I have received every assistance from the Court of Aldermen and from the committee in making this change, and throwing the court open. The result of this change has been that even under the disadvantage of this pending litigation the business has largely increased. The entries of actions, from 1846 to 1852, were upon the average 903 per annum. Since the opening of the court only eleven months have expired, and no less than 1,506 entries have been made in the course of that time, showing that when the return for the other month is added it will probably come up to something very nearly double the number of entries recorded before. I have told the Commissioners already that I hold this court once a month; in one instance, since the change, I have been obliged to adjourn the court to a second day, and though the number is still not very great, the causes tried before me have about doubled also.

6485. Is the jurisdiction limited to causes of action arising within the City?—The jurisdiction is confined to causes of action arising within the City; that, in some cases, is inconvenient. Besides opening the court with the assistance of the deputy registrar, I have revised the costs of the court and the costs of the attorneys, and they have been greatly improved and reduced. The court therefore has become a cheap court; it is as cheap, I believe, as the County Courts. Besides that, acting upon the principle that I have power to regulate the practice of the court, I have made a number of rules going as far as I could in amendment of the practice, though not venturing to go into what I thought touched upon the constitution of the court, and the customary proceedings of the court. The consequence is that delays and surprises have been prevented, by which parties have been relieved, and the proceedings of the court rendered more satisfactory in that respect.

6486. The principal peculiar custom of the court is that of foreign attachment, is it not?—Yes; foreign attachment is a custom which is peculiar to the City of London and one or two other cities. In the City of London it is of great importance one way or the other; opinions are divided upon it. Some think it is a useless or mischievous custom, while others attach great value to it. That it is of importance is manifest from the fact that, upon the average of several years taken not long ago, the sums annually claimed in attachment amounted to 171,000*l*. A very small proportion of those come to trial. In the majority of cases the attachment has its effect of securing the payment of the debt, and certainly my experience leads to the belief that it is a valuable custom. I have seen very large sums recovered in many cases where not a shilling would have been recovered under any ordinary process.

6487. Do you think it would be a useful thing to introduce the custom universally, or do you think there is something in the peculiar circumstances of London which renders it peculiarly important there?—My opinion is that it would be a very valuable custom to extend to all great commercial communities. I do not think it is of much consequence in country districts, but in commercial towns I believe it is of importance. It exists, though under another name, throughout Scotland, under the name of "arrestment," and is, I believe, considered a very valuable remedy in commercial transactions; certainly in my experience large sums have been recovered by it which never could have been recovered otherwise.

6488. Could it produce any injurious consequences in country districts?—I know of none.

6489. There seems to be no reason why it should be a good custom in Lombard-street, and not a good custom in the Strand?—I cannot see any distinction, and I think that is the mode in which it should be dealt with. It was originally, perhaps, more applicable to London than to other places.

6490. Still there is nothing at present which remarkably distinguishes the City of London from other parts of the metropolis with reference to that custom?—I am not aware

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that there is, with this exception, that within the City there are more bankers. One principal use of the custom has been to attach balances in the bankers' hands. When a debtor leaves the country to travel, or because circumstances make it convenient for him to live out of the jurisdiction, then if he has a balance in his banker's hands, and his creditor finds that out, the creditor waylays Mr. Cox, for instance, the army agent, or some banker of that sort, as he comes into the City; he serves an attachment upon him, and gets his debt paid though the debtor may be in the East Indies or in America. It is complained of in some cases that there is a struggle between the creditors to get the debtor's property. If it be in contemplation of bankruptcy, of course the Bankruptcy Act will set aside the attachment if made within a certain time; but there may be cases in which there is a struggle between the creditors to obtain possession of the property. In that case, however, the law generally favours those who are vigilant and diligent, rather than those who sleep upon their rights, and I do not see much harm in such an advantage to the most active. There are certain objections to this custom as it is at present administered, which I think deserve great consideration. At present we are liable to a certiorari from the superior courts at any moment. That is the case, I am sorry to say, both with actions, suits in equity, and attachments; we are liable to a habeas corpus in actions, to a certiorari in attachments, and to a writ, in the nature of a certiorari out of Chancery, in cases of equity. It may be done at the last moment, so that I may have a case set down for trial, all the parties may be prepared, the briefs delivered, and every expense incurred, and it may be removed at once and without notice. Some limit upon that right would in all probability be very desirable. There is a difficulty about the attachment of goods. As the custom at present exists, goods which are perishable may be sold at once though under attachment; security is given, and the creditor is therefore secured in his debt. If the goods are not perishable the garnishee is not at liberty to sell; if he does sell, there is then a return of elongavit; that is, that the garnishee has removed or eloigned the goods out of the City; then the only process for ascertaining what the plaintiff is entitled to is by summoning another jury, to ascertain the value of that which the garnishee has sold, and which amount he is then bound to hand over. That is a very circuitous and inconvenient mode.

6491. Goods may be always released by putting in bail, may they not?—The attachment may be dissolved by the defendant putting in bail, because the whole proceeding purports to be for the purpose of compelling appearance. The fiction is that the defendant being summoned, and not answering after four proclamations, the attachment issues. Therefore if he does appear, and puts in substantial bail, the attachment is dissolved, and then if the plaintiff succeeds he recovers against the defendant, and his debt is secured by the bail put in in dissolution.

6492. Is bail put in to the full amount of the sum sworn to in the action, or to the value of the attachment of the goods?—At present it is to double the value in goods as well as in money. The plaintiff swears to his debt or to the value of the goods, and till lately, the defendant could only come in to defend the action, in the first instance, upon putting in bail for double the sworn value either of the debt or of the goods. That has been very much complained of. It has attracted the attention of the deputy registrar and myself, and we have done as much as we think we can with our present power to remedy it, and I believe we have remedied it to a great extent. In the first place we have given power to the defendant to come in upon paying into court the amount sworn to by the plaintiff. The new rule which we have established is this:—"An attachment may be dissolved by bail, or by payment of money into court with the defendant's consent, when the sum in the garnisher's hands is larger than the debt sworn to by the plaintiff, by paying the amount of the plaintiff's debt so sworn to, or when the money in the garnisher's hands is less than the amount sworn to as the plaintiff's debt, then such sum as the court may direct." Of course the court would not direct any larger sum to be paid in than that which appeared to be in the garnisher's hands.

6493. Is that consistent with the custom?—I have considered that question, and I hope it is so. By this rule they may either give bail as they used to do, or pay into court either the whole amount claimed, if there is sufficient in the garnisher's hands, or such amount as the court may authorize, if the amount in the garnisher's hands is less than that which is sworn to by the plaintiff. I believe we have kept within bounds, but if that is doubtful, I only hope the Commissioners will recommend the legislature to give us some assistance to carry out that improvement. It has been suggested in a high professional quarter that it is a hardship upon the defendant not to be allowed to come in without giving bail to double the amount, and that the remedy ought to be to give the defendant power to come in on filing common bail, the attachment standing as security for the future. That we have considered very fully, and, upon the whole, we thought there were objections to it. In the first place, supposing the amount in the garnishee's hands to be less than the whole debt, and there is money belonging to the debtor in the hands of other garnishees, and therefore there are more attachments than one, the consequence would be that the defendant would be able to put the plaintiff to the expense of proving his debt in every attachment over and over again. That in itself would be a mischief. What we have done to meet the objection is this:—we have given power (and here again the same question, perhaps, might arise) to the defendant to appear within a year and a day upon filing common bail after judgment in attachment. That is, if the plaintiff

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succeeds against the garnishee, and ascertains that there is money of his debtor in the garnishee's hands subject to attachment, then, within a year and a day, the defendant is to come in by *scire facias ad disprobandum debitum*, as it is called. He may come in upon filing common bail, and therefore will be subject to no difficulty of that kind. The result is that the money having been attached in the hands of the garnishee is paid over to the officer of the court, security is given for it, and there it lies in his hands as a stake held for either the plaintiff or the defendant, according to the issue of the trial.

6494. If the attachment merely stood as a security, the defendant putting in common bail, would not that put the plaintiff in peril of the possible insolvency of the garnishee, whereas if the plaintiff were obliged to put in bail or the garnishee were obliged to bring into court the amount of the property attached, there would be greater security to the plaintiff?—Precisely so, and very likely the plaintiff might be put in some cases to the expense and trouble of two fruitless trials. He will first have to try with the defendant, and if he succeeds, to try with the garnishee, and perhaps fail after all, whereas by trying the question first with the garnishee, he ascertain whether there is anything worth suing for.

6495. Does it appear to you that the introduction of a greater number of attorneys to practice in the Lord Mayor's Court, who probably may not be acquainted with proceedings under foreign attachment and the custom of the City, and who are not under the control of the corporation, as the four attorneys in some measure were, may lead to collusions and frauds and difficulties?—I think that is possible, unless some greater authority is given by Parliament to me to prevent it. There is one other point upon this subject which is of very great importance if foreign attachment is to be retained. At present by the custom there are no costs in foreign attachment. The court has no power to order costs either to the plaintiff, or to the defendant, or to the garnishee. Upon the garnishee, no doubt, it sometimes tells very hardly; it does not follow that in all cases the garnishee should have costs, but there should be some discretion in the court to give costs where it thinks right; where the garnishee deals with the money improperly, or makes a vexatious defence, the court would not give him his costs, but where he is a mere stake-holder, and only holds the money and deals with it as he ought to do, there might be advantageously a power to give him costs out of the fund. Another imperfection in the proceedings of the court, both in actions and in attachment is, that there is no appeal; there is a very imperfect process of error, but there is no appeal, though perhaps when it is stated, as it has been stated, that the recorder is obliged to pick up the facts at the trial, and to decide the matter as well as he can, even in the most complicated questions on the instant, that perhaps is not quite correct, but something very much like it is the case; there is no difficulty in getting the consent of the counsel to state a case, and a case is sometimes stated and argued before me deliberately, and we take time to consider it, but generally speaking, there is no regular mode of appeal, and I apprehend that such a case can be stated only with the consent of the parties; there is ordinarily no means of remedy. In the case of "fraud" or "surprise," there may be a new trial moved, but still it is before me, and only in those cases. According to the custom of the court there can be no new trial except in those cases. It appears to me if the court is to be maintained it would be very useful that a power should be given to remove a cause for the purpose of moving for a new trial in one of the superior courts, perhaps the Court of Common Pleas, which at this moment is the least burdened with business, and the power should be then given of moving for a new trial or arguing special cases so as to give a supervision to the superior courts over the City court. If, however, there were a jealousy as regards the City customs, and as regards questions arising within the corporation itself, it would be a great improvement if power were given to move for a new trial before the recorder, giving power to the recorder in those cases to call upon the common serjeant and the judge of the sheriff's court to come and assist him in hearing them argued.

6496. You would have a motion for a new trial made before the recorder in all cases in which a motion for a new trial can be made in the courts at Westminster?—Yes; a right for moving for a new trial in all cases, but not before the recorder alone; either in the superior courts of Westminster, or in the cases I have adverted to, before the recorder, the common serjeant or the judge of the Sheriff's Court. There is, as I say, a process of error, but it is a very cumbrous and a very undesirable one. The course of that at present is this. It is called error to the Court of St. Martin's le Grand. That originated, I believe, in the fact that there was, where the post-office now stands, a portion of neutral ground, which was neither London nor Westminster, and which was a place therefore adapted for the purpose, to which the Queen's justices used to come; the process is a petition to the Chancellor, upon which a commission is issued out of chancery to the justices of Westminster Hall. In the last case that was argued in the year 1849, Mr. Justice Patteson was one of the judges. I find his name in the commission out of chancery. Then there issues a writ from the chancellor to the Mayor and aldermen to bring up the record to the court at St. Martin's le Grand. A precept issues from the justices at Westminster Hall, to the Mayor and aldermen to attend. The argument properly takes place at Guildhall, but for convenience it is usually adjourned to Serjeant's Inn. The writ is then proceeded on as in case of an ordinary writ of error, and in that way it is disposed of, but that appears to be a cumbrous and inconvenient course, and might with great

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advantage be altered. Then with regard to the jurisdiction of the court, I think it would be desirable to limit the power of removing causes to causes above 50*l.*, which is the limit in the County Court Act. At present any small cause may be removed at a moment's notice to the superior courts by a certiorari or habeas corpus.

6497. Is it a matter of course that a certiorari issues?—It is, I understand, practically so; but there might be some discretion exercised upon that subject, because a certiorari is not a writ of right like a habeas corpus, but in practice it issues as a matter of course. It issues out of the common law courts in cases of actions, and out of chancery in cases of suits in equity. The Commission is aware that this court has, besides its law jurisdiction, a perfect equity jurisdiction in matters arising within the City concurrent with the equity jurisdiction of the highest courts.

6498. Is that equity jurisdiction often exercised?—There are not above five or six equity suits in a year. None of these suits have come to argument before me, and in practice I believe they are almost confined to bills of discovery, for the purpose of ascertaining whether there is money in the hands of garnishees.

6499. Is there any appeal in such cases?—No; there is no appeal—at least, there is no instance of it. I should suggest, therefore, that if anything is done by Parliament upon that subject, they should provide against causes under 50*l.* being removed. If the court is maintained, some regulation also might be provided for preventing suits in equity being removed, at all events, in small cases. There may be money attached in London, and if the defendant comes in after the verdict in the attachment, and it turns out that the contract upon which the debt arises took place out of the City, the whole of the proceedings are set aside. I do not see the use of that. The question is, whether he has money in the City; and if he has money in the City, if the attachment ought to prevail at all, it ought to prevail in all cases where money is found in the City, irrespective of where the contract takes place upon which the debt arises. There is another matter, which is, that the court, if it is to continue, requires additional power of amendment. Though under the provision which one of the Commissioners has adverted to, perhaps the Process Act might be extended to the Mayor's Court upon an application to the Privy Council. We have now a very limited power of amendment, and that may lead to some mischievous consequences. There are some other customs in the City of London, to which I will for a moment advert. One is as to distribution. On a freeman dying, half his property goes to the widow if there are no children, and one third to the widow if there are children. Under the statute of distributions, the widow has but one third in all cases. That sometimes leads to great difficulty and doubt; and I cannot myself see any reason for maintaining that distinction. I never heard of any value that was attached to it. It exists, but for my part, I do not see any benefit in it. There is another custom, which I think is of value, which is the custom that enables a femme covert to be a sole trader,

6500. Is that often enforced?—I believe it is often. She cannot make a bill of exchange, nor can she bind herself by bond; the reason applying to the bill of exchange being, in all probability, that the bill of exchange is of modern origin, and therefore the custom could hardly apply to that.

6501. Is the custom confined to the retail trade?—No, I imagine not. There is another custom, which is of some value—that all shops within the City are market overt. In the case of the sale of stolen property, for instance, the party who buys is protected, except in cases in which he is liable under the provision of statutes, which make it necessary to surrender property under some circumstances. There is also a customary law of apprentices, which, as the Commissioners have heard, is administered by the chamberlain, cases under which have sometimes come to the Mayor's Court. With respect to the position in which the deputy registrar is placed, he is a barrister. Since the fire at the Royal Exchange, when the records of this court were, to a great extent, destroyed, he has been the principal depository of the practice of the court, and is no doubt a valuable officer. He is, in fact, only the deputy of the town clerk, who is now the registrar. It has always been in contemplation to revise and remodel that office, and pay the town clerk by salary; and I have lately been urging the Secondaries committee, which has the control of this question, to alter that; to take the nominal registrarship from the town clerk, which he is quite willing to surrender upon the most liberal and handsome terms, and to make the deputy registrar the principal registrar, appointing some person in the office his deputy,—not for the purpose of doing the work for him, but because it is absolutely necessary that he should be there to take the oath. Affidavits cannot be sworn, except in the presence of the registrar or the deputy registrar. It has been suggested to make Mr. Brandon the registrar, giving him a deputy who should be his clerk in the office, the business now being quite sufficient for that, the fees in the court being ample and sufficient to provide each with a salary of about the same amount as the clerks of the county courts have, and persons of that description. That has been suggested; I hope it may be carried out. But if it is not, I think the Commissioners will see that it is a step which is desirable, if this court is to be maintained. My own opinion is that which I ventured to express at the outset, that with certain regulations and amendments, this court is one to which the citizens have been in the habit of resorting, and which they value as a court regularly sitting every month within their own limits,

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whose proceedings are less expensive and cumbrous than those of the superior courts of Westminster.

6502. Complaint has been made to the Commissioners of the practice in the court at the Old Bailey, of fees being taken from the public for admittance, the amount of which varies according to the interest of the trial. The consequence is, that when there is a trial which excites public interest very much, the amount of the fees is very large. Has that practice been brought to your attention?—It was brought to my attention in this way:—I was sitting in the court one day, when there was a great noise in the gallery. I inquired what the meaning of it was. I saw that the police were pushing a woman out of the gallery. I asked them what they were doing; they told me she had not paid her shilling. Upon that I made inquiry, and found that they did not admit any person into the gallery, except upon payment of 1*s.* I confess I was surprised, and I may say indignant. I desired them immediately to let any person of decent and respectable appearance into the gallery, particularly where he or she was a friend of the prisoner. I found, however, that I was exceeding my power, and that the matter was not within my control; that, in point of fact, the court was under the control of the sheriffs, which, strictly speaking, I knew to be the case; and not only so, but according to regulations of long standing, a fee was taken for admission to all the galleries of the court, and that had for a great length of time been divided between the Lord Mayor, the sheriffs, and some one else—in point of fact, however, going to the under sheriffs. Mr. Sheriff Wire, I believe, who will be here, will be able to give you full information upon that subject. I think the fee is very objectionable in that form; the excuse for it, I understand, is, that it is absolutely necessary to have some police regulations in those galleries, otherwise they would be filled by none but the companions of prisoners, and great annoyance and inconvenience arise.

6503. Does not it seem to you still more objectionable that the fee should not be a fixed one, but should vary according to the interest that the trial may excite among the public?—It is alleged that the authorized fee is a fixed fee; whether the officers themselves extort more upon interesting occasions, I do not know. I apprehend there would be a reprimand for it if it were brought to the notice of the authorities. It is, however, objectionable, and more especially so, so long as we are confined to our present miserable court; for there is in the rest of the court no room for the public at all. Though nominally open to the public, the space which has necessarily to be kept for those concerned in the administration of justice is so limited, that there is, in point of fact, no room for the public.

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DANIEL WHITTLE HARVEY, Esq., having been sworn, was examined as follows:

6504. What situation do you hold in connexion with the corporation?—I am the Commissioner of Police, appointed under the Act of 1839, and have continued so from that period.

6505. What is the emolument attached to your office?—The salary by the Act of Parliament is not to be less than 800*l.* a year. Shortly before my election, the corporation determined that the commissioner should be furnished with a suitable residence in addition to his salary, and for four years subsequent to my appointment I was allowed 200*l.* a year in lieu of a house till one was found. At that period I allude to, four years subsequent to my appointment, a house was found, which is anything but what was contemplated; it is not a suitable residence. In 1846, the working of the City police was made the subject of inquiry by the Court of Aldermen, and also by a committee of the Court of Common Council, by each of whom I was requested to state the nature of my duties. Those duties were stated, and a minute examination into the operation of the system was made. The Court of Aldermen came to an unanimous resolution, based upon their entire approbation of the management of the police, that the salary of the commissioner ought to be 1,200*l.* a year, the increase to take place from the month of June previous. As the amount of salary rests with the common council, that opinion was certified to the police committee, and the police committee, after having gone into the working of the police very minutely, came to the unanimous and very gratifying resolution, which I have here, as to the manner in which the police was conducted, and expressed the opinion that the salary ought to be 1,000*l.* a year; and inasmuch as the house which had been provided did not correspond with the original intention, the commissioner should be allowed 200*l.* a year in lieu of a house; and looking to the extreme inconvenience and danger to his health of a permanent residence in the City, that he should be allowed to reside within six miles of St. Paul's. The 1,000*l.* a year was granted to be paid from that period, but the 1,200*l.* a year has never been paid, and is still due, nor has any provision been made for a house.

6506. Those are the whole of the emoluments attached to the office?—Yes, they are.

6507. Which is the clause of the Act which fixes the salary?—The third clause.

6508. Will you be so good as to state to us, generally, what are the duties which you perform?—Every candidate for admission into the force is strictly interrogated, and his qualifications tested by me, and, at the same time, his testimonials are narrowly

inspected. Since my appointment I have so tested and dealt with upwardsof 4,100 men. No constable leaves the force, the cause of which is not invested and decided upon by myself. The examinations upon these occasions are frequently long, often adjourned, and sometimes of a most painful character. A monthly report is made by me to the Lord Mayor of the names of the men dismissed the force, with the cause of their dismissal, and though several hundred men have been dismissed, my decision has in no one instance been challenged. All the complaints against the police, or misunderstandings amongst its members, are investigated and decided by me. Every letter addressed to the chief office, or to the officers of divisions, is immediately brought under my notice, and the answer, when one is required, is suggested, and when of leading importance, is dictated by me. Conferences with deputations and with inhabitants are held with the commissioner almost daily upon matters of pressing interest; upon an average not fewer than 100 persons attend at the chief office daily upon police business. Each occurrence sheet from the several divisions is carefully read daily by the commissioner, and the necessary orders given in reference thereto. The superintendent, the inspector of reserve, and the inspectors of divisions, are in attendance every morning, that they may see the commissioner upon any subject requiring explanation or directions. The commissioner holds himself responsible for the good government of the several station-houses, and to this end visits them when desirable, issues orders, hears and determines all disputes, as well as adjudicates complaints made against, or claims made upon, the constables. The commissioner examines and signs every summons issued at the instance of the police; such summonses exceed 2,200 yearly. The commissioner almost daily visit different parts of the City to satisfy himself of the attendance and attention of the constables. The commissioner settles the return of the police statistics, and reports the same to the corporation, with such observations and suggestions as appear to merit attention. The position of the commissioner is one of continued and uninterrupted responsibility, incapable of being shared, and only under express authority capable of being deputed. The undivided responsibility is peculiar to the commissioner's office. In the metropolitan there is co-ordinate authority given to three commissioners.

6509. You have stated in the last particular you have read, a difference existing between your situation and that of the metropolitan commissioners of police; is there any other point of importance in which your situation differs from that of the metropolitan commissioners of police?—The men who are made constables in the metropolitan district are appointed by the Home Office; that is, so far as the Act of Parliament declares they shall be so. I dare say in effect they are for the most part appointed by the commissioners, but in the City the appointment is wholly with the commissioner, as is their discharge. He is amenable to no one, either in the one case or in the other.

6510. Is there any Police committee in the City which superintends the control of your actions?—Not of my office. Under the City Police Act the common council has the power to appoint a committee, and to depute to that committee, if it thinks fit, all its functions, so that whatever the Court of Common Council can do that committee can do, but what they can do relates to what may be considered the civil branch of the police, such as raising the finances and attending to the complaints of persons who may object to the rate, and all that applies to the financial branch. So far as concerns the working of the police in the appointment of men, and in dealing with them, and in making rules and orders and regulations, that is entirely confined to the commissioner; but so far as his power to make rules and regulations goes, they can only have effect when sanctioned by the secretary of state and by the Court of Aldermen. In the early stage of my appointment I made such rules and regulations, and here they are (*producing the same*). They have remained the rules and regulations from that time.

6511. I believe the rate of pay of the constables in the City has been raised, has it not?—Yes, since the first of January.

6512. Was that done by yourself, or was it necessary to resort to some other authority to sanction that step?—The application of the men for an increase of pay was made to myself; that was transmitted by me to the Court of Aldermen; it became a question whether it belonged to the Court of Aldermen or to the Police committee, one or both, to entertain and deal with that application. It was eventually dealt with, and a scale of increased pay, based upon my own recommendation, was sanctioned by the committee.

6513. That scale is considerably higher, is it not, than the scale of pay of the metropolitan police generally?—Yes, it is.

6514. Did you communicate at all with the authorities who superintend the metropolitan police before you made that increase?—No, we acted perfectly independently in that respect. I should say that circumstances might, and did, I believe, exist in the City, calling for an increase of pay which would not apply to the metropolitan commission. The class of men who are requisite in the City are in many respects, if I may use the term without being invidious, superior in their qualifications, certainly of body, inasmuch as we admit no man into the City police who is not five feet eight inches in height; the metropolitan commission admits them at five feet seven. That arises from the nature of their duties. We require strength, and we require appearance; for the nature of their occupation, especially along the thoroughfares of the City, Temple Bar to Cornhill, is one of such incessant exertion that men of muscular power as well as of great discretion are indispensable. The consequence is, that to obtain such men it becomes necessary to allure them by

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greater pay. Last year we lost between seventy and eighty of our best men, who went to Australia, or into situations by which their circumstances were improved. By advancing the pay of the men we are increasing our strength, but even at the present time the force is not up to the number requisite.

6515. Was no previous communication made to the metropolitan authorities when the City police was thus increased?—Not that I am aware of.

6516. Did not you think it desirable that there should be a previous communication made, with a view to enable the metropolitan authorities to consider whether any change should be made in the pay of their men or not?—I should have considered it undesirable in that case, because I should not appeal to the metropolitan commissioners to elicit their judgment upon any subject without being prepared to a considerable extent to adopt it. Now, no train of reasoning based upon their own policy could have altered my judgment, because my judgment was based upon necessity. If I had asked the commissioners of metropolitan police, What do you think of our increasing the pay of the men, so as to have no man at less than 20*s.* a week? it might have suggested itself to their minds: If you do this, it may be an undesirable example in our force. I should not have attended to that, because my duty is to protect the City, and I cannot allow seventy or eighty of my beats, each of which the inhabitants have a right to expect is filled up, to be vacant because it does not happen to correspond with the notion of the commissioners at the west end of the town.

6517. Do not you think, as a matter of public policy, it is of importance that the police of the metropolis generally should be looked upon as a whole in some respects?—That opens quite another question.

6518. Do not you think the authorities of the City, taking an independent course on such a matter as raising the pay of the policemen without consultation or even communication with the other authorities, might have a tendency to create discontent among those employed in the rest of the metropolis?—I cannot, of course, speak for the Court of Aldermen or the Police committee, but I should have deemed it, as commissioner of the City, much more important to conciliate my force than to consider how it might operate upon others; mine is a very exclusive responsibility.

6519. You feel bound to look to the City, and the City only, without much considering what effect your measures may have beyond the limits of the City?—I should have no objection if it had the effect of raising their pay; indeed I should have been pleased if it had that effect.

6520. Even supposing that is so, and supposing it would have been right to have made some addition to the rate of pay all over the metropolis, do not you think it would have been better that that should have been the effect of previous consultation among all the authorities entrusted with the care of the police, rather than that it should seem to be forced upon one part of the police by a step taken independently of them by another?—With every disposition to harmonious working, and I have never known an occasion on which there has been a clashing of interest between the two authorities individually, I certainly should not, in a case in which my conviction was so decided, have thought of putting my judgment to the hazard of an opinion which it might have been considered disrespectful to disregard.

6521. Have you met with any difficulty in the course of your official duties in your communications with the heads of the metropolitan police, or have your relations always been amicable?—Always amicable; I have never known an instance to the contrary; the instances have not been frequent when an appeal has been requisite; the most prominent was on the occasion of what were called the Chartist riots, when the forces were brought in contact, and when the best understanding was most important. So again in the case of the funeral of the late Duke of Wellington, we had interviews together, and nothing could be more harmonious than our views upon the subject.

6522. What is the extent of your jurisdiction?—I consider about a mile and a half in one direction, and a mile in another.

6523. It extends over the City proper?—Yes.

6524. Not over the river?—No.

25. Are the houses adjoining the river protected?—I am about to notice the evidence given before the Commission on that subject, seeing that Mr. Saward has said, what I did not suppose any human being could say, that a letter was written to my office, and no attention paid to it, because I can say with great truth that no letter remains unanswered 24 hours at my office. I thought fit to inquire into it. The reason Mr. Saward had no formal letter was, that I directed the inspector of that division to call upon him. He did so, and saw him. The gentlemen who were similarly circumstanced were also seen, and it was clearly shown to them that the property on which Mr. Saward required our assistance was private property. The Chatham-place has a yard behind it, extending the whole length of it; it is approached at the City, and by gates, which are closed every night as much as the private door of any house, and at the bottom there is a wharf. I do not see why the parties interested in it should not put up such a barricade there as would at all events impede intrusion, instead of leaving it open, as they do. Whatever course they may pursue, however, in that respect, we have nothing to do with it. I observe, Mr. Saward says he saw the commissioners of the metropolitan district, and by whom he was told that it did not belong to them. I hope I shall not be considered as

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pointing out any course which implies neglect in other directions; all I have to do is to defend the City. In the 5th section of the Metropolitan Police Act is this clause, "And "be it enacted, that the constables belonging to the Metropolitan police force shall have "all the powers and privileges of a constable in the counties of Berkshire and Bucking- "hamshire, and upon the River Thames, within or adjoining to the several counties of "Middlesex, Surrey, Berkshire, Essex, and Kent, and within or adjoining to the City of "London and the liberties thereof, and in and on the several creeks, inlets and waters, "docks, wharfs, quays, and landing places;" therefore the whole of the Thames along the City, as well as without the City, is under the jurisdiction of the metropolitan police.

6526. The complaint to us was, that that space of ground between high and low water mark on the bank of the Thames was not protected; that it was not protected by the City authorities because they said it did not belong to them; that it was not protected by the river police, which is under the metropolitan authorities, because they did not seem to regard it as belonging to them, and the result was that it was infested by bad characters. Do you believe that practically it is unprotected, and that it is infested by bad characters?—I called upon Mr. Saward yesterday, and went over the locality, so as to be able to speak to it more correctly. Of course when a gentleman has his house broken into, and he loses a few spoons, he makes it a very serious affair; but I said to Mr. Saward:—"The result of my experience for 15 years is this, that though your house has "been broken into, and you sympathize with your neighbour who has had his house "broken into, I will venture to say that all you and others have lost within 15 years "does not amount to what it would cost to keep a private watchman for a year, and it is "not a locality which would justify sending men to walk up and down the shore among "barges and timber lying there night after night."

6527. What is the fact with respect to watching the ground which is between high and low water mark within the City jurisdiction?—We do not interfere with it except in the neighbourhood, for instance, of Blackfriars Bridge; a vast number of children descend the steps there, who strip and get on to the barges, and throw themselves into the water. This is unseemly and sometimes dangerous, and therefore our men occasionally look after them from the bridge, and walk down the steps and interfere when they think it may be desirable to do so; but so far as watching the strand in the same way as we do the street, we do not undertake it, nor consider it our duty so to do.

6528. Does the metropolitan police consider it its duty to watch this strand?—I do not think their constables walk upon this ground; they are constantly moving up and down the river, and from their boats see what is going on, and instances do occur in which, when they see a depredation on a barge, or on this ground, they apprehend the parties, and if it is in the City jurisdiction they bring the offender to our station.

6529. Do you believe that they consider it as under their jurisdiction, and that they exercise whatever degree of vigilance they think necessary under the circumstances of the case?—I have no doubt they do believe it, and think it incumbent on them to do so.

6530. Do you believe that any difficulty arises, or any inconvenience to the public, from any doubt as to the jurisdiction under which that strand is placed in regard to the police?—I should say not; we have never had any correspondence on the subject, nor do I think if I were a metropolitan commissioner, I should feel it to be incumbent to have constables walking up and down the dry land when the tide retires.

6531. You think that is not necessary for the efficient protection of the ground?—Certainly not, particularly in connection with the river force. On the Surrey side there is the same class of property; I would not say positively that there are no constables there, but I do not believe they have any.

6532. You do not consider that strip of land as within your jurisdiction?—No.

6533. What is the construction of the clause with respect to quays and landing-places within the City; are they watched by you or by the metropolitan police?—Most of those landing-places are approached by ways which are private property; they come into Earl Street, and into streets next to the Thames; and at night their gates are closed, and we have no access to those places, so that when a robbery does occur, it arises from the parties being able to get out of boats, then to find their way along the shore, and from thence to scramble up by those private ways, and commit their depredations without any interference on our part.

6534. If any person complains that his house has been robbed, in consequence of a thief approaching it by means of the land which is left dry at low water within the City, your answer would be that that is a portion of land which is not within your jurisdiction, and you do not watch it?—That is what we should say. If the metropolitan commission were to direct their men to come upon the wharves and landing-places, we should not interdict them.

6535. The Thames police is a river police?—Yes.

6536. Do the metropolitan commissioners ever send their policemen within the City on the dry land?—Never.

6537. It would be necessary if they acted upon this clause, and watched the strand to send them into the City?—Yes.

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6538. They are not in the habit of sending any persons out of their regular beats within the City?—No.

6539. You do not believe that any attention is necessary, either in the law or the practice, with regard to the efficient watching of the strand on the river side in the City?—I do not; I do not mean to say if the two forces were made one force, the operation in that respect might not yield some advantage.

6540. The Temple is within the City for police purposes, is not it?—It is.

6541. Does your police go into the Temple?—No; at the beginning they expressed a desire to have their own constables; they close their gates every night, and it is the same as a private house in fact.

6542. They pay the police rate, do not they?—Yes; in the day time depredations are sometimes committed there by persons going into the chambers, and they are then brought to our station; whenever they want the services of our men, they are at their service.

6543. Does the system adopted by the Temple, of watching their own premises, produce any saving in your expense?—If the Temple were to call upon the police authorities to supply them with protection, looking at the fact that they pay as other persons do, we should comply, and if we could not spare men from our existing force, we must increase our force. They would be entitled to protection if they chose to give a notice that they require it.

6544. Do you happen to know what the expense incurred by the Temple is for their own internal police?—I do not.

6545. Are there any other localities in the City of London in the same situation as the Temple in that respect?—No. Serjeant's Inn is in the City, and we watch it; St. Bartholomew's is partly in and partly out of the City; there is a small district there which is extra-parochial, and it is a very nice question to whom it belongs.

6546. Practically, have they a police of their own?—No.

6547. You watch them, do you?—We do. Of course inconveniences occasionally arise as to the boundaries of the City and the metropolitan district; for instance, in Charter House-square, which is in that neighbourhood, there was a robbery some time since, which was made the subject of investigation. The thieves entered from behind. The back part of the premises and the access to the premises was in the metropolitan district, the house itself was within the City. Between the two, perhaps the occupier of the house might consider that he was a sufferer, but I am not aware of any material practical difficulty arising from it.

6548. Supposing it to be right and expedient to keep up the exclusive jurisdiction of the police in the City, are there any alterations which you think it would be desirable to effect, with a view to ensure the better co-operation of the City police with the metropolitan police generally?—I am not aware of any arrangement which it is desirable to make, based upon the recognition of their continued separation. I should say, that though I think all the evidence that the Commissioners have had before them testifies to the efficiency of the City police, it is capable of being made more efficient, and it ought to be more so. The accommodation at our chief office is very defective when compared with the large sum which the corporation pay; it is not of the class which the inhabitants of the City are entitled to have for what they pay. The chief office and the residence of the commissioner are one and the same thing. One is a part of the other, and there is no access to either but through a narrow passage, in which there is only one entrance and one exit. The consequence is, that if there were any serious disturbance in the City (and it is not correct, when looking at the working of a police, to exclude the possibility of such an occurrence,) if we had 100 men or any other number which prudence might suggest as desirable at the chief office, and parties connected with the disturbance chose to come into the Old Jewry in the prosecution of their purpose, it would be a question who would master the other, and at what sacrifice, because we could not get out except by efforts which it is painful to contemplate: nor could the commissioner or his officers have any communication with the chief authorities at the Mansion-house, except by fighting their way through the impediment. It has always, therefore, appeared to me that the chief office ought to have a separate entrance and a separate exit.

6549. That is an objection which does not relate to the system in the City, but to the buildings which are provided there?—It does not apply to the system.

6550. You think that the head police station in the City ought to be better than it now is?—Yes. If any merchant, or banker, or a gentleman of position, comes there, the probability is, that he is shown into a room more or less occupied by a dozen constables and some dozen persons connected with individuals who have served their period of imprisonment, and who come to claim whatever chattels may belong to them.

6551. How is it compared with the offices of the police in other parts of the metropolis?—I can only speak of the chief office in Scotland-yard, and there, as every one knows, there is an access in front, and another for all purposes of numbers from behind.

6552. You think the office is not equally good in the City?—It is not only not equally good, but it is not fit for the purpose. In another respect also the system might be made more efficient, but at the same time it would be attended with more expense, still it is such a desirable increase of usefulness as to render the question of expense unimportant. I refer to the desirableness of connecting our detective power

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more directly with remote places of commercial importance. It is, in my mind, one of the strongest, and perhaps the only strong reason that suggests itself to me in favour of the union of the two forces, that there would be a detective power which would be almost irresistible in its utility. When it is asked whether it may not be desirable to unite the City force with the metropolitan force, I should ask another question, whether it is not desirable to unite the metropolitan force with the City. That is, it ought to be a London police, and not a City police, nor a metropolitan police, because I apprehend, if you were now for the first time creating a police, in which the City should have no exclusive pretension, nobody would dream of putting the head of the City police in Scotland-yard. All the great business of the police, except what belongs to little furtive affairs, arises in the City. What the metropolis wants is a real independent detective force, which shall be efficient for its objects, in all places.

6553. If there were one general metropolitan police established you think the heart and centre of the system should be in the City of London?—Decidedly.

6554. What do you think to have been the reason for placing the head office of the metropolitan police in Scotland-yard?—I should say at that time it was a Government police. The City was moving on in its own way, and perhaps it was hardly a question at the time whether its jurisdiction would be assailed or not. The metropolitan police was very much a political police; at all events a police connected with the Home Office.

6555. An office was chosen adjoining Whitehall, and near the principal offices of the Government?—Yes.

6556. Do not you think there might be some advantages, without considering the police in the light of a political police, in the heads of the metropolitan police having an easy access to the heads of the executive Government?—It would not be inconsistent with that plan, that the office in Whitehall should continue. I would say, without giving any opinion about its desirableness, it would be one of the most pernicious steps that could be taken, as it regards the interests of the City, to merge the City in the metropolitan police without very important reservations; to make the City police a part and parcel of the metropolitan police, to engraft Fleet-street upon the Strand, and Cheapside upon Whitechapel, and Bishopgate-street upon Shoreditch, making one continuous authority, without reference to the peculiarity of the City and its relations, I think, would be most destructive to the security of the City. I have here statistics, which perhaps may be useful in illustration of this question. First of all, it is said the City is only a mile and a half in area; I see Mr. Hickson says so, whereas the metropolitan area is 700 miles, that is, it is as 1 is to 500; our population is 125,000; the metropolitan population approaches to 2,000,000. The City police consists of 579 persons; the metropolitan police, as appears by their last return, consists of 5,492. The City police, supposing the force was full, cost last year 43,341*l.*, or 74*l.* 17*s.* 1¼*d.* per man; that includes the whole expense. The metropolitan police cost 391,825*l.*, or 71*l.* 6*s.* 11*d.* per man, making the cost of the City police 3*l.* 10*s.* 2¼*d.* a man more than the metropolitan. The question of uniting the City with the metropolitan police was the subject of investigation before a Committee of the House of Commons; upon that occasion the metropolitan commissioners, while they gave many reasons why they considered it desirable that the force should be one, stated that they considered it would require only 300 men to guard the City; that was the number that they considered would be sufficient for the purpose. Now, experience has told us that it requires the number which I have given you, 579. It is insisted that the union of the two forces would make the whole, at least as far as the City is concerned, more efficient and less expensive; those are the words of Mr. Hickson, whose evidence is entitled to consideration, because we all know he has given attention to the subject. As regards the efficiency, if the union of the forces were based upon a recognition of the necessities of the City, namely, that we shall have our 579, and they shall not be diverted by any special circumstance, then I am ready to admit, apart from any corporate feeling, into which I do not at all enter, there would be advantages arising to the City, provided at the same time that not only shall the same number of men be constantly awarded to the City as experience has found to be necessary with a view to the protection of the persons and property within it, but that there shall also be in the City a co-equal authority with the metropolitan commissioners; because, to expect that the merchants and bankers and tradespeople of the City of London, whose active and intense application to business we all know, when they want any assistance from the police, or have to make any representation to them, shall go down to Whitehall Place, is as much as to say that they must be without a police. It is only by experience that that can be determined. We have, upon the average, upwards of 100 persons come every day on some business or other to the chief office, in connexion with the police, and they are not contented with seeing my superintendent; they inquire for the commissioner, and they wish to see me; so that, if I may use the expression, ours is a sort of paternal police, and parties constantly desire to see the chief authority. Therefore, I say, if there were a commissioner or some person of suitable power always to be found in the City, as at present, and there were a recognition of the claim of the City to be protected to the extent which experience tells us is the proper extent, I can see some advantages which would arise to the City, which they do not now possess and cannot possess. They are of this class. We have no man who has not his allotted duty, and the

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consequence is, if any occasion arises in which his services may be required elsewhere, he is diverted from that allotted duty, and to that extent the protection of the beat or section which may be assigned to him is enfeebled. Now, this not unfrequently arises; for instance, the sessions to which the recorder has alluded takes place monthly. We have to send not fewer than a dozen men to keep order in the court, and the approaches to the court. Then, again, there will not be fewer than from twenty-five to thirty constables with cases. On Monday, which is generally the day when the court opens, there are eighteen of our number diverted to Smithfield; if it is on Saturday, there will be not fewer than thirty of our constables at the Guildhall, to give evidence in cases which are heard specially on that day, in reference to omnibuses, and cabs, and so on. The consequence is—it not unfrequently happens that from seventy to eighty of our regular force are thus disposed of. Now, there can be no doubt, if it were one force, and a certain amount of extra strength were brought to supply the deficiency, upon occasions like those of which I speak, the City, to that extent, would be benefited, because there would be a uniformity of protection. That is one of the advantages which would be connected with an union of the forces. But in further illustration of the indispensableness of looking at the City as a place which is not to be swamped in the metropolitan district, I must call the attention of the Commission to the number of persons that come into the City. The resident population of the City is 128,851. The number of persons who have business in the City, during the daytime, is 316,000. The number of persons passing through one street in the City (that is Cheapside), each day, is nearly 14,000; cabs, omnibuses, and other vehicles, is 52,100, and it must be remembered that those persons come, most of them, upon business, and many of them with large property about them. The consequence is, that there is a corresponding number of persons coming to the City every day, whose business it is to trade upon the capital of other people, to see what they can get hold of, and if we had not a police as numerous as I am speaking of, so that the whole of this crowd may be under the eye of the police, the depredations that would be committed are beyond all belief. Then comes the question: How does this force act in reference to the interests of the City? The number of persons taken before the magistrates by the City police for the ten years ending 1852, was 51,677. In the metropolitan police, 666,764. You will find in most of the comparisons the transactions have relation to the number of men; that is, for instance, if you multiply the number we take into custody by the number of our police, it will be about as 10 to 1. If you multiply 51,000 by 10, it will give you about the aggregate of the metropolitan cases. This takes place on an area of a mile and a quarter or a mile and a half; the other extends over 700 miles, according to Mr. Hickson's account. These statistics are not only useful, but they are just to be given in explanation of other matters in reference to the magisterial duties. When we look at the way this mass of criminals is dealt with, we find that there were discharged in the City 20,346, or about 39 per cent. of those apprehended. As regards the metropolitan district, they were discharged at the rate of 50 per cent., the numbers being 333,960; so that, in point of fact, looking to the number of persons who were dealt with when brought before the magistrates, if their punishment is to be considered as the test of the judgment exercised in dealing with each case, or as a test of discrimination in the constables who took them before the magistrates, it tells very favourably for the City police, because in the one case the number dealt with is much larger than in the other. So again with respect to those summarily convicted, the proportion is 52 per cent. in the City; in the metropolitan districts it is 42. Taking the committals for trial it is 4,113, or about 8 per cent. of those apprehended. In the metropolitan district it is 48,456, or 7 per cent. Tried and convicted in the City, 2,426, or about 84 per cent. In the metropolitan district, 37,480, or about 77 per cent. What I desire by these statistics is, to show that those criminals who are brought before the magistrates in the City are dealt with in a way that will challenge investigation compared with the decisions of the magistrates without the City. I am not venturing to give any opinion, though I have one, upon the broad question who ought to be magistrates; whether they should be unpaid or stipendiary; but this is the working of the system as coming under the cognizance of our office. The number of robberies in ten years in the City has been 15,415; in the metropolitan district 122,761, or about 8 to 1; that is, as far as figures go, in favour of the metropolitan police; because, taking one in ten to be the guide, their robberies have been as only one to eight. But I should say, that every robbery in the City is almost sure to be recorded. First of all, it takes place on a spot which is so completely within the sphere of the police, that a man does not become indifferent to his loss before he can tell his story. If he has lost his handkerchief or his watch, he runs to the police directly; hence, there is scarcely a robbery in the City which is not pretty well known. It is otherwise in the metropolitan district, especially in the more distant divisions. If a person is robbed between Stamford Hill and Edmonton, he has to find out where the police station is, and unless it is a matter of serious importance, he thinks it is better to let the case pass. I mention this for the purpose of showing that all events in the City are sure to be known; not so out. Then, as to the value of property stolen and recovered within that period within the City, the loss by robberies in ten years has amounted to 117,313*l*. This includes the robbery at Rogers's. Of that sum of money we recovered 66,277*l*. The metropolitan police lost 377,800*l*., and recovered 86,770*l*. That is, we recovered 56 per cent., and they reco-

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vered 23 per cent. I hope I shall not be considered as giving these statistics with a view to what might be regarded an ungenerous contrast; I only desire to put before the Commission the working of the City police, with a view to meet the objections of those who fancy that it might be much more efficient under another form. It is a very remarkable fact, but though there are between 300,000 and 400,000 people going in and out of the City daily, entering the banks to take and to receive money, and engaged in other monetary transactions, and though there are not fewer than from 700 to 1,000 persons come into the City daily, from Southwark and other places, whose object is to seize whatever they can obtain; who are looking in all directions for some stray person who, perhaps, was never in London before, or some old lady with a dividend, looking about and wishing to know which is the way to St. Paul's, the whole loss which is sustained in this way I would guarantee for 30*l.* a day. Then, with respect to the number of summonses, there is not a summons issued against any person of which the police have to do, which is not first sanctioned by myself, in order to guard against summonses being taken out and dealt with unknown at my office. It was found in former days that a summons could be taken out by a constable; he could show it to the party whom he charged as an offender, and he might quietly settle the matter without anybody knowing anything about it. The practice now is that there is no person summoned in whose case the summons is not first authenticated by myself, and a return of the result of the summons is reported to the chief office, from whence this statistical information is obtained. The number of summonses for 10 years in the City was 21,857, of which number 18,350 of the parties were convicted. In the metropolitan police the number was 36,967, being not double our number in the whole of the metropolitan district; of that number there were 31,944 convicted, giving to the metropolitan police an advantage of 3 per cent., inasmuch as we have 83 per cent. convicted, and they have 86 per cent. Then as to the expense of the police, and what might be in the view of some a saving: at the present time the rate which is levied upon the City to meet the entire expenses of the police is 7*d.*; which is sufficient to meet the additional pay to the men; so that if we have our force full, and the men are paid by the new standard, 7*d.* in the pound is ample to realize a fund to meet all charges.

6557. The City also makes an allowance from its own funds?—Yes; the corporation is, for that purpose, the Government; it does for the City just what the general Government does for the rest of the metropolis; besides which, in the case of the funeral of the Duke of Wellington, the City paid 2,000*l.* out of their own funds. The metropolitan police is at this time assessed at 6*d.*, which, against the City, is a difference of 1*d.*, or 4,000*l.*, but, in effect, they, the metropolitan, do pay 7*d.*, and for this reason. The rate in the City is levied by the committee, who pay all the expenses attending the collection. In the metropolitan police the different parishes are called upon to pay a net sum of money equal to the 6*d.*, but what it costs them to raise it is an additional charge.

6558. What you mean is, that the one is the net and the other the gross payment?—Yes, precisely so; and though I do not speak with great accuracy upon this subject, I am told by persons who are subject to the metropolitan rate, that is in effect 7*d.* Supposing the City were united to the metropolitan district, under the notion that it would be an economical arrangement, I say it would be a great loss to them, because at this time the inhabitants of Marylebone are paying very nearly as much as we do, and I much question whether they have half our strength; that is, whether they have 300 men for their money, where we have 579 for ours; we also have a chief authority in the City, no other district having that advantage.

6559. You have the advantage of having a small area, and a rich and dense population?—Certainly

6560. If you were thrown together with districts which have a large area and a thinner and not so rich population, you would be losers?—In that respect we should, and it would be beneficial to the others; others would get the benefit of our income; the question is, whether we should get the same amount of protection. I am quite satisfied that, unless there was some reservation to that effect, the consequences would be highly mischievous.

6561. Do not you think any public authorities for the metropolis which did their duty would make it a primary object adequately to protect the City?—No doubt.

6562. It is supposing gross neglect, is not it, to presume that they would not do so?—They would take it up with the experience of the past. There is no motive which can be suggested, which would lead those to whom the exclusive administration of the police was entrusted, supposing the City was incorporated with the metropolitan district, not to be as eager to protect the great interests of the City as any other part. I only wish to lay before the Commissioners the result of my experience, should there be on their part any view to other arrangements. Possibly, if it were all united, there would be a saving of some small portion of the machinery, perhaps 2,000*l.* a year.

6563. Does any difficulty or interference now arise between the City jurisdiction and the metropolitan jurisdiction?—I have inquired a good deal upon that subject; the answer of my officers is this, that there is not so much jealousy between the respective forces who are upon the confines of the different districts, as there is between our own officers in reference to their own divisions or beats; that is, if a City constable comes into the beat of another man pursuing some object or other, it annoys that man upon

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whose beat he comes more than if the metropolitan police came into the City; the jealousy is stronger between men of the same force than it is between men of other forces.

6564. There is now the power, is not there, under Act of Parliament, of acting interchangeably upon the confines of the two jurisdictions?—No, I think that is misunderstood. Under the City Police Act, upon an emergency, with the consent of the Secretary of State, our men may go into the metropolitan district, and a metropolitan man may come into the City with the sanction of the Lord Mayor, but it is only upon emergencies.

6565. In the case of the pursuit of a common thief or a pickpocket just upon the frontiers of the City, cannot a City constable pursue him into the metropoliton district?—Yes, and so he does; my detective men go as much into Marylebone as they do into the City.

6566. The man is not a constable out of the City, is he?—Yes, if he has reasonable cause.

6567. From your statement this appears to be the state of things: that with regard to petty cases there is no difficulty on either side in pursuing a delinquent beyond the jurisdiction either of the City or the metropolitan police, as the case may be; and that with regard to great occasions, such as public riots and so on, the two forces may be interchanged upon application to the Lord Mayor and the Secretary of State?—Yes, upon emergencies. I do not know how far the Commission will take cognizance of things that would merely improve the City police, irrespective of any larger object, but I would call your attention to this, which is a very serious inconvenience. The commissioner must be incessantly at his post, unless he is allowed to be away by the sanction of the Secretary of State and of the Lord Mayor; and then with that sanction he can appoint the next person in authority. The consequence is, that in 15 years I have only had three holidays of any duration; to obtain this sanction upon any occasion for a short time would be impracticable; because while I was running to the Secretary of State to say that I was going to Brighton, I should go to Brighton three or four times before I should get his consent; therefore the commissioner is either obliged to be incessantly at his post, or, if he leaves it, he is subject to all the responsibilities which may arise in his absence, without his absence being authorized. Therefore, if the City police is to continue, there ought to be some person of equal authority under the particular circumstances.

6568. Are not the metropolitan commissioners obliged to be at their post?—Yes; but there are two, and they can mutually arrange their periods of absence. There is another point which I should wish to mention, which is really a very serious evil, and that is the existence of what I call an interior irresponsible police. At the Mansion House there are officers, who, if they are not clothed with all the powers of police, are exercising police functions, and that very much to the prejudice of the ordinary police. In the metropolitan district no man can be a constable who is not sworn in by the metropolitan commissioners, and amenable to the metropolitan commissioners. At the Mansion House there are officers who have been there for years; and as the Mansion House is generally known to be the seat of justice, if a person has any complaint of a robbery or a forgery to make, and he goes to the Mansion House, there are persons there who will soon elicit what he wants, and if it is a matter of importance, a forgery or a large embezzlement, or anything that suggests advantage, it is immediately taken up by those parties. They can exact from the party making the complaint whatever they may please; they may say: I think there ought to be no time lost in my going to America or to the Continent.

6569. Who are those officious gentlemen?—There are such men. If the question is asked by the complainant, What will it cost me? they say, perhaps, Begin by giving us 50*l.*, and we can apply for more hereafter.

6570. Are those men holding any official situation?—They are old officers of the corporation, paid 150*l.* a year each, but they are amenable to nobody.

6571. Are they persons now employed by the corporation?—Yes; I speak of the two Forresters. The practice acts very perniciously; it acts unjustly to the public and the police force. If a man goes there, the question is asked, What can I do for you? He says, I have lost my watch. Was it of any value? No; except that it was a family watch. You had better go down and see the police, is the reply, and he is turned over to our men. Supposing it is a forgery of 1,000*l.*, he is told, "Step in, sir," and he is immediately attended to. These officers are amenable to nobody, and the consequence is, that the system acts very prejudicially upon the minds of our men, because they fancy that the cream of the cases is lapped up by other persons.

6572. They pick their cases?—Yes.

6573. Who are the parties you allude to?—They are old officers who were connected with the Mansion House before the Act passed.

6574. I suppose they are now the servants of somebody at the Mansion House?—They receive 150*l.* a year.

6575. Are they under any control?—I am not aware of any.

6576. Have they any office in the Mansion House, or are they merely lounging about the door?—They are always to be found or heard of there. I do not know that they have a regular office.

6577. Have you ever brought the subject under the notice of the authorities?—I have

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mentioned it to some gentlemen of the Court of Aldermen, and they say, if they are removed, others will not be appointed in their place; others will say, we are not going to part with such good fellows as these; we must have some men of our own.

6578. How many of them are there?—There are two; but I should say, that there are a couple of hundred constables sworn in at the Mansion House exercising the functions of constables, but not amenable to any one.

6579. Not under your authority?—No.

6580. Are they sworn in by the Lord Mayor?—Yes, as special constables. Under the Metropolitan Act the commissioners have the power of appointing those men, and of discharging them. Every constable at the metropolitan offices is controlled by the metropolitan commissioners; it is otherwise with us. There are men at both the magisterial offices in the City whom I have nothing to do with.

6581. In your opinion, this double system is very objectionable?—In every way. It would be objectionable even if under control, but it is still more so when it is irresponsible.

6582. Such as it is, is it under the control of the Lord Mayor?—I have no doubt if any complaint were made of those parties to the Lord Mayor, or to any alderman, he would take notice of it. These men are very good men, and very excellent officers.

6583. Will you have the goodness to explain what is the extent of interference of the committee of the common council with the general management of the police?—They do not at all interfere with the police, except so far as raising the funds, and also receiving from me from time to time reports which I may have to make. To-morow, for instance, there may be communications from me, upon half a dozen things—a man has to be superannuated, or a constable has died, leaving a wife and children to be provided for; such cases are dealt with by the committee.

6584. Do they deal with all cases involving expenditure?—Yes.

6585. Who settles the contracts for the police?—The committee.

6586. You have no control over the contracts?—No, except to complain if the articles which are supplied are not proper.

6587. Who has the power to settle what the clothing is to be?—The commissioner has the power to determine what the clothing shall be.

6588. Who decides upon the rate of pay?—The committee.

6589. The recent increase in the rate of pay was made by the committee then, not by you?—It was at my instance.

6590. It was made by their authority?—Yes; if they had differed from me it must have remained.

6591. They gave the order by which the increase of pay was given, and the matter was considered by them before it was done?—Yes; I submitted to them a scale, and it was a matter of grave consideration. Many of them intimated what has been intimated to-day: "Do not you think it is undesirable at the present time? There is a commission sitting, "who may look into these things." Or, "is not it desirable to know what they are doing at "the west end; have you come across either of the metropolitan commissioners, or would "you be willing to inquire?" I should at once have said to such an inquiry, "We have nothing to do with the metropolitan commissioners."

6592. I suppose the view taken by the committee and by yourself was, that your primary duty was to look to the efficiency of the City police, and whatever were the incidental consequences which might arise from any measure taken with that view, you were not responsible?—We looked entirely to the efficiency of the City police.

6593. Are there any private watchmen in the City, who are constables?—Yes, there are some, and they are sworn in, in the way I speak of.

6594. Not being under your control?—No; but there are some constables under my control. For instance, at the Post-office; the Post-office have six or eight of our men.

6595. Men furnished by you?—Yes; if any person comes and says to the chief officer, "I am about to pull down my premises; can you spare us a constable to watch the "buildings in progress?" I say, "Yes; but you must pay a scale which has been fixed by "the committee, and that money is paid to the chamberlain."

6596. Are the Temple watchmen, for instance, constables?—I do not think they are.

6597. Do you think it is desirable that there should be those constable, independent of you, all over the City?—It is very undesirable.

6598. It is not the case in any other part of the metropolis, is it?—It is not.

6599. There are some private watchmen in London; are they constables;—I have here a list of the places to which metropolitan constables are sent. The commissioners receive 15,000*l.* or 20,000*l.* a year from those sources.

6600. The parties apply to the metropolitan police for constables, do not they?—Certainly; the metropolitan police are empowered to swear constables for the special purpose of protecting the Palace. There is some particular form of oath in that case.

6601. They are answerable for the general maintenance of the peace, and the security of property in the metropolis?—Yes; and therefore, they ought to have the agents of their administration under their control. We had an instance the other day, illustrative of the evil of a contrary system. A man was sworn in by the parish authorities in Bishopsgate-street. This man has been their constable for years. There was a complaint made of a brothel, which was brought under the notice of the authorities; it turned out that this

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constable had been receiving his 5*s.* or 10*s.* a week to be quiet for years. I had no power upon this being mentioned to me to summon the man, and I was obliged to make it the subject of complaint to the authorities, who will dismiss him. Constables of that description could take a person into custody, and discharge him for a consideration, without its being known to us.

6602. Are there any other powers exercised by the committee of the common council over the police, besides those which you have enumerated?—No; their maxim has been all the way through: Mr. Commissioner, everything is in your hands; you are answerable for the peace and safety of the City.

6603. You think your control over the City police is not less extensive than that of the metropolitan commissioners over their police?—I should say my powers are greater. I appoint our men; I can dismiss the men without reason if I please.

6604. Do you think the appointments are better managed in the City than they are in the metropolitan district?—I am not prepared to say that they are better managed.

6605. The system is better, you think?—I should be very sorry to suggest any comparison; I only say that ours is as good as I can make it.

6606. With regard to the parts of the metropolis which surround the City, you were speaking of the advantage of having a superintendent of police always on the spot; the district of the metropolitan police extends to the east of the City, does not it, considerably?—Yes.

6607. Did you ever hear of any inconvenience arising from the distance between those parts and the principal office of the metropolitan police?—I have never heard of any; each district is presided over by a superintendent, who is for that purpose the chief of that district; what subjects he brings under the notice of the commissioners I am not prepared to say. I take for granted that his views and recommendations at all events are received with attention, and probably he may be armed with authority to deal with certain cases; but I am not speaking now from any personal knowledge.

6608. You are aware that when the City Bill was first introduced it was not proposed to have any superintendent at all, but to govern the police by a committee of the common council?—I think I am.

6609. The superintendent was an after-thought?—Yes, if the other views prevailed before. I do not mean to say that now the independent working of the City police is acceptable to all. I think that what is termed popular control would, in some instances, be palatable.

6610. That is to say, that there should be more control in the hands of the common council?—Yes; and I think they would like very well to have the commissioner before them at times, and to have a word or two to say, but I am not of opinion that it is desirable.

6611. There never has been any Parliamentary inquiry into the City police since it has been established, has there?—Never.

6612. There was a Committee of the House of Commons, which sat in the year in which the Act passed?—Yes.

6613. That committee examined into the question of the desirableness of a separate system for the City police, and they came to the conclusion that it was not desirable to have a separate system for the City?—Yes.

6614. Was this their first recommendation, "That for the better prevention of crime, "the detection of offenders, and the preservation of the peace, and the more effectually to "promote these objects in conformity with the principle of the 10th George the Fourth, "c. 44, 'An Act for Improving the Police in and near the Metropolis,' (Sir Robert Peel's "Act), it is expedient to consolidate the several constabulary forces of the metropolis, "including those of the City of London and the river Thames, under one authority, "responsible to the Secretary of State for the Home Department." That recommendation, however, was made before the present system was in existence, and with reference to the old unimproved system of the City, was not it?—There was an intermediate improvement; there was a superintendent appointed, whom I retained for a time as my officer.

6615. That committee states the principal objections which were then advanced on the part of the corporation of the City of London against the consolidation of their police with the metropolitan police; the objections are only four, and I will read them to you, and ask you to state whether you believe those to be objections which are still entertained:—"First, that the City so differs in its localities, and the nature of its property, "from other parts of the metropolis, as to require a separate and differently regulated police "force for its protection." Is that a reason which is still held to be in force?—I do not know whether it is so held. I think there is nothing in it, because all the constables that are engaged are pretty much unconnected with the City, and have their duties to learn, and they must perform them.

6616. Your argument about having a superintendent upon the spot partakes of this reason, does not it?—I mean in reference to the persons who come to the chief office, who require all kinds of information and assistance. I do not speak with reference to the officers themselves.

6617. The second reason is, "That it would be a great inconvenience to the inhabi- "tants of the City to be obliged to apply to the commissioners at Whitehall in cases of "complaints against constables?"—I have endeavoured to enforce the truthfulness of that objection.

6618. The third is, "That the taking away the power of appointing and managing its "own police, would be an interference with the charters and privileges of the City?"—That is rather a legal question.

6619. Fourthly, "That the inhabitants would sustain a great pecuniary loss by being "deprived of the contribution which is now made from the corporation funds towards the "expense of the City police?"—Whatever the City now does the Government must do if the force were united. The corporation would be gainers of upwards of 10,000*l.* a year, and the Government fund would be incumbered to that extent.

6620. With regard to the crowding of the thoroughfares, that is one of the principal reasons why it is necessary to have a greater staff of policemen in the City than in the rest of the metropolis. Have you ever made any calculation as to the extent to which the great thoroughfares of the City are obstructed?—I should say the great obstruction is in the neighbourhood of Cornhill and Cheapside especially, and the streets leading to both; they are Fleet-street and Newgate-street. Newgate-street at times is blocked up. At four o'clock in the afternoon you would suppose that everything must come to an end; there is a line of omnibuses and carriages and all descriptions of vehicles, and you would fancy that the whole thing was unmanageable.

6621. I suppose if the new street is constructed in continuation of Cannon-street, that will be a great improvement?—It will ease Cheapside, but it will not ease Ludgate-hill unless they have a diversion down to Blackfriars, which I understand to be in contemplation.

6622. Since the great increase in the size of the metropolis, the old thoroughfares of the central part of the City have become inadequate to the traffic, have they not?—Decidedly; they must ease the great thoroughfares in some way or other.

6623. Have you ever placed persons to observe how many obstructions occur in the thoroughfares in the course of a day or a week?—We have such statements; the information is pretty well implied in the number of summonses. Those summonses are, in nine out of ten cases, for loitering or for some offence under the Hackney Carriage Act. There is another reason which I will just mention why we require more policemen in the City; the City is deserted at night; and I am satisfied that persons leave the City comfortably, because of their confidence in the police. I have a return made to me daily of the number of doors which are found open or insecure, and I should say in more than half the cases the premises are unoccupied; parties leave their houses with a little trumpery latch or lock to secure, as they fancy, thousands of property, and as the police walk round so frequently, it is scarcely possible for any great robbery to be committed. To show that the City police has been efficient when its powers were most taxed, I may mention that when Her Majesty came to the Guildhall, when the Prince came to open the Coal Exchange, when Her Majesty came to open the Royal Exchange, when the Chartist riots took place, and upon the late occasion of the Duke of Wellington's funeral, we have been found, in concurrence with the other City authorities, adequate to the duties to be performed.

6624. Upon those occasions did you derive any assistance from the metropolitan police in general?—No.

6625. None of the metropolitan police entered the City upon any of those occasions?—No. The subject was discussed upon the occasion of the Duke of Wellington's funeral, and it was suggested, in a polite way, that they would take charge of Fleet-street and Ludgate-hill, in continuation of their own police, which, for obvious reasons, we declined. We thought ourselves competent to that part of the duty. If we had suggested: We shall be glad to have 200 or 300 of your men in the neighbourhood of Barbican or towards Finsbury-square, or other unattractive scenes, I do not suppose we should have had them. In truth we did not require them, for the Government is always prompt and ready to give us every assistance. Upon that occasion Lord Hardinge said to me, "How many "men do you want?" I think we had 1,000 foot and 500 horse. The Government is always most eager to assist us.

6626. You stated that even supposing it was thought right to keep up a separate police in the City from that of the rest of the metropolis, there might be advantages in uniting the detective force of the two police bodies?—Yes, if that could be done. If there were a detective force which should be a London force, it would be very desirable.

6627. Do you think it would be possible to separate the detective force from the common police so completely as that suggestion supposes?—Not to have it under two branches, I think.

6628. At present you have a detective police particularly attached to the City under your control?—Yes; and there is another in the metropolitan district.

6629. I understood you to say, that with regard to the detective police, you thought you had seen that its utility was crippled by that division?—I consider that the detective police of the City might be made much more effective, if it did not impose upon the City a greater expense than perhaps that portion of the metropolis ought to bear, and hence the desirableness of its being one detective force.

6630. Do you mean that the detective police in the City is not quite so strong as, for the public interest, it ought to be?—It is strong for its immediate purposes, but not so strong as a detective police ought to be. I would have under the executive authority,

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let that authority be what it might, two or three men at each of the outports and great towns.

6631. Do you mean that the arguments for concentration apply very strongly in the case of the detective police, however they may apply in the case of the ordinary police?—Yes, let the control be whatever it may, I think such a detective police might be established in London as would render it scarcely possible for any large offender to escape.

6632. What is the expense of the detective police now in the City of London?—There are twelve men, and they receive 30*s.* a week. In the metropolitan district, I think they receive two guineas a week.

6633. Then you appear to pay your detective policemen less, and the ordinary policemen more, than they do in the rest of the metropolis?—Yes.

6634. Can you state any reason for that difference?—No, except that they pay what seems fitting to them, and we do the same; we move quite distinctly and independently With the best feeling towards each other we are perfectly distinct.

G. W. K. Potter, Esq.

GEORGE WILLIAM K. POTTER, Esq., having been sworn, was examined as follows.

6635. What situation do you hold in connexion with the corporation of London?—I am secondary of the Poultry compter. Since the death of my colleague in July last I have performed the duties of the two offices. I was appointed in the year 1831.

6636. What are the duties connected with your office?—I have a statement of the duties here, but they are the same as those of undersheriffs in all other counties, with one or two exceptions. One exception is that the secondary has to attend meetings of the Court of Aldermen and the Court of Common Council when matters relating to the business of the sheriffs are under consideration, and to aid the Lord Mayor and sheriffs with their counsel in the maintenance of the peace of the City, and also, under the Registration Act, to prepare the register of voters for Members of Parliament, otherwise all the other duties relate to the under-sheriffs.

6637. Can you give the Commissioners any information respecting the election of sheriffs?—I superintend the election.

6638. Can you explain the system by which the imposition of fines is regulated?—Yes; the fines come down to me in the long writ and the sessions process. The fines imposed by the superior courts and by the Central Criminal Court come to me in the long writ, and the fines of the sessions by the sessions process.

6639. In the case of estreats do they all come to you?—Yes.

6640. Do you mean for your own profit?—No; I collect them. I account to the City solicitor, and hand them over to him upon the account being settled.

6641. In the case that was specially brought before us, in the case of Mr. Gray, you received those estreats?—Yes; and I handed them over to the City solicitor for the corporation.

6642. Do you mean that they merge in the general corporation funds, or is there anybody who has a special claim upon them?—I understand that they are ultimately handed over to the sheriffs, but I always looked upon it as a fund belonging to the corporation.

6643. Have the sheriffs any claim upon those funds, either by custom or otherwise?—It was new to me when I lately heard that they have any such claims. I believed that the money belonged to the corporation, but that it had been handed over to the sheriffs by the corporation. I never knew till lately that the sheriffs ever had any real claim to the money.

6644. In Mr. Gray's case he said he had applied to you about it?—Yes; he was wrong in saying that he did what he did at my request; it was rather my recommendation as to the course which he should pursue.

6645. What is the salary attached to your office?—It entirely depends upon the fees. I gave 5,000*l.* for the office, under an arrangement with the late secondary, who sold the office to the corporation for 8,000*l.* or 8,500*l.*—the corporation found 3,000*l.* and I found 5,000*l.*—but upon this arrangement, that should I be disturbed in my office the 5,000*l.* was to be returned to me.

6646. Have you the right of selling your office?—No.

6647. If you were to resign the office the Common Council would fill up the vacancy?—Yes.

6648. What are the emoluments of your office?—The receipts of the office are about one-third what they were when the sheriffs' fees were settled. I was, at the time of my appointment, debarred from taking more than the legal fees, which were then very small. My income was made up for one or two years to 1,000*l.* by the corporation.

6649. Did you make any stipulation with regard to the emoluments of your office at the time you paid so considerable a sum?—That I was not to receive less than 1,000*l.* a year.

6650. Do you receive any express authority from the sheriffs year by year?—I do not.

6651. Then you hold your office by custom?—Yes.

6652. Are not you, in effect, executing that which is, properly speaking, the duty of the sheriffs?—Yes.

6653. Without any express authority from time to time?—Except by the corporation; I am sworn in before the Court of Aldermen.

6654. You act only in the City?—Only in the City.

6655. There are separate under-sheriffs for the county?—Yes.

6656. So that the separate jurisdiction of the sheriffs in the City and in the county of Middlesex never clashes?—No.

6657. Are there separate under-sheriffs in each district?—Yes; the judges of the Sheriff's Court are, in strictness, under-sheriffs of London.

6658. You perform the duties?—I do, of under-sheriffs.

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Mr. GEORGE PAYNE, having been sworn, was examined as follows.

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6659. What office do you hold in connection with the corporation?—That of police receiver.

6660. What are the duties of that office?—To examine and certify each item of an expenditure of the police funds amounting to about 40,000*l.* per annum. To examine and work up all arrears on a collection exceeding 30,000*l.* per annum levied on 16,000 houses, with a net rental of 1,115,000*l.* To give attention to inquiries on difficulties arising between 30 rate collectors, and the changing occupiers in the several wards, and to make out all summonses and warrants against defaulters. To prepare and enter into books for the Police committee particulars of the state of all the police and ward rate collections; And to submit to each deputy, quarterly, a written report of the state of the collection in his ward. To receive the half police rates on empty premises, and arrears of rates recovered after accounts were cleared; fees on summonses and warrants for the recovery of rates; accounts drawn on police pay-sheets and not paid; and also the proceeds of the sale of old clothing and stores; and duly to account for the same. To see that contracts for stores entered into by the Police committee are carried into effect; and that police clothing stores and stationery are properly delivered, both as to quantity and quality. To regulate minor articles of expenditure at the seven police stations, and to visit each station from time to time. To see that the stores, clothing, goods, and furniture purchased by the Police committee are neither wasted, wilfully damaged, nor misapplied. To examine and pay all rates, taxes, minor repairs, and petty expenses for the station houses and general service. Further, to keep all accounts, checks, vouchers, and transactions entered in books, and arranged so as to admit of prompt and convenient reference. Also to attend all meetings of the Police committee and sub-committees.

6661. By whom are you appointed?—By the Police committee.

6662. What is the salary attached to the office?—350*l.* a year.

6663. How long have you held the situation?—I have held that of police receiver from the year 1841. I held before that the appointment of chief clerk to the police. In the year 1838 the corporation employed 100 men, and each ward arranged its own nightly watch. At the end of 1838 the nightly watch was done away with, and the corporation appointed two officers, a superintendent and a chief clerk, with a force of 500 policemen. I was appointed chief clerk; the force was got into working order, and on the 17th of August 1839, the City Police Act was passed, with power to appoint a commissioner. In 1841, I was appointed police receiver, or more properly police comptroller, as the rates are paid by the collectors into the chamber of London.

6664. Who has the power of making the assessment upon which the rate is founded?—It is made in each ward, by the alderman, deputies, and common councilmen of that ward.

6665. Do they put the different assessments together, so as to constitute one assessment?—Yes.

6666. Do you know whether this assessment is made up to the full value of the rental?—Not quite to the full value.

6667. What proportion does it consist of?—It is nominally to the full value, but I have reason to know that it is not always to the full value.

6668. Do you believe that the assessment in the City is as high in relation to the annual value, as the assessment in the rest of the metropolis?—Quite as high.

6669. So that a comparison between the poundage rate in the City, and in the rest of the metropolis, would be a fair comparison?—Quite. The assessment is continually changing from year to year and generally on the increase.

6670. Is there any statement which you are desirous of making to the Commissioners?—A statement was made by Mr. Elliott at Question 1087 to this effect:—"The City "police might be well managed for 25,000*l.* a year in addition to the cost of all the rest of "the metropolitan police." In another portion of his statement, he says—"Now, sup-"posing that the metropolitan police commissioners, who would be pretty good judges, "might be a little wrong in their calculation, it is but fair to say that the citizens of "London lose 10,000*l.* a-year by their separate police jurisdiction." At the time the metropolitan police commissioners estimated that the expense would be 25,000*l.* per annum, they proposed to employ in the City only 300 policemen, and then they would have rated the City of London in common with the metropolitan Police districts a clear 6*d.* in the pound; but in order to raise a clear 6*d.*, 6½*d.*, or 7*d.* in the pound must be assessed on the ratepayers. From the books of the Police committee it appears that,

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taking the ten years ending 1852, the average amount of police rate assessed in the City of London, including losses and the expense of collection, was 6½*d.* in the pound, being the same or less than the metropolitan police rate; the average number of men actually on duty in the City for the same ten years was 545, or an excess of 245 men over the number of the metropolitan estimate. The cost of the excess of 245 men at 70*l.* each per annum, would be 17,150*l.* The metropolitan commissioners derive one fourth of their expense from the Consolidated Fund. The corporation paid one-fourth of the expense of the City police, or 9,785*l.* per annum out of the City cash. Deducting 9,785*l.* contributed from the corporation funds from 17,150*l.*, the annual expenditure for the additional men, it would leave a balance of 7,365*l.* per annum in favour of the ratepayers. Therefore it is but fair to say that the ratepayers in the City of London gain 7,300*l.* a year by their separate police jurisdiction. With 300 policemen for the City of London, a rate of 4½*d.* in the pound would be sufficient. The difference in the City of London between the ratepayers' management and the Government management, is 17,000*l.* per annum in favour of the ratepayers' management.

6671. Do not you think that there are other circumstances besides the difference between the Government management and the ratepayers' management, which might render the cost of the metropolitan police greater in proportion than that of the City police?—If men are employed at a distance, or on another service, the ratepayers must pay for duties which are not done within their districts.

6672. If the area is small and the population is rich, will not that produce less expense than a larger area with a less wealthy population?—We have some very considerable areas in the City with a very poor population.

6673. The whole area is very small?—It is of course; we have, however, more than 61 miles of streets. With regard to the collections, I am quite prepared to show that the Police committee have the whole matter most completely under their control. I have annually to make a report to the Police committee of the state of these things. Perhaps the last report which I made I may put in.

The witness delivered in the same.

Mr. W. Burbidge Richardson.

Mr. William Burbidge Richardson having been sworn, was examined as follows.

6674. Are you chief clerk in the comptroller's office?—Yes; and an attorney and solicitor.

6675. Mr. Saunders the comptroller, being unable to attend the Commissioners from ill health, are you acquainted with the whole of the business of his office?—I am.

6676. Can you state to the Commissioners what the salary and emoluments of the comptroller are?—The salary is 1,500*l.* a year, partly received from fees, the balance being paid by the Court of Common Council, as arranged by the court in 1845.

6677. His receipts are never greater than 1,500*l.* a year?—No; except in the year 1852, when the leases of the Conduit Mead Estate fell in; he then received in addition to his 1,500*l.*, 1,230*l.* 16*s.* 5*d.*

6678. His salary was nearly doubled then?—Yes, for that year only; the circumstance can only occur once in fourteen years, on the renewal of the leases I have mentioned.

6679. Is there any receipt beyond that?—No.

6680. Is he employed by the Irish Society?—No, he has nothing to do with the Irish Society.

6681. What are his duties?—His duties were defined by the Court of Common Council upon his election by the court in 1841. He attends to the Law Conveyancing department of the corporation, which, in consequence of the City improvements, has been very extensive of late years. The average amount of the purchase monies for the improvements for the last six years has been 187,571*l.* per annum, averaging 258 titles and conveyances; he also attends to the business of the City Lands committee.

6682. He manages all the property of the City in houses and lands, and he also has the superintendence of the City markets?—He attends the City Lands committee as secretary and conveyancing solicitor, and carries out all the business relating thereto.

6683. What duties does he exercise in respect to the markets?—He attends as secretary and conveyancing solicitor to the Markets committee, and also transacts the business in relation thereto.

6684. He attends to the receipts from the markets?—Yes; of the clerks and collectors.

6685. He does not exercise any control over the markets themselves?—No, the committee have the control, the comptroller only exercises a general superintendence to see that the collectors do their duty.

6686. Are there any other duties besides those?—He completes the purchases for all the City improvements after the committee have settled the claims.

6687. Does he act under the direction of committees of the common council?—He acts under the direction of the City Lands committee, the Markets committee, the City Improvements committee, the Markets Improvement committee, and the other committees of the court in relation to the law conveyancing of those committees, embracing the preparation of every variety of deed and document, and also as secretary to the City Lands and Markets committees, as I have before stated.

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6688. He would not take any important step in either of those matters without the authority of one of those committees?—No.

6689. He is for the most part a ministerial officer, and does not exercise any great discretion of his own?—Except in the law conveyancing business, there he acts as a solicitor in the ordinary course of professional practice. There are now in the office 97 freehold titles under investigation, and conveyances to be prepared in reference thereto, and many important leasehold titles.

6690. The distinction between his duties and those of the City solicitor are, that the City solicitor attends to all questions in litigation?—Yes; both in common law and in equity; the comptroller does all the conveyancing part of the business.

6691. The comptroller has nothing to do with the Bridge House Estates?—No, they have a separate comptroller.

6692. He sends in an account of the amount which the City property ought to produce to the chamberlain's office in order that the chamberlain may compare it with the receipts?—He delivers to the court annually a statement of the amount which the chamberlain ought to receive during the year, in respect of every rent and source of revenue of the corporation belonging to the City's cash, contained in four very large volumes.

6693. Is there any further explanation which you wish to give?—The comptroller has the custody of all the title-deeds and leases of the corporation; there are 2,475 existing leases, of which he has the care. I have some returns of the business of the office, which with your permission I will read. It has been stated by some persons, that the office of comptroller is a sinecure. These returns will shew the very important and extensive business of the office. The profits of the office, if charged in the usual professional manner, would, I think, realize about 6,000*l.* per annum. I find the total amount of the purchase monies for the purchase of property during the last six years, has been 1,125,426*l.*, averaging as I before stated, 187,571*l.* per annum; the number of houses let for the last six years, has averaged 273 per annum; the number of applications for leases, has averaged 110 per annum. References from the Court of Common Council, 70; and reports to the Court of Common Council, 64. The comptroller has attended Courts of Aldermen and Courts of Common Council to the number of 53 per annum; the City Lands and Markets committees to the number of 70; other committees to the number of 150 per annum; the average time occupied being three hours a sitting. I find, that as to leases, bonds, and various legal instruments, the average per annum has been 566. I have prepared myself to give the Commissioners, should they require it, any further information respecting the property and revenues of the corporation.

Mr. Josiah Temple.

Mr. Josiah Temple, having been sworn was examined as follows.

6694. What are your duties connected with the corporation?—My principal duties as keeper of the Guildhall, are to take charge of the Guildhall, and the several offices and buildings connected therewith. To attend all Courts of Aldermen, Common Council, and Common Halls. To attend the corporation on presenting addresses to Her Majesty and any of the Royal Family. To issue summonses for the Courts and Committtes of Aldermen, and Courts of Common Council, and to summon and attend the several committees of the corporation; also to deliver reports, minutes, and other documents ordered by the Courts of Aldermen, and Common Council and Committees. To take down the names of the aldermen and of the common councilmen, as they enter the Court of Common Council, and also on divisions in the court. To prepare the several courts of law for their sittings, also the rooms for the Courts of Lieutenancy and Commissioners of Sewers, and the committees meeting at Guildhall. To provide and pay for the candles, brushwood, turnery, and other necessaries of a domestic nature, for the use of the Guildhall and courts of law. To pay for all advertisements in the several newspapers for Common Halls and Courts of Common Council, and for the City Lands committee, on account of the letting of the City property; also for the newspapers provided for the reading room, Guildhall, and the offices; and courts and committees of aldermen. To keep an account of the receipts and expenditure incident to the office, and lay the same before the City Lands committee quarterly for audit, and generally to perform such other duties as the Court of Aldermen and Court of Common Council. and the committees may from time to time require. I beg to state to the Commissioners, that I was appointed to my office on the 31st of May, 1847. My brother and my father held the office the previous 57 years. Before my appointment in 1847, I held the situation of first assistant for 21 years. I am admitted by the Court of Aldermen, and sworn.

6695. How are you paid?—I am paid by salary and emoluments amounting upon the average to 412*l.* per annum. I have an official residence and an allowance of coals and wood.

6696. You referred to the purchase of newspapers for the use of the corporation, some statement has been made to the Commissioners as to your having a discretionary power of buying newspapers; can you explain that?—It has been my duty to order 300 copies of a newspaper, after every Court of Common Council, containing the best account of the proceedings, and if any two or three papers have the same account, then by rotation. I deliver them to the Court of Common Council and the officers, amounting to 280. The balance I send to the Town-clerk's office.

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6697. You furnish each member of the common council with a copy of the newspaper?—Yes.

6698. You say you select that newspaper which gives the fullest account of the proceedings of the common council?—Yes.

6699. How do you ascertain which gives the fullest account?—It is done by the newsman early in the morning, in order that the members may have them early.

6700. You leave it to the newsmen to decide which has the fullest account?—Yes.

6701. You do not make the selection yourself?—No.

6702. Does that system continue?—Yes.

6703. Is there any other point you wish to mention?—I wish to give the Commissioners an account of the sum of 1,000*l.* which I received in 1852, which appears in the City cash statement for that year. I received that sum by five warrants of the City Lands committee of 200*l.* each. My disbursements in 1852 were the following:—I paid for assistants, 412*l.* 4*s.* 9*d.*; for beadle and watchmen at Guildhall, 358*l.* 6*s.*; for gazettes, newspapers and parliamentary papers for reading room, Guildhall, also newspapers for officers by virtue of their office, 97*l.* 13*s.* 11*d.*; charwomen for work at Guildhall, 73*l.* 5*s.* 6*d.*; firewood for Guildhall and offices, 45*l.* 15*s.*; advertising resolutions of common council and common halls, 31*l.* 12*s.*; wax and tallow chandlery, deed wafers, &c. 28*l.* 10*s.* 5*d.*; turnery and sundry expences of a domestic nature, 26*l.* 3*s.* 5*d.*; buckets for Lord Mayor and sheriffs, 16*l.* 16*s.*; binding newspapers and periodicals, 17*l.* 5*s.*; sundry postages, messages, and cab hire, 14*l.* 13*s.* 6*d.*; sweeping chimnies in Guildhall, 9*l.* 9*s.* 6*d.*; making a total of 1,131*l.* 15*s.*; I have credited to this account the following sums, which I have received, viz;—fees on account of verdicts in courts of law, 70*l.* 16*s.*; ditto on sealing bonds and leases, 49*l.* 17*s.* 6*d.*; on companies meeting at Guildhall, and references, 61*l.* 18*s.* 6*d.*—making 182*l.* 12*s.*; which, being deducted from 1,131*l.* 15*s.*, leaves the total amount of net expenditure, 949*l.* 3*s.* The balance is carried to the next quarter's account, the accounts being audited quarterly by the City Lands committee. I think it my duty to state that the number of summonses and notices issued from my office to the members of the corporation and others in 1853 was 43,900, and the number of reports, minutes and other documents was 18,100.

Mr. Henry Gentry.

Mr. HENRY GENTRY having been sworn, was examined as follows.

6704. We understand you wish to make a statement with respect to some proceedings taken against you by the City on account of you not taking up your freedom?—Yes.

6705. Will you state what you have to complain of?—I complain of the power which is entrusted to the corporation to prosecute a small tradesman, a retail dealer, in the manner they have done. It is very unreasonable and very oppressive.

6706. Has that power affected you in your own case?—Yes; I have had my goods taken from me.

6707. In what manner?—I was summoned. I think first there were thirty-four summoned. I appeared before the chamberlain and stated my case. I put in my plea, and the reason why I objected at the time to take up my freedom.

6708. When did this take place?—In the former part of last year.

6709. You appeared before the chamberlain in the early part of 1853?—Yes.

6710. What passed before the chamberlain?—I told him I had been a very severe sufferer—my losses have been very extensive, being a retail dealer in provisions. I live in the neighbourhood of the City improvements, contiguous to the new street, and in the course of these last four or five years they have removed nearly the whole of my customers, so much so that we now take scarcely a pound a day ready money, where we took formerly 9*l.* or 10*l.* I was compelled also to take down a portion of my premises in order that the City might take down their property. I stated to the chamberlain this, and I told him I was so unsettled that I did not know how long I should remain there, and if he carried out his threat to me it would be a hard case.

6711. What did the chamberlain say or do upon that statement?—He said "Two "months, Mr. Gentry,"—that is all he said to me.

6712. He gave you two months for the purpose of taking out your freedom?—Yes.

6713. What happened at the end of the two months?—I did not make any memorandum of the time, but I found that he entirely disregarded my statement, for an action was brought against me, upon which I felt very much hurt.

6714. You were a retail trader within the City who had not taken out your freedom?—Yes.

6715. Therefore the City had a power of preventing you from exercising a retail trade?—I had understood that they tried the question with the rich men and had lost the action. I know there were many hundreds and thousands in the City who were in the same position, and they had plenty of opportunity, if they were determined to carry it out, to do so, and leave me a little longer.

6716. Did they proceed against you?—Yes.

6717. What was the result of that proceeding?—They took about 25*l.* worth of my goods and they detained them a month, then they were sent to a common councilman to be sold.

6718. This was done under the direction of the City solicitor, was it?—I suppose so, no bill of sale or any document was ever left with me. I did not know the amount of

the demand; they told me it was between 8*l.* and 10*l.* When the officer came into the shop I was rather excited to think that they should proceed in that abrupt manner after I had stated my losses.

6719. They sold your goods to the amount of 25*l.*?—I do not know what they realised—they did not realise that; they sold three lots out of four; they brought back a sofa which they had taken away; they sold a watch which I held for an amount that was owing to me, and they sold a clock which my brother left with me who is gone to Canada. The other articles were two tables.

6720. Did you know what the proceeds of the sale were—how much the articles produced?—I saw Mr. Pearson a couple of months ago; till then I had never seen any sort of document respecting the sale. He sent for it from the office. I think it was between 13*l.* and 14*l.* I did not make any memorandum of it.

6721. What was the sum claimed from you?—I cannot say the exact amount. I never had any copy of the document which the officer brought.

6722. Does the proceeding end there?—For anything I know it does. They summoned me again with many others after that, before they had rendered me any account of the sale—some few out of the number paid. I appeared before the City solicitor, who was at that time officiating for the late chamberlain who was then ill. We entered into conversation upon the subject of my case, and I found that he had heard of the consequences which resulted therefrom; which were, that it made my wife ill and brought on premature birth, which nearly caused her death. He said he would forego the costs in that case—and if I would agree to take up my freedom most likely they, I do not know whom he meant, would give me the penalty back.

6723. What is the ultimate result of those proceedings?—There was about 20*l.* value that they did not return to me.

6724. The amount of the claim being what?—You can take up your freedom for 6*l.* 5*s.* 4*d.*

6725. They put you to costs to the amount of 20*l.* to enforce this claim for 6*l.*?—Yes. I see in the report, which was framed by the corporation and read by the honourable recorder, it is stated that it does not require a single comment. It is a far more monstrous evil than it has been ever represented to be. They leave the wholesale people and rich merchants unmolested, who are better able to defend themselves than the little people Small tradesmen most frequently dispose of their shops and let their businesses than the higher class do. The premises of the bankers and rich merchants sometimes remain in the same name for centuries. If they want to enforce this thing stringently they ought to enforce it upon all. Upon one small space of ground it is not impossible that they might demand this sum three times a year, in consequences of the changes of occupants which might take place. It is also stated that if there has been any unnecessary harshness or severity used it has been without the sanction of the Common Council or the committee. Upon that point I applied to the recorder to inform me by whose authority my goods were taken, as I considered, in a very harsh and severe manner. I applied on that subject to the recorder—he evaded giving me an answer. I said, By whose authority were my goods and furniture seized, and what are the names of the persons guilty of the robbery, for such it must be according to his statement. He said, "In answer to your letter of the 14th, I have to reply that "if you have any complaint to make against an officer of the court over which I "have the honour to preside, I shall be ready to hear it in full and in the presence of the "accused." That is entirely evading giving me an answer to my question. After I sent my letter, they did not name this case till the 18th of the present month, when Mr. Pearson said that there had been one person who had had his goods seized. I beg to say that his statement is not correct. He says that the officer had instructions to say to the parties to whom he was sent, that if they took up their freedom their costs would be returned to them. No such message was brought to me till they found I entirely refused to pay—in fact, they almost broke my heart from oppression, and I could not countenance them any more. I had not seen Mr. Pearson, and I made a vow that I would not present myself before any of them. I had petitioned the Improvement committee for compensation for loss of trade and the injury done to my premises. I had not received any answer to that; and after this treatment I could not countenance them. When the officer found that I would not submit to pay, he said you had better see Mr. Pearson. I refused to do so.

6726. Meaning that you had better come to terms with Mr. Pearson?—Intimating as much as that it would be compromised. The goods were sold, and when they came round to our ward I was summoned again, and appeared before them, Mr. Pearson being there. Then and not till then did he make any offer of anything towards my loss. It is said that what the corporation instituted those proceedings for was to keep up the constituency of the City. When I told the chamberlain that I was so unsettled from losses that I knew not how long I should remain there, what earthly benefit should I have been to their constituency.

Adjourned to to-morrow at twelve o'clock.

Wednesday, 25th January 1854.

THE RIGHT HON. HENRY LABOUCHERE, M.P., in the Chair.

H. A. Merewether.

25th Jan. 1854.

HENRY ALWORTH MEREWETHER, Sergeant-at-law, Town-clerk, was further examined, as follows.

6727. Are there any points in connection with the evidence which you have already given to the Commissioners to which you are desirous of calling their attention?—There are a few observations, which, with the permission of the Commissioners, I will address to them. In the first place, I wish to produce to the Commission, the letter which Mr. Recorder read in his statement the other day from the banker, Mr. Williams, I have, in my hand, which I beg to deliver in, an authenticated copy of that letter contained in the repertory.—[*The same was delivered in.*]—I may also mention, that in the year 1801, Mr. Williams retired. In the year 1805, Sir William Curtis, Sir Richard Carr Glynn, Sir Charles Price, and Sir John Perring, continued in the Court of Aldermen, as appears by the repertory of that date. Sir Richard Carr Glyn himself resigned on February the 3d, 1835. I was also interrogated upon the subject of Sir Thomas Gresham's will. I beg leave to lay before the Commissioners the will, which I need not trouble them with at length. It gives the property, which he disposes of, for the purpose of building the Exchange, jointly, to the Mercer's Company and to the Corporation of London. The trusts of the will have been carried out from time to time; first by the purchase of Gresham College, and subsequently by the erection of the old Exchange, and latterly, by the erection of the new Exchange, which was done under the joint supervision of a committee of the Mercer's Company, and a committee of the Corporation of London.

6728. I believe the land which was the site of Sir Thomas Gresham's house, was sold a good many years ago to the Government; was it not?—Yes; and it was then converted into the excise office.

6729. It was sold at a perpetual rent of 500*l.* a-year; was not it?—I do not know exactly the terms under which it was sold.

6730. The same land was again sold by the Government the other day?—Yes.

6731. Do you know what was the amount of money obtained by the Government upon re-selling that land?—I do not. It does not come into the Corporation funds; and I should be unacquainted with it in such a manner as to give an authoritative answer upon the subject. The purchase was originally made, as the Commissioners are aware, under an Act of Parliament, and it remained vested in trustees for some time, till they were removed to the Royal Exchange.

6732. Are you particularly acquainted with the management of the Gresham estate?—I am considerably acquainted with the management of the property. A person from my office is always expected to attend all the meetings of the joint committee at the Mercer's Hall, and I am called upon also to keep a copy of the minutes in my office.

6733. Is there any clause in the Bill to the effect that if the intentions of the testator are not strictly carried out, the property is to be forfeited by the Corporation?—I believe not; there is a general residuary clause.

6734. I find that the trustees sold the Gresham College and the ground attached to it for no other consideration than an annual ground rent of 500*l.* a-year. The Corporation of the City engaging to pay 18,000*l.* in one month towards pulling it down. It is also stated, that in 1852, the building erected for the purpose of an excise office, together with the ground attached to it, was sold by the Government for 108,000*l.*, subject to the ground rent of 500*l.* a-year. Do you think it probable that the increase in value of the property, in the interval between the two periods, may account for that large sum which the Government obtained for it, and still leave it possible that the original bargain concluded by the City was not an improvident one?—First of all, I take it, that the best guarantee that it was not improvident, is, that it was under an Act of Parliament.

6735. If the City were inclined to make an improvident bargain on their part, it is hardly reasonable to suppose, is it, that Parliament would interfere to prevent it?—The manner in which the Gresham estate has always been superintended by the City of London, and the desire they have always had to augment their funds, rather than lessen them, would, I conceive, be a guarantee that at that time the best sum that could be obtained for it was obtained, particularly as they were dealing with the Government.

6736. This would imply that in eighty years there was an increased value of 108,000*l.* upon this property. I wish to know, whether you are sufficiently acquainted with the circumstances of the property in the neighbourhood to say, whether it is probable that there had been an increase of value of the property to that extent?—I think it highly probable that the increase in the value of property within the City of London, from the circumstance of their building houses higher than they used to do, and from their being used as warehouses, and particularly from so many streets being widened, might have produced even so large a difference as that.

6737. In 1767 it appears to have been considered only worth 500*l.* a-year; whereas, in 1852, it was worth not only 500*l.*, but also a sum of 108,000*l.*?—I cannot but conceive that it is highly probable that the value of land in the City of London would have increased to that extent.

6738. Upon that supposition the value of the property would appear to have increased more than ten-fold?—In order to make out that proposition, it must be assumed that the property now sold is of the same kind as the property bought then.

6739. Is not it identically the same ground?—It is the same ground, but it does not follow that the circumstances may be altogether the same. It is said that the City of London heretofore sold this property on such and such terms, and made an improvident bargain—not very commonly to be attributed to the Corporation, I think. It was so bad a bargain, it is said, that it appearing that in 1852 it was sold again by the Government, it is to be assumed that the Corporation have mismanaged this estate. It appears to me, that the conclusion that the property has substantially increased in value nearly to the extent of that difference, is a more reasonable supposition than that the other facts should have existed. The two things appear to me hardly to admit of comparison; and the inference that is drawn from them can hardly be supported.

6740. Is there any other point to which you desire to call our attention?—I wish to call the attention of the Commissioners to a report which was made in the year 1838, with respect to the lectures. The lectures were then taken under the consideration of the committee for the management of the trust, and specific rules and directions were laid down, under which the lectures have since that time been given; a portion of the lecturers being selected by the Mercers' Company, and the other portion by the City. There was some little difficulty about moving the place where the lectures were to be given, but a case was submitted for the opinion of Sir William Follett and Mr. Griffith Richards, and under their sanction they were removed, and they are now given in the college which has been built at the corner of Basinghall-street. The rules, with respect to the lectures are very short, and I will read them:—"That the several lectures founded "by Sir Thomas Gresham should in future be delivered in the theatre of the City of "London school at seven o'clock in the evening, and in the English language only. That "previous to each term a printed circular should be sent to each member of the Court of "Aldermen, the Court of Common Council, and the Court of the Mercers' Company, "announcing the days, hours, and subjects of the several lectures to be delivered during "the term by each lecturer. That notices of the lectures, containing the same particulars, "should be placed, previous to and during each term, outside the theatre of the City of "London school, at the Guildhall, the Mansion House, and the Royal Exchange. That "the several lecturers should be requested to furnish a syllabus of their respective "lectures, and that printed copies thereof should be provided at the expense of the trust, "and distributed in the theatre before the commencement of each lecture. That appro-"priate apparatus and illustrations should be furnished, at the expense of the trust, for all "those lectures which are susceptible of illustrations." Under those regulations the lectures are still given. Unfortunately, they are not very largely attended, with the exception of the lecture on music, and the lecture on astronomy; but that appears to arise from the inhabitants of the City being so much engaged that they are unable to attend to them, rather than from any other cause that I can learn. The lecturers are persons of known character and reputation. With respect to the expenses which have been incurred, I beg to lay before the Commissioners the following statement:—

The statement was read, and is as follows:—

GRESHAM COLLEGE.

The City's moiety of the expense of building Gresham College, and of the purchase of the freehold thereof, 1842, 1843, and 1844:—

	£	s.	d.
For the building - - - - -	3,795	8	9
For the site - - - - -	2,880	0	0
For architect's commission and clerk of works -	280	6	3
	£6,955	15	0

6741. Are not a considerable number of those lectures delivered in Latin?—I am told that they are given first in Latin, but afterwards they are given in English.

6742. Is the Latin version very much attended in the City?—I am informed that in the arrangement of the business, the Latin lecture is not given unless there are five persons present, and that very rarely happens. I remember being present at one of those lectures many years ago in the old Exchange, when I was the only person attending. The question was asked of me on a former day whether any portion of the county of Middlesex had been added to the City of London. I have since informed myself of the facts. A portion of that which heretofore was a part of the City of Westminster, viz., the liberty of St. Martin's-le-Grand, has been added to the City of London under the operation of the Post Office Act.

6743. That was a portion of Westminster surrounded by the City?—Yes; a sort of exclusive jurisdiction which had been found to be practically injurious by disorderly persons misbehaving themselves in the City and running into that district, and so putting themselves as was supposed out of the jurisdiction of the City. This Act of Parliament was passed in 1815, upon which a sum of 240,000*l.* was advanced from the revenue of the post office, to be paid into the chamber of London, and the lord mayor, aldermen,

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and commons in common council assembled were to have the administration of that fund, and the following clause makes them liable for any misapplication of it, The chamberlain was directed to keep accounts of the disbursements, and those accounts were to be laid before Parliament; one-third was to be levied out of the orphans' fund with interest, and the corporation was to execute bonds for the payments of annuities in this mode, by which the money that was necessary was to be raised. The 8th clause provides that if the orphans' fund was insufficient for the annuities, the deficiencies were to be made up out of the chamber of London. Some considerable expense was caused by that means to the City of London.

6744. Has any portion of the county of Middlesex lying outside the external boundary of the City been annexed to it?—I think not. If there has been any, it would be a very small portion of Middlesex near Portsoken. I do not think there was any, because I think the boundaries of the City are extended into about the middle of the Tower. There was a subject on which I was examined before as to which I think it is material to add a word before the Commission, which is with respect to the metage. I suggested that in all probability the trade would be desirous of having and continuing sworn meters, and that in order to make it effectual and remunerative the measuring by them should be compulsory, except under particular circumstances, with a general power for commuting or making any arrangement with respect to the tolls which might be thought necessary. I now hold in my hand a report to the House of Lords by certain commissioners sent to Ireland for the purpose of inquiring into the fairs and markets of Ireland. There it became a very material question whether meters and persons of that description should be established or not. The report recommends that they should be, and I believe at the present time, not only is that recommended with respect to Dublin, but applications are made by Liverpool and Bristol to have similar institutions.

6745. What is the date of that report?—The letter of the Secretary for Ireland, I see, is dated September the 27th, 1852.

6746. Is it recommended that those meters should be appointed by the corporation of Dublin and other places?—I think the meters are to be appointed by the owners of the market.

6747. Are the corporation the owners of the market?—As far as Dublin is concerned I dare say they are, but an immense number of markets are named spread all over Ireland.

6748. That seems to contemplate the appointment of meters for dealings in the markets?—It certainly seems to apply to that.

6749. Is there any recommendation with respect to meters for goods imported by sea?—I presume it would be general "that a competent number of beams and scales, with "standard weights and measures, shall be provided by the owner and maintained for the "use of the market, with proper persons as weigh masters to attend thereon, to make "entry of sales, &c.; that such weigh masters shall be sworn to weigh fairly and honestly 'between buyer and seller. Upon good ground being shown, the Lord Lieutenant shall "be empowered to dismiss any weigh master or market officer, and call upon the owner "to make a new appointment." I ventured to suggest to the Commissioners the other day that this is a part of the duty of the Crown, to superintend all trading transactions between individuals for the purpose of seeing that justice is done both to buyer and seller; that a part of their duty is to supply weights and measures and scales, and in olden times a tron for the purpose, and to see to the execution of the duty which is entrusted to particular grantees, who would of course forfeit their places if they did not discharge their duty properly. I referred upon a former occasion to an elaborate report which was obtained by the General Purposes committee from a gentleman who was acquainted with many of the ports round the kingdom, who was specially sent for the purpose of getting information, in order that the committee might see whether they could extract from the information obtained anything that would be a guidance to them, and particularly as it was suggested that the amount of the dues and metage paid in the outports was much less than it was in the river Thames. This report I have, and can leave with the Commissioners; it goes too much into detail for me to trouble them with any of the results, but I think, upon an inspection of it, it will be found that in point of fact no direct comparison can be made between the Port of London and the outports. First of all, it appears to be the peculiar custom of the Port of London that the crews do not assist in the metage or in the delivery of the goods. In every other respect, I think, it will be found upon looking this over that the other dues are so mixed up with those which are here charged that it is very difficult to make a correct comparison. I believe, when it is looked at, it will be found that, if anything, London is as low if not lower than any of the outports. My attention was particularly called to the evidence of Captain Williams with respect to the City prisons. I had read a portion of that evidence before, but I had rather passed it by, thinking that upon the whole the description it gave of the City prisons was such that it was not very material for the corporation of London to enter upon the subject. I observe that Captain Williams states that nothing can be more vigilant or more effective than the supervision of the prisons by the Court of Aldermen, to whom is entrusted their supervision and the making of regulations with respect to them. There is a clause in the Act of Parliament which gives to the Court of Aldermen the power of dealing with the prisons instead of the magistrates in sessions, of which Mr. Williams complains, thinking that it is injurious; I understand, particularly with a view to one occasion when some discus-

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sion took place in the Court of Aldermen, and the court was directed to be cleared in order that the aldermen might deliberate. He referred to that, but that is only one instance. Almost all the proceedings of the Court of Aldermen are in public; in general they are considered to be otherwise, but they reserve to themselves the power of deliberating in private when they consider it to be necessary. Captain Williams appears to think that some grant made to superannuated officers was to be considered, which was very large. I think Captain Williams also stated that the payment of the officers of Newgate was very large, and, generally speaking, he seemed to consider that the corporation remunerated well those officers whom they employed. I must confess that it seems to me, if anything, to be rather a matter that the corporation might be proud of than otherwise, that they do remunerate those officers so largely, because no doubt, *primâ facie*, the better the reward that is paid to an officer for discharging his duty, the better the class of persons that will be likely to undertake the duties. There is a distinction which I think Captain Williams inadvertently overlooked, that with respect to the prisons which more generally come under his control, they are prisons supported and maintained out of the county rate, and consequently the whole of the population are interested in the remuneration to the officers being as low as possible, but there is nothing of that kind in the City of London. So far from there being any charge for the prisons upon persons who live in the City of London, the whole of the expense of the management of the prisons and the criminal jurisdiction is in point of fact paid for out of the corporate funds; if they therefore pay what perhaps might seem to a person not acquainted with the detail of it a larger sum than they ought, it is only an indication on their part that they are anxious to get their duties well performed.

6750. Rates are more in the City. Inasmuch as the corporation apply their corporate funds to the prisons, and make rates for the police and lighting and paving, it can hardly be said that the rate payers have no interest in the prison expenditure?—The police fund is an entirely new fund, created under a particular Act of Parliament.

6751. If the corporation itself have funds from their estates, those funds would be applicable either in reference to the police or lighting or paving, if they so thought fit to apply them?—I do not imagine that the funds of the corporation of London were ever thought to be applicable to that subject of police; the persons who live within the City of London, and carry on their business there, are exempted to a very great extent by the application of the corporate funds from payments which persons living in other cities and other localities are subject to.

6752. The same reason which induces a corporation to apply a portion of the rents of their estates to the maintenance of the prisons might induce them to apply a portion of those same rents to the maintenance of a police, might not it?—It does—one-fourth of the amount required. The prisons, to a certain degree, have always been under the direction of the corporation.

6753. Has not the police been so?—As connected with the duties of the sheriffs, it has been so; the sheriffs are bound with the custody of the prisoners committed to their charge, and as ancillary to that power, the corporation of London look after the prisons within their jurisdiction.

6754. Is not the superintendent of police appointed by the corporation of London?—Under the Act of Parliament.

6755. Is not the expenditure superintended by a committee of the common council?—The collection of the rate and the expenditure of the money is under a committee of the common council.

6756. The Commissioners understood yesterday that one of the main reasons, in the opinion of Mr. Harvey, for the maintenance of a separate police for the City was, that it was connected with the corporation?—Originally the citizens of London were compelled to do watch and ward, which amounted to the police of that day. Subsequently a police has been established, and a rate levied which falls upon the inhabitants generally, who would otherwise have been obliged to perform those duties.

6757. That view of the case seems to imply that it would be different if an Act of Parliament were passed placing the City police under the management of the Government, retaining only the separateness of the police, and that the corporation had scarcely any control over the police?—The corporation has only a control over the police to the extent I have mentioned. When the question of police was considered all over the country, it became a question whether there should be a separate police for the City of London, or whether it should be included in the general metropolitan police, and it was decided by the legislature that it should be separated. Captain Williams also, I think, in his evidence went through the different prisons. I think he stated, with respect to the new prison at Holloway, that it was impossible there could be a prison better constructed or better regulated; he gave it the best possible praise both for the one and for the other. Indeed it was naturally to be expected that he should not have any complaint to make against it, because, in point of fact, all the plans were submitted to him, and were considered by him before they were carried out. I think Captain Williams stated that there were 200 cells unoccupied; it seems that varying circumstances since the building of that prison have rendered it too large for the present exigencies. The corporation of London would not of course have been desirous to expend more money upon that prison than was absolutely necessary, but the number of cells that were provided were provided under the superin-

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tendence of the Government for the time being, with whom constant communications were held, and I think Captain Williams inspected them all; in truth, as connected with that subject, as well as with Newgate, the circumstances with respect to the prisons have, under the changes of the law and other causes, so altered that it is impossible to lay down one day any plan which may not be required very shortly afterwards to be altered. Newgate has undergone a change repeatedly; and I think it is described by Captain Williams in his evidence, that at certain periods of the year it is almost untenanted, in consequence of the regulations which have been made for the Central Criminal Court. It is provided that the distant counties shall not send their prisoners there till a short time before the sitting of the court, and then a particular day is mentioned when they are to be sent; in the interval of course there are very few there. All those subjects are constantly under the consideration of the Court of Aldermen and the Gaol committee, which is appointed to regulate them, and they provide as far as they can for changing circumstances. The Commissioners are quite aware that of late more offences have been tried at the sessions for Middlesex than were tried there before, and a corresponding reduction has been made in the number at the Central Criminal Court; besides which, the prisoners at the Central Criminal Court have themselves decreased in number, so that it is impossible for any provisions to meet the constantly changing circumstances. Captain Williams refers to the debtors' prison. The Commissioners should be informed that that prison is built under a particular Act of Parliament, which contains precise recitals with respect to the jurisdictions for which the prison was to provide a means of safe custody for the prisoners. There were many prisons in London, one at Ludgate for the City generally, the Poultry Compter, and the Giltspur-street Compter, and I think as many as four different divisions described by the Act of Parliament in that prison. I think Captain Williams stated that a committee of the House of Commons had suggested alterations in the plan; but I think you will see, at the close of that observation, Captain Williams says, what was the fact, that the building was then far advanced, and could not be altered; it is clear that it could not have been altered without the sanction of Parliament. The Court of Aldermen have done everything they could to improve the condition of that prison. They have tried the experiment of dividing the common sleeping rooms into separate apartments; they have tried the experiment of wood in one and iron in the other, with a view to see which would answer best. The Court of Aldermen, I am sure, from time to time will be desirous of making all the improvements that may be suggested to them; indeed, Captain Williams says they have done all that can be done. Captain Williams complains also of the condition of the Bridewell. The Bridewell is in truth not one of the public prisons of London. The Bridewell is a place of confinement attached to the hospital, and is managed with the hospital by the governors of that hospital, and not by the corporation; probably it was never intended as a place for prisoners to be long confined in. The object of that particular hospital was to clear the streets of beggars and indigent persons, affording for them an asylum, and for persons who were misconducting themselves a temporary prison, where they were to be detained under the name of rogues and vagrants. But I believe I shall best consult the convenience of the Commissioners by referring them to a gentleman whose name Captain Williams mentioned, Mr. Johnson, the treasurer of the Bridewell, who, if any information is required on the subject, will be able to give it to the fullest extent.

6758. Do you know sufficient of the chamberlain's jurisdiction with respect to apprentices, to enable you to form a judgment how that operates?—I have always understood that it acts most beneficially. I think it would not require much to lead one to that conclusion; for the chamberlain is always there except when prevented by illness or any special cause, and he is ready to attend immediately as a sort of domestic forum to hear the complaints of masters against apprentices, or *vice versâ*. He hears them and decides them. I have no doubt he decides them upon principles of equity, and it is only in the ultimate result that he commits either the one or the other to prison. This jurisdiction I believe has been exercised as far back as any trace can be made, and the result is highly beneficial. The comptroller occasionally sits for the chamberlain when he is absent, and the result is that there is always a court ready to hear disputes between masters and servants, and to adjust them, in which I believe it is very successful. Captain Williams refers to one matter which I think I ought to explain. He says the Holloway prison is out of the City of London. The Commissioners are aware probably that in the Prison Act there is a clause which directs that any gaol built for any county, city or town, out of the boundaries thereof, shall be deemed to be part and portion of the county, city or town, to which it belongs. The Commissioners were desirous of having a return of the salaries and incomes of the different officers of the corporation. I have the returns made by each of the officers. They have been called upon for them, and they are contained in this bundle of papers (*producing the same*).

6759. Do those returns include the emoluments of all kinds, from all sources?—Everything, I believe. They were expressly required to make a return to that extent, stating all the sources from which their emoluments were derived.

6760. Are there any offices which continue to be saleable?—Some of them continue to be saleable in this manner,—they were originally sold with a power of alienation, while the holders were alive. With that exception there are none, and the corporation have not only ceased to sell any offices, but they are doing all in their power to bring up

into their own hands those offices which heretofore were saleable. I dare say you received from the recorder a statement that that is now endeavoured to be effected, with respect to the attornies of the Mayor's court.

6761. Can you furnish us with a list of those officers of the corporation who purchased their offices?—I will take care that it shall be supplied.

6762. Are there many?—There is no considerable number.

6763. Did the present clerk of arraigns purchase his office?—No; I should say certainly not. The clerk of arraigns is appointed by the court itself.

6764. Will you furnish the Commissioners with a list of the present office-holders under the corporation who purchased their offices, and the sums which they gave for them?—Certainly. I have before me a list of the whole of the officers of the corporation, amounting in number to 262, which I beg to hand in (*delivering in the same*). In consequence of my former examination, I thought it was necessary to lay before you a list of the different committees—shewing the title of the committee, the chairman, and who is the minuting clerk. In some instances it will be seen that the minuting clerk is mentioned, but the names are not introduced—that is because those are not committees whose business is transacted in my office. This also I beg to lay before the Commissioners (*producing the same.*) I am likewise desirous of laying before you a description of the attendances, and the business done at the different committees contained in that list. I believe it will give the Commissioners the best information that can be given of the general working of the corporation; shewing how, by the division of labour, different subjects are sent to different committees, and how they have attended to the discharge of that duty. During the years 1852-53, there were twenty meetings of the Court of Aldermen; there were thirty meetings of the Court of Common Council; eight Courts of Conservancy for the counties of Surrey, Middlesex, Essex, and Kent; and common halls, for the election of Lord Mayors, sheriffs, and chamberlain. There were 160 meetings of committees of the Court of Aldermen and upwards of 800 meetings of committees of the Court of Common Council. The committees of aldermen are, first as to gaols, which is a committee of the whole court, consisting of twenty-six members, any three being a quorum. Its ordinary duties are, the superintendence of the several gaols belonging to the corporation, viz:—Newgate, the Debtors' Prison for London and Middlesex, and the new gaol at Holloway, contracting for the various articles for the prisoners' maintenance and works; ordering and directing the necessary repairs and alterations of the prisons, and the appointment of the various officers and servants, except those of governors, chaplain, and surgeons, who are immediately under the directions of the Court of Aldermen, their management and control. The general supervision of the gaols; receiving weekly reports from the visiting magistrates and keepers; preparing the annual report on the state and condition of the several City gaols, to the secretary of state under the provisions of the Gaol Act to be laid before Parliament, and all other matters arising from time to time out of questions connected with the prisons, their control and arrangement. Secondly,—There is a Finance committee, consisting of twenty-six members, the quorum of which is three. Their duties are, to examine bills and accounts for the maintenance of the prisoners, works or alterations or articles supplied for the prisons; all law and other bills in respect of the magistracy or police, and all demands on the Court of Aldermen for works done by or under their direction, and to report the same to the court for payment, with any remarks or observations they may consider requisite. Thirdly,—There is a committee as to privileges, who are similarly constituted. Their duties are confined to all matters of privilege, ceremonials, processions, or other public occasions, reporting from time to time to the court for their orders and instructions. Fourthly—A committee for the regulation and orders for the conduct of brokers, and any alterations that may be advisable to be made therein. Fifthly—A committee for General Purposes, which is a committee of the whole court; any three are a quorum. To this committee is referred all matters of charity, and all questions of a general and miscellaneous nature, not comprised in the foregoing categories. Sixthly,—The Livery Cloth committee, which is a committee for providing the livery cloth sent annually to the great officers of state and other parties to whom the same is issued under the directions of the Court of Aldermen. The duties of these committees being chiefly confined to the objects of their specific references, the preparation of their reports to the Court of Aldermen necessarily occupy a considerable additional portion of time. Then there is Emanuel Hospital, which is, strictly speaking, not a corporate trust. The aldermen are individually made trustees for that property; a committee for managing the affairs of that hospital meets weekly, or oftener if requisite, for the regulation of the charity; admissions of pensioners and children; repairs and alterations of the buildings at the hospital at Westminster, and also the management of the estate at Brandsburton. They audit the accounts and conduct all other matters connected with the charity generally. The number of meetings of these committees during the year 1852-3 were as follows: Gaols, 52; Finance, 18; Privileges, 4; General Purposes, 49; Livery Cloth, 1; Corporation of Poor, Emanuel Hospital, 44. The committees of the Court of Common Council are, the committee for Gresham affairs. That committee consists of the Lord Mayor, two aldermen and nine commoners, forming the City side, with the master wardens, and a similar number of the members of the Mercers' company forming the Company's side, they being joint trustees under Sir Thomas Gresham's will. Its duties are to carry into execution the respective trusts of Sir Thomas Gresham, as settled by his will; the election of lecturers;

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the election of alms-people ; the superintendence of the Royal Exchange, and buildings connected therewith ; letting of shops, regulation of officers, and all other matters generally arising from that trust. The number of meetings during the year 1852-3 were twenty-seven. The Acts of Parliament of the 1st and 2nd Victoria, chapter 100, and the 5th and 6th Victoria, chapter 101, for rebuilding the Royal Exchange and improving the avenues adjoining thereto, were referred to this committee ; and the moiety of the expense incurred by the corporation in rebuilding, was upwards of 84,267*l.* Then there is the Thames Navigation and Port of London committee. Its duties, in respect of the conservancy are, to aid and assist the Lord Mayor as conservator of the river, in preventing impediments to the navigation, regulating encroachments, and abating nuisances in the river Thames within the jurisdiction of the City of London, from Staines to Yauntlet, and in granting accommodations, embankments, piles, moorings, &c. in the river. Its duties in respect of the navigation are, generally to superintend under the authority of several Acts of Parliament, all works and matters in respect of the locks, towing paths, &c., for the improvement of the navigation of the river, westward of London Bridge. Its duties in respect to the Port of London are, generally to superintend, under the authority of several Acts of Parliament, all works and matters in respect of the harbour service and public moorings within the Port of London. The committee consists of the Lord Mayor, eleven aldermen, and a member from each ward, making 41. The number of meetings in 1853 were 83. The average attendances at grand committees, about 16. The Coal and Corn and Finance committee is appointed to carry into execution the Acts of Parliament for regulating the vend and delivery of coals in London and Westminster, and in certain parts of the adjacent counties. To superintend the collection of the duties on coals and the City's wine dues, examine the accounts, and see that the monies are paid into the Chamber of London. To elect the ten corn meters in trust for the City, subject to the confirmation of the Court of Common Council. To elect a sufficient number of deputy or working meters of corn in the Port of London. To examine into the income, expenditure and liabilities of the corporation, and present such reports to the Court of Common Council thereon, from time to time, as may be requisite. To act as a committee of management of the London Almshouses at Brixton. To contract annually for the supply of coals under the bequest of Sir Thomas Campbell, knight and alderman, for the poor in several parishes in London and Southwark. To consider and report upon all references made by the Court of Common Council on petitions of charitable institutions for pecuniary assistance, as well as upon such other subjects as the court may make reference, especially upon any extraordinary work or public improvement proposed to be undertaken, which may incur expense, whereby the funds of the corporation may be in any manner charged or affected, so that the expense may be first reported to the court as to the means of carrying the same into effect. The number of members is twelve aldermen and twenty-nine common councilmen; the average attendance fifteen. The number of meetings in 1853 was sixty-four. I have with me the regulations respecting the qualifications of candidates for admission into the London Almshouses, which I need not trouble the Commissioners with. The General Purposes committee is generally for superintending works at and supply of furniture for the Mansion House, and also works in respect of the State Coach and harness ; besides any other special references from the court—such as the present case of inquiry in respect of metage and porterage. The committee consists of twelve aldermen and a commoner from each ward, making in all, forty-one. The number of meetings in 1853 was fifty-one. The average attendance at the grand committee is about twelve. The Library committee is appointed to superintend the library of the corporation in the Guildhall, appropriating out of the City's cash, under the authority of the Court of Common Council, the sum of 200*l.* per annum in the purchase of books. The number of members is twelve aldermen, and twenty-nine common councilmen. The average attendance is thirteen, and the number of meetings in 1853 was twenty-three. The Police committee consists of the Lord Mayor ; all the aldermen, twenty-five ; all the deputies, thirty ; and a member from each ward, twenty-nine—making in all eighty-five. Its duties are generally to transact all business under the Police Act, which the common council are by that Act directed to perform. The meetings in 1853 were thirty-two (in 1841 there were ninety-two meetings). The average attendance at the grand committees is about twenty-four or twenty-six. The Secondaries' committee has to consider all matters referred to them by the Court of Common Council in relation to the Secondaries, the Lord Mayor's Court, and the Sheriffs' Court. The committee consists of forty-one members, and there are usually present from twelve to fifteen ; the number of meetings in the year 1853 being thirty. The Parliamentary committee has to consider the various bills brought into Parliament likely to affect or interfere with the interests of the City of London, and referred to them by the Court of Common Council, as well as to other committees to which the Bills may relate. The committee consists of fifty-nine members, and there are usually present about eighteen, the number of meetings in the year 1853 being nine. The committee in relation to officers and clerks has to consider the nature, duties, and emoluments of such offices of the corporation as may become vacant, and be referred for inquiry by the Court of Common Council, and to present reports thereon with respect to the future appointments, and to superintend the offices and watch the accounts of the Sheriff's Court, under the Small Debts Act, taking the required security of the several clerks and bailiffs. The number of members is twelve aldermen and thirty common councilmen ; the average attendance is

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fifteen; the number of meetings in 1853 was thirty-two. The Law Bills committee has to examine all the law officers' bills referred to them by the Court of Common Council previous to their being paid. The committee consists of thirty-five members, and there are usually about thirteen present, chiefly professional gentlemen. The number of meetings in the year 1853 was six. That number is small, because the bills are chiefly referred to individual professional members of the committee, who consider them at their own homes, and report when the committee meets. The committee was appointed in 1842, and from that period to Michaelmas 1852, they have examined 715 bills of the law officers, amounting together to the sum of 72,466*l.* 12*s.* 8*d.* To the Improvement committee, which is composed of twelve aldermen and twenty-nine commoners, with the chairmen of the committees of City Lands, Bridge House Estates, Markets, Sewers, and Markets' Improvements (beyond applications for improvements within the City generally), is committed the carrying into execution the following Acts of Parliament for public improvements:—The Act 9th Victoria, chapter 22, for improvements at Tudor Street; the Act 10th and 11th Victoria, chapter 280, for effecting improvements at Holborn Bridge, Field Lane, &c.; the Act 13th and 14th Victoria, for continuing the new street from Cannon Street towards St. Paul's; the Act 15th and 16th Victoria, for further continuing the above, and making improvements at Dowgate Hill, Finch Lane, Threadneedle Street, Mark Lane, and Tower Street; together with the Act of 1851, for making the new street from Farringdon Street to Clerkenwell Green. The number of meetings of this committee during the year 1852-3 was fifty-three, the time generally occupied therein was from one p.m. to five or six, or sometimes even to seven p.m.; the number of members attending averaged from eighteen to twenty. Their duties consist in investigating the claims of parties interested in premises required to be purchased, in settling the same, laying out the lines of new streets, letting the vacant ground, selling the ground rents, disposing of the property, and carrying the other provisions of the Acts into execution, reporting their proceedings from time to time to the Court, and at least annually, and it is right to state that the settlements generally have been effected by the committee by agreements with them and the parties interested, or by reference to surveyors, and very rarely by appealing to a jury under the provisions of the Acts of Parliament. The Consolidated committee consists of the chairmen of the several committees, together with the Lord Mayor, twelve aldermen, and a member from each ward, in all about sixty members, and their duties are to confer with Her Majesty's government and others upon such of the matters specially referred to the several committees as the Consolidated committee shall deem expedient. Also, to conduct the suits relative to metage and the bed and soil of the river Thames, and also to assist the Commissioners in their inquiry. The meetings in 1853 were forty-six. The average attendance at the grand committees has been about sixteen (but lately more). The Markets' Improvement committee consists of the Lord Mayor, eleven aldermen, and a member from each ward, in all, forty-one. Its duties are to consider what alterations and improvements should be made in the several markets of the City, and especially to carry into effect the new metropolitan cattle-market. The number of meetings in 1853 was thirty-four; the average attendance about seventeen or eighteen. The Freemens' Orphan School committee is appointed to carry into execution the Act of Parliament for establishing a school for the education and maintenance of orphans of freemen of London, which is about to be opened, in which provision is made for seventy boys and thirty girls. The number of members is twelve aldermen and twenty-nine common councilmen; the average attendance is fifteen. The number of meetings in 1853 was twenty-six. Meetings of sub-committees and deputations arising out of the committees are, of course, repeated from time to time, and are called for whenever occasion may require. I am sorry to have detained the Commissioners with this, which is rather a matter of detail, but I feel confident in stating that this will afford to them the best view of the practical working of all the affairs of the corporation of London. On referring to the little pocket-book which I handed in the other day, which contains an account of the different sums applied from time to time by the corporation of London to public improvements or charitable purposes, I have had the following summary made, which I think may be convenient:—"Contributions of the City of London for improvements for twenty-five years, commencing 1827, ending 1852, 560,064*l.* 16*s.* 10*d.*; donations for charitable objects for the like period, 65,023*l.* 11*s.* 10*d.*; expended for public purposes for the like period 25,869*l.* 7*s.* 10*d.*; new prison at Holloway, 91,547*l.* 10*s.* 0*d.*; making a total of 116,958*l.* 0*s.* 1*d.*; the total altogether being, 742,505*l.* 6*s.* 6*d.* There is a matter respecting which the corporation have always felt strongly, which is the care they have taken of education within the City of London. The next witness, with your permission, will be Dr. Mortimer, who is at the head of one of the schools which has been of late years founded upon the munificence of a former town clerk, who afforded a considerable sum of money towards it, and also other funds which have been collected together.

6765. What are the schools to which you refer?—The school I have just referred to is the City of London school, that is of modern creation.

6766. Are they schools endowed under bequests, or are they schools supported out of the funds of the City of London?—Partly the one and partly the other. All the bequests which could be applicable for such a purpose are collected with the object of making a general fund; there is the bequest of a former town clerk, which is added to it, and from time to time such other sums have been added as are necessary to carry out the establishment.

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6767. The corporation act as trustees in regard to those schools, do they?—Self-created trustees as far as their own funds go, and strictly trustees as far as the separate bequests go.

6768. Can you state to us what sum is annually devoted by the corporation of London out of their own income to the purposes of education?—I am not prepared with a statement at this moment, perhaps the Commissioners will permit me to enumerate the schools in the City of London,—there is the excellent school of Christ's Hospital; there is St. Paul's school; Merchant Tailors' school, and there is the school I have just referred to.

6769. What is the connection of the City with Christ's Hospital?—The connection of the City with Christ's Hospital is very considerable, there is a question respecting the extent to which they ought to go, which of course you would not wish me to trouble you with; but the fact with respect to Christ's Hospital is this, that originally in the reign of Edward the 6th, by the munificence of the Crown, funds were provided for the purpose of establishing Christ's Hospital, which were committed to the mayor, aldermen, and commons of London. At subsequent periods very large sums have been subscribed by private individuals, and they form another body in the hospital; from time to time that body has gained more influence in the hospital, and at last, when they came to the point where there was a competition of influence, quarrels and disputes arose. An Act of Parliament was passed for the purpose of settling those disputes, and what is the construction of that Act of Parliament is a question which for some time was agitated. All the aldermen in the corporation are governors of Christ's Hospital. A limited number of common councilmen appointed by Act of Parliament which I refer to are also governors, and they ought to meet and concur in matters connected with the hospital.

6770. A great many persons are governors who are not connected with the City?—After a certain period, as I have stated, private individuals advanced money for the benefit of the hospital, forming a very considerable sum. All persons paying a certain amount are governors.

6771. Practically the superintendence of the hospital is pretty much in the hands of the corporation authorities, is not it?—I do not know that I am prepared to say that. The administration of such a large establishment as that it may be easily conceived would get into different hands. Alderman Thompson is the president. The Lord Mayor for the time being, whenever a vacancy occurs, is usually appointed the president of that hospital as of the other hospitals. I believe at the present moment aldermen are presidents of all the hospitals.

6772. I presume the governors who become so by subscribing towards the funds of Christ's Hospital do not take a very active part in the direction of its concerns, do they?—Certainly not, the mass of them, some few do so. I was just going on to state that necessarily there would be persons required to superintend the funds of the corporation. There would be particular committees to do that, and there is a body called the almoners who have a very considerable influence over the affairs of the institution. There is also a court called the Court of Almoners. I believe upon that court there is not one of the corporation. That I need hardly say is rather a matter of complaint.

6773. With respect to the London Almshouses in aid of their original erection 1,500*l.* was granted. To the trustees of the London Almshouses in liquidation of the demands of several parties pursuant to an order of the common council of the 29th of October 1847 843*l.* 15*s.* was paid?—Those almshouses were originally built for a particular purpose; that purpose ceased, of course the original subscribers for that purpose had the option of withdrawing their money if they thought fit, and that was done to the extent of 843*l.* 15*s.*; other outstanding accounts amounted to 67*l.* 15*s.* 11*d.*; contractor for building new alms-houses, repairs of existing houses, and necessary expenses attending thereon 1,955*l.* 11*s.* 5*d.*, making a total of 4,367*l.* 2*s.* 4*d.* My intention has been throughout not to enter upon the evidence which has been laid before you, with a view of contradicting any particular part of it, so much as to state the facts which are connected with the corporation of London, but there are one or two points to which I think I ought to refer. The following is one of them, particularly connected with a fact which has since occurred in the corporation. It was represented to you that there was a society for the municipal reform of the corporation of London. I believe the numbers composing that society were stated to you as 1,200. I hold in my hand a paper which shows, I presume from authority because it bears the name of the person who gave you that information, that those 1,200 individuals have subscribed 1*s.* a piece or paid 1*s.* a piece for registration—unfortunately that leaves the society deficient in its funds. I had better, perhaps, read the following letter, which is from Mr. Acland; it is dated, "Offices, 27, Milk Street, 21st "December 1853, Sir,—The resolution of a public meeting of 1,200 members of this "association restricted its pecuniary sources to voluntary contributions. At an early meet-"ing of the committee I was induced to give my personal guarantee against their responsi-"bility for any portion of the expenses. During the more than five months which have "elapsed since the formation of this association the expenses incurred have amounted to "239*l.* 7*s.* 8*d.* Against this liability I have received 60*l.* in registration fees, and "83*l.* 19*s.* in voluntary contributions, making a total of 143*l.* 19*s.* In an agitation for "the public good it is not right that the labour and the cost should fall upon one man. If "such should be your opinion, as I cannot doubt it will, you will probably feel disposed

" to contribute some portion towards the present balance of 95*l.* 8*s.* 8*d.* now standing " against yours faithfully, James Acland." The only observation I venture to make to the Commissioners upon the subject is this,—you were yesterday informed by the commissioner of police that the population of the City of London is 125,000 ; out of 125,000 only 1,200 have entered into this society, which has been formed in that manner. *H. A. Merewether.* 25th Jan. 1854.

6774. It was stated by Mr. Acland that those 1,200 were householders ?—I do not know how that may be. If that is the fact, and it is material, I had better refer to the number of householders in the City. You are aware that the number is very considerable. The number of householders in 1844 was 13,958. I must add to that, another observation, to which, individually, I think too much weight cannot be given. It is the fact, that since these examinations have taken place before you, stating all the complaints which can be made of the City of London, and of the misconduct of the corporation, the annual elections in the wardmotes have taken place. There have been some changes, certainly, caused by death and by resignation. Mr. Bennoch, who appeared before the Commissioners here, withdrew, but, I believe, there were not above two changes in the election of those common councilmen who formed the corporation for last year. In one of those two instances, there was a contest. The dispute did not involve any question of respectability or misconduct, but the mere question, whether one of two individuals was not more active than the other. This having taken place, after all that has been said against the common council, I think I may venture to press it upon the Commissioners as a decisive return, if I may so use the expression, by the citizens assembled in wardmote, who have re-elected the individuals before appointed. Some allusion was made in the evidence to public offices within the City of London. I do not know whether these places were included in the list :—the Custom House, the Post Office, the Bank of England, the Royal Exchange, the East India House, the Trinity House. Some of those were mentioned, but I do not know whether this was before the Commissioners, that of the fifty-seven banking establishments in the metropolis, forty-four are within the City of London, and thirteen west of Temple Bar.

6775. Is there any banking establishment of any kind east of the City ?—I am told that in Whitechapel there is a branch of the London and Westminster Bank.

G. F. W. Mortimer, D.D., having been sworn, was examined as follows. *G.F.W. Mortimer, D.D.*

6776. You are connected with the educational establishments of the City of London, are you not ?—I am the head master of the City of London school.

6777. How long have you held that office ?—Fourteen years, nearly.

6778. What is the nature of that establishment ?—It is a large school, mainly intended for the citizens of London ; that is to say, the Act of Parliament recognises the right of all liverymen and freemen to send their children there, and gives permission likewise to the Court of Common Council, in Guildhall assembled, to make such alterations as are necessary from time to time. One alteration which has been made, has been to enlarge the permission to send boys thither, and to give all persons, wherever resident, leave to send boys, keeping the rights of freemen and householders undisturbed, they taking the first vacancies.

6779. Are those who attend the schools day scholars or boarders, or both ?—They are day scholars, but the masters who please may take boarders.

6780. Do many of the masters take boarders ?—Two of them. There may be twenty boarders, perhaps.

6781. The main object is to make it a school available, in the first instance, to freemen and liverymen, and also allowing other persons to send their children ?—Yes, as vacancies occur.

6782. What is the number of scholars at the City schools ?—We closed the last half year with 568 boys. Our present number is about 580.

6783. Is the school self-supporting ?—It is partly endowed and partly self-supporting. John Carpenter, to whom allusion was just now made, a former town clerk of the City of London, left some closes of land for the support and education of four boys. These closes of land have been built over, and the income is now fixed, under an Act of Parliament, at 900*l.* a-year. The corporation have built a school, and charged the permanent maintenance of the structure upon their own funds. Besides that, each boy pays, during the year, 8*l.* 5*s.*

6784. Is the 900*l.* a-year the only endowment ?—It is, except for scholarships. There are a considerable number of scholarships. Four boys were to be educated under John Carpenter's bequest. That number has been increased to eight. Eight boys receive free education,—25*l.* a-year to pay for their board, and 50*l.* a-year on leaving school to apprentice them to any trade, and exhibitions to one of the Universities, if they go thither, with 50*l.* to pay the expenses of matriculation and rooms, besides which, there have been a considerable number of endowments from private individuals during the last few years. The late Mr. Henry Beaufoy has endowed the school with four scholarships to the University of Cambridge. Alderman Salomons has endowed the school with one scholarship, to either Oxford, Cambridge, or London.

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6785. What number of boys is the school capable of accommodating?—About 600 at the utmost.

6786. It is now nearly full, then?—It is now about full. I expect in about a week or ten days it will be full; we are just now commencing.

6787. What class of persons, generally speaking, make use of the school?—It is a very difficult question to answer. Every class connected with the City, from the higher to the lower—we exclude none. Any boy is admitted on obtaining the nomination of a member of the Court of Common Council. The intention is that it shall be purely a republic of letters, and that all who can pay for their education shall be admitted,

6788. Is there any distinction made in the payments demanded from the boys between the children of liverymen and the children of others?—None. The only privilege is, that the first vacancies are taken by liverymen.

6789. Is the education a classical education?—The first division is the lower school. consisting of four classes, and averaging about 240 boys. In that part of the school, which may be called the English or preparatory school, they are taught English grammar, writing, arithmetic; in the upper division of that department, French, physical geography, and general and English history. Then in the upper school there are 360 boys on the average, for we are generally full.

6790. In the lower school are they taught the rudiments of the dead languages or not?—Not in the under school. They then pass into the upper school, which consists of eight classes. In that school there are generally about 360 boys. They are all necessarily taught the classics, French, arithmetic, and mathematics. In the three head classes they are taught Greek; in the classes below them, Latin only; besides which, German is an optional study, without an additional charge. Choral singing is optional without an additional charge, and, with an additional charge, chemistry and drawing. There are classes in chemistry and drawing twice a week.

6791. I suppose when a youth has gone through this education, he is fit to enter at one of our Universities?—Yes. Since I have been head master only one of our boys has failed of getting a Trinity scholarship in his first year. I think I may fairly say that our mathematical standard is higher than that of any other school in the kingdom.

6792. I suppose many boys come to your school whose principal object is to obtain a good commercial education?—The bulk of our boys go into business in the City; but there are several who are tempted by our scholarships, who go on to the Universities. In the two head classes the greater number go on to the Universities; but below that, they are mainly dispersed through the different trades and businesses of the City.

6793. Do your boys avail themselves of the Gresham lectures?—I do not think they do.

6794. Do not you think there might be some connection established between the two institutions which might be useful?—It would interfere with our hours. The lectures are in the middle of the day; the bulk of the boys go home to their dinners between twelve and two o'clock. If they were given in the evening, the boys have abundance to do at night.

6795. Where is the school situated?—It occupies the site of what was Stoney Lane market.

6796. As I understand, this school is self-supporting, with the exception of 900*l.* a year, which it derives from endowments, and the house and building?—Yes; and the keeping up of the building. There are now about seventeen scholarships, which have originated almost entirely since I have been head master. They have been the gifts of various freemen and liverymen of the City of London. Mr. Beaufoy has given us 10,000*l.* There is Alderman Salomon's scholarship, and the *Times* newspaper scholarship. The friends of the late Mr. Travers founded a scholarship as a testimonial to his public services; those of Mr. Lambert Jones have done the same. We are much more largely endowed than King's College, which has been at work twice as long.

6797. Those appear to be evidences that the school is highly thought of in the City?—Yes; it is looked on in the City as their own school. It is answering well, and they are doing all they can for it. Its management is vested in a ward committee. That is a committee which consists of twelve aldermen and one member from each ward. It is presided over by a chairman, like other committees. At the meetings of the committee the head master is summoned. The usual plan is that all the important business is transacted by a sub-committee, which consists of some few of the members of the committee—those who have attended most punctually, and the chairman, and the head master is always summoned to attend. They send up their recommendations to the general committee, which are either adopted or referred back again.

6798. Are boys admissible to this school without distinction of religious persuasion?—Entirely. We have at the present time as many as thirty Jews, and I believe we are the only school in the kingdom in which a Jewish boy has obtained a scholarship.

6799. How is religious instruction provided for?—Under the Act of Parliament the authorized version of the Scriptures is to be read and taught daily. The school is opened and closed with a form of prayer, which is abridged from the Liturgy of the Church of England. I have given the Act of Parliament a most liberal interpretation, with the entire sanction of the Court of Common Council. We do not compel the Jewish lads to attend the prayers. The school is opened with prayers, but we allow the Jewish

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lads to come in after prayers, and leave before prayers. They attend during the reading of the Scriptures in the classes, and it is optional with them when they get into the upper classes to ask permission to read the Greek Testament with me and the other masters. It is almost always done, I suppose, because it is optional.

6800. In the case of a boy of Roman Catholic parents, is he obliged to attend during prayers, or would he be allowed to absent himself?—We have never had any objection raised, except in the case of Irish Roman Catholics; of English Roman Catholics we have a considerable number, and also of foreign Roman Catholics, and dissenters of all denominations. I should think as many dissenters as church people. I have given the Irish Roman Catholics the same permission which I gave to the Jewish lads, viz,, of absenting themselves from prayer, but being present during the reading of the Scriptures. In two instances they have declined availing themselves of it, and those two boys were not admitted. I considered what the Jewish lads did not object to, it was fair to expect from professing Christians.

6801. Is there any test with respect to the twenty boarders?—That is quite an optional matter. Any master may take a boarder who pleases. We always endeavour to give the masters the privilege of taking boarders if they like, in order to assist their income. The only other large school which is directly connected with the corporation is one now being formed for the orphans of freemen and liverymen, which is something on the model of Christ's Hospital. At that school they are all to be boarded.

6802. That is rather in the nature of a charity?—It is.

6803. Is that exclusively for the orphans of freemen and liverymen?—It is.

6804. Have you anything to do with the management of that?—Nothing further than that I was one of three referees to select the candidates.

6805. Is that exclusively for those orphans?—Exclusively for the orphans of freemen. The funds which arise from payments for taking out freedoms are applied to its maintenance. I should say that nothing can work better than the committee always has done. The chairman, most happily, has been always re-elected. The same chairman has been continued for the last fourteen years, during the time I have been connected with the school. I consider that a most important matter, because a permanent chairman possesses the confidence of the masters; they feel perfectly at home in addressing themselves to him, and there are many little matters of detail from time to time, upon which it is desirable to take the opinion of the chairman, but which, perhaps, it is not thought expedient always to refer to the committee. The committee, though a ward committee, is generally composed of those persons who feel an interest in the school, and who, if they wish to be returned, are returned again by their respective wards. So that we see, from time to time, the same members re-elected, I think, for the third or fourth time. In my experience of the working of the committee, I never have had the least difficulty of any kind; every suggestion has been readily attended to. I have suggested, for example, the introduction of choral singing, the introduction of classes in chemistry, and the adoption of the system of drawing, according to the Government plan. Those and various other things have all been readily assented to.

6806. Is it usual for boys who are destined for commerce to go through the entire course of the studies of the school?—The plan of the school has been somewhat adapted from the Prussian Gymnasia. After entering the upper school they go on with arithmetic, mathematics, Latin, and French necessarily, and German optionally, up to a certain point in the school. Then there is what is called the Latin class—it is called the Latin class only because they do not learn Greek in it. The boys then separate, either to take rather more to the commercial, or to go on with a strictly classical and mathematical education. In the Latin class, book-keeping is much attended to; nearly all the boys learn German. If they pass into the Greek and strictly mathematical class, they go on with pure mathematics.

6807. Do the majority of them receive the classical education?—Yes; nearly all, if they remain long enough. Out of the number of 600, there are not above three or four annually requesting permission to remain in the English part of the school. The number of boys attending the chemistry classes, which is a paid addition, is about 170. All in the upper school, and a considerable number in the lower school, to the number of about 450, are educated in French. About 70 learn German, and about 90 drawing.

6808. You stated that the only payment required from a boy is 8*l.* 5*s.* a year?—Yes; that includes French, German, and choral singing if he pleases, with classics, mathematics, and everything taught in the school but chemistry and drawing. Those are self-supporting classes. I may mention, as the subject has been referred to, that the corporation have nothing to do with the government of Christ's Hospital. It is governed by a court of almoners, which is selected from the governors, and they are a self-elected body, filling up their own vacancies.

6809. What is the number of the court?—I believe forty.

6810. Are they mostly persons connected with the City?—No. At the present moment there are only two aldermen upon the court of almoners; they are taken from those governors who may be considered, perhaps, to pay the most attention to Christ's Hospital, and manifest the greatest interest about it.

6811. The court of governors is a very fluctuating body, is it not?—Yes; as vacancies occur in the court of almoners, they fill up their own vacancies. The court of almoners

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really govern Christ's Hospital, and fill up vacancies by their own vote. I have with me a prospectus of the school, which contains its rules and a statement of its scholarships and prizes, which I beg to deliver in *(delivering in the same)*.

William Payne, Esq.

WILLIAM PAYNE, ESQ., having been sworn, was examined as follows.

6812. What situation do you hold in connection with the corporation of London?—I am coroner for the City and borough of Southwark.

6813. By whom were you appointed?—By the Court of Common Council.

6814. Is your appointment for life, or during pleasure?—It is for life although it is called an annual appointment. There is no power to displace me except for sufficient cause.

6815. Why do you say it is called an annual appointment?—Some time since, the corporation made an order that all officers should be elected annually, therefore it stands in the list in that way.

6816. Does the form of election actually take place every year?—I really do not know; I dare say it does.

6817. Then it is annual after all, is not it?—No; it is a freehold office, and they would have no power to displace me except for sufficient cause.

6818. Are you quite sure that the corporation take the same view of the tenure of your office as you do?—I do not know; but the Court of Queen's Bench have so decided, that the office of coroner is a freehold office, and that a man cannot be displaced without a sufficient cause.

6819. What are the duties of your office?—Just the same as those of the office in the county,—to hold inquests in cases of violent death.

6820. You hold inquests in Southwark, as well as in London do you?—I do.

6821. There is no other coroner in Southwark?—None.

6822. Are your fees paid out of the corporation funds?—Yes, by the corporation, out of their funds, and the expenses of the office also, which in other places would come out of the county rate.

6823. To what fund are those charged?—City's cash, I believe it is called.

6824. What is the amount of the emoluments of your office?—I made a return for the year 1852,—I think it is about 500*l.*; it does not vary much.

6825. It depends upon the number of inquests?—Yes.

6826. Are there any observations which you wish to address to the Commission?—I am not aware of any.

Mr. E. Woodthorpe.

MR. EDMUND WOODTHORPE, having been sworn, was examined as follows.

6827. You are a district surveyor, I believe, for the City?—I am; I am appointed by the Court of Aldermen.

6828. What are the duties of your office?—To attend to all buildings which are erected within the City; that is in one portion of the City, the northern division. There are four district surveyors, but I happen also to hold a small division in the county of Middlesex, and therefore I have an advantage in seeing the practice both in the City and in the county. My motive in appearing here is, that under the Act of Parliament I have had great difficulty in dealing with parish bodies, in inducing them to condemn or rather assist me to condemn ruinous buildings, which I consider one of my most essential services.

6829. You have not found that difficulty in the City?—Not in the least.

6830. What is the difference between the law in the City, and the rest of the metropolis?—Upon perceiving a ruinous building, that is, one which we consider to be dangerous to the public, or upon having information of a ruinous building, we forthwith examine it, and apply to the official referees in conformity with the Act of Parliament for their authority for a survey. When that is done, we report back again to the official referees, and they send their report in the City to the Court of Aldermen, and in the county to the overseers of the poor. I can give the Commissioners an instance in which nearly two years expired before I could get the overseers to act in any way, whereas the Court of Aldermen acted rigidly in conformity with the time specified by the Act of Parliament in every instance. In the case I mentioned, which is a building in Ratcliffe, I found in the year 1849 it was ruinous and defective. I applied for authority, and received authority from the official referees, which I generally do instantly, and I then made my surveys and forwarded my report. That report, after leaving me, I only see at the office. I have a copy sent to me when it is sent to the overseers. That report was forthwith sent to the overseers of the Hamlet of Ratcliffe, and they never moved in it at all. At last I went before a justice of the peace, thinking I might gain some assistance, inasmuch as the building was nearly falling, and parts had fallen next the river. I then attended before the magistrate, and I could get no redress there, because he said he had no funds, or could make no order to get any funds, to carry out the hoarding of any building, or pay any expenses which might

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be incurred. I then wrote to the overseers, and their clerk gave me a very satisfactory answer that they did not choose to interfere with it—that it was my own duty. I could not press them any further, but I asked them to allow me to have a meeting with them. I attended two evenings and I told them the matter was urgent; that I came there to relieve myself as a public officer; that I would not bear the onus in case of the building falling, and they must take the blame if anything happened, as the building was in a dangerous state. They then thought rather seriously about it. But I take it that the motive is this —they seldom like, in those districts, to interfere with the property of other people. In the case of the Court of Aldermen, however, they act in an independent manner; forthwith, upon the receipt of my report, they give directions to the architect to have the building boarded in, and after seven days have expired, if notice has been given to the owner, and if the building is not destroyed or pulled down, they send their officer to see that it is carried out.

6831. Suppose the overseers are willing to act, what powers have they?—They are enabled to provide for it out of the poor rate, under clause 40 of the 7th and 8th Victoria, chapter 84.

6832. It appears from that clause that the aldermen of the City, and the overseers of the parishes have precisely the same powers; but you state that in the one case the power is more independent and more efficient than in the other?—Yes.

6833. And whereas the act is carried into effect in the City—in the parishes out of the City it is very imperfectly so?—Very.

Mr. N. Saunders.

Mr. NATHANIEL SAUNDERS having been sworn, was examined as follows.

6834. What office do you hold under the corporation?—I am the water bailiff.

6835. How long have you held that situation?—Thirty years.

6836. By whom were you appointed?—The Court of Common Council.

6837. Is it an annual appointment?—It is.

6838. I suppose it has been proved in your case, that if the corporation are satisfied with the manner in which the duties are performed the officer is continued?—It is so.

6839. What is the salary attached to your office?—500*l.* a year.

6840. Are there any other emoluments?—No other emoluments; my expenses are paid.

6841. What are your duties?—To attend at the Mansion House every Wednesday and Saturday, and occasionally upon public days, as one of the esquires of the Lord Mayor's household, and obey all the Lord Mayor's orders. To arrange for holding Courts of Conservancy, and attend the Lord Mayor as conservator; also the views of the juries on the Thames and Medway, and to superintend the fishery under the Lord Mayor's deputation. To attend the Lady Mayoress on Easter Monday and such other times as are required. To invite the judges, and attend them to St. Paul's on the first Sunday in Easter term. To view, once in every three months, or oftener if required, the river between Putney and Blackwall, and in April and October the whole jurisdiction. To take cognizance of all drifts and strays, and submit the accounts to the Navigation committee. To attend all meetings and views of the Navigation committee. To keep a record and superintend the execution of all grants made by them, and obey all their orders. To give directions to my several assistants, and receive their reports. To keep a journal and report to the Lord Mayor or Navigation committee obstructions, encroachments, and nuisances, whenever necessary. To report to the Navigation committee the death of the City barge master, thirty-two City watermen, and eight water bailiff's men.

6842. Your duties are quite distinct from those of the harbour master?—Yes.

6843. What are your duties on the river?—As connected with the encroachments upon the river and erections under the sanction of the corporation.

6844. Do you survey the river?—Yes: I survey the river from time to time—and if I observe any encroachment which has not been authorized by the corporation, it is my duty to report it.

6845. The bed of the river is under the superintendence of the harbour master, is not it?—The stream of the river is under the superintendence of the harbour master. Between high and low water mark is all under my jurisdiction.

6846. Above bridge the river is altogether under your direction?—Not altogether; the clerk of the works has authority from London Bridge westward.

6847. The harbour master, I suppose, does not interfere with anything except what is really the harbour?—No.

6848. What is the distinction between your duties and those of Mr. Leach?—Mr. Leach is the engineer; a great many of my duties might be called engineering duties; but I am no engineer, and do not profess to be one. I have to give my opinion as to whether piers and so on which are applied for will be an obstruction to the navigation.

6849. Do you consult with some engineer upon questions of that sort?—No; I decide them from my own experience of what I have seen.

6850. On any point which requires engineering knowledge it is necessary for you to resort to the opinion of some person who has professional information, is not it?—It may be so on difficult matters; but having had considerable experience, it very seldom occurs

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that I should not be able to rely sufficiently upon my own judgment to give an opinion, whatever might be the value of it.

6851. Some time ago there was a contemplated construction upon the banks of the river bridge, upon the premises of Messrs. Price, was not there?—There was an application.

6852. Was that question referred to you?—It was not referred to me as an officer of the committee. I had to give my opinion.

6853. In what state is that question now?—I believe it is before the Woods and Forests.

6854. For what purpose?—It is necessary under the proceedings in Chancery for the Navigation committee to give information to the Woods and Forests of all proposed grants, which are that they may, if they see fit, object.

6855. Did you express an opinion upon that point?—Yes.

6856. Did it involve engineering questions?—Yes.

6857. As far as that matter involved engineering questions did you feel yourself competent to express an opinion?—I did.

6858. But you have never been educated as an engineer?—No. I have obtained very considerable experience during the thirty years of my service.

6859. You think your experience in practically watching the river supplies the want of regular engineering information on such questions, and that you were able to give an opinion upon such a point?—In that case I was.

6860. Did the corporation consult any person who had professional engineering knowledge?—Yes; Mr. Leach.

6861. Did your opinion and his coincide?—They did.

6862. You did not object to the construction?—No.

6863. Have you any other observations which you wish to make?—No. It has been suggested to me that there appears to be some omission in the evidence, and that the Commission might understand that there is no superintendence between London Bridge and Putney Bridge. That is not the fact, inasmuch as both Mr. Leach and myself supervise that part of the river.

Mr. C. H. James.

Mr. Charles Henry James, having been sworn, was examined as follows.

6864. What office do you hold in connection with the corporation?—I am one of the harbour masters of the Port of London.

6865. How many harbour masters are there?—Four.

6866. Are they all upon the same footing?—No, there are grades in them.

6867. Is there a principal harbour master?—There is a principal harbour master; he is ill at present, and unable to attend.

6868. What are the salaries attached to those offices?—The junior harbour master receives 300*l.* a year; the one next to him 350*l.*; the next 400*l.*, and the next 500*l.* That was the case in 1852.

6869. What are the duties which you perform?—We have to enforce the due observance of the bye-laws, and to perform and execute all and every such other matter, and things as are ordered or directed by the Port of London committee. We have to keep all the books which may be necessary; to attend them on views and to attend them in committee when required.

6870. How long have you held the situation?—Fourteen years, on the 13th of February next.

6871. What means had you of acquiring a knowledge of the river before you were appointed?—The nomination rests with the Lord Mayor. We are then examined by the Trinity masters as to our fitness, and then appointed under an Act of Parliament, the 10th of George the Fourth, c. 124, and placed in the situation in which we are to act by the Port of London committee.

6872. Cannot a harbour master be appointed by the corporation unless he shall have passed a preliminary examination by the Trinity House?—No; under the same Act of Parliament that is provided for.

6873. Do you take your directions and make your communications directly with the Navigation committee, or do you take your instructions from the head harbour master?—We take our instructions from the head harbour master.

6874. You are not yourself probably very conversant with the mode of transacting business in the committee?—I am perfectly.

6875. You do not yourself communicate with them?—No; I communicate with the principal harbour master, and he communicates with the committee. We act also under bye-laws regulating the navigating, placing, mooring, unmooring, and removing all ships and other vessels in the river Thames, except in any docks made in pursuance of an Act of Parliament. The number of vessels which have entered the river is very large. In the year 1853 there were 30,099, with a tonnage of 6,291,989—that is exclusive of coasters. In 1851 the coasters amounted to 9,253, with a tonnage of 1,386,450. In the docks there were 6,796 vessels, with a tonnage of 1,631,205; so that the accommodation in the docks was taken advantage of only by 6,796 vessels, or about one-fifth of the whole number of vessels.

6876. It is your duty to watch from time to time the state of the bed of the river, is not it?—It is.

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6877. Is it in a condition which requires considerable works to be executed, with a view to the removal of shoals?—I think not.

6878. It has been represented to the Commissioners that there are shoals in the river which it would be very desirable to remove at considerable expense. Do you believe that to be so?—A few of them should be rather deepened. The Whiting shoal was partially removed some years ago, and a depth of fifteen feet water made upon it; but I think it would be very dangerous to meddle very much with the shoals. I do not say that there might not be a partial dredging of the shoals with a good effect, but it would be very dangerous to meddle considerably with them, inasmuch as Mr. Leach has shown, in his evidence, that by the removal of Old London Bridge even the tide ebbs lower and rises higher than it did when old London Bridge was standing; consequently if you removed a shoal, to the effect produced by which London Bridge bears no comparison, I think you would have the water much lower, and consequently much higher.

6879. Have you any other observations which you wish to make?—I wish to refer to Mr. Powles's evidence. He wished the Port Committee to be composed of dock secretaries, and people belonging to the dock companies, and so on. I cannot help thinking that it would be a very dangerous thing to allow those dock officers to have a voice in the committee. In fact they are much more independent as they are. We see that only a small proportion, namely, one-fifth of the vessels, use the docks. If, as he says, the secretaries and officers of the dock companies cannot attend to civic offices, and so on, it can hardly be supposed that they could to attend the general interests of the river. They might attend when the interest of their particular dock was concerned, but I do not think they would attend when it was not.

6880. Are there many questions between the Conservancy committee and the docks?—None that I know of.

6881. It does not appear at present that the docks have much interest in the conservancy of the river?—I think their interests are all cared for, and well cared for.

6882. The qualities to be chiefly sought for on such a committee would seem to be independence and a knowledge of the subject?—They have considerable knowledge of the subject. It has been represented to the Commission that they have no knowledge; whereas they are elected for four years, one fourth only going out every year. They therefore acquire a competent knowledge of the duty, and they act as a jury. They do not simply sit as a committee, but they act as a jury and argue the point. Mr. Pratt says that his steam-boats find great difficulty in getting up and down the river. Now they publish a book weekly of the times of starting their boats, which have no reference whatever to the state of the tide—so that some of the vessels must get down to those shoals at low water—but they always pass over them in safety, except when they choose to navigate on a dark night, and they cannot see exactly the position of the vessel. Then they may get on shore.

6883. Are there many shoals in the river?—Yes; there are a good many shoals, but none of any consequence now. The Port committee have removed a great many, and the Trinity House likewise have made good channels everywhere The only obstructions, which can be called obstructions, to a very free navigation of the river at present are the Whiting shoal, the shoals off Barking, the Cold Harbour shoals, and the shoal a little below Erith.

6884. Do the shoals accumulate again when they have once been deepened?—I should say they would in time.

6885. But slowly?—Very slowly. When once a course is made for the stream of the river, it will naturally keep itself clear.

6886. Is your time fully occupied?—It is.

6887. Will you describe a little in detail what it is you do?—I give directions for the mooring and unmooring of all vessels which enter the port of London.

6888. Do you attend personally to that duty?—Yes.

6889. Is there anything else which you do of importance?—I take soundings when required.

6890. Is there any division made of the harbour between the four harbour masters?—Yes; one is at Limehouse, one at Greenwich, one at Gravesend, and there is a superintending harbour master who superintends the whole.

6891. Where do you reside?—At Limehouse. We have two assistants to the harbour masters.

6892. Has the Admiralty any officer on the river who superintends the shipping in any way?—Near the dockyards they have.

6893. They do not interfere at all with the mercantile shipping?—Not at all.

6894. The mercantile shipping in the river is exclusively under the control of the Navigation committee?—Exclusively.

M. E. Wilkinson, Esq.

Michael Eaton Wilkinson, Esq., having been sworn, was examined as follows:—

6895. What office do you hold in connection with the corporation?—I am clerk of the London Small Debts Court.

6896. How long have you held that situation?—I have been clerk between three and four years.

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6897. Were you a member of the common council before you were chosen to the present office?—I was a member of the court at one time; but I was six years out of the court before I became a candidate for my present office.

6898. What are the emoluments annexed to the office?—The salary is stated at 400*l.*, but it is subject to some deductions which leave it 371*l.* or 372*l.*

6899. Have you no other emoluments?—No other. I am obliged to be an attorney to hold the office, but I have entirely given up practice.

6900. What are the duties of the office which you hold?—To issue, or cause to be issued, all summonses, warrants, precepts, and writs of execution; and register, or cause to be registered, all orders and judgments of the court; and keep or cause to be kept, an account of all proceedings of the court. To take charge of and keep, or cause to be taken charge of and kept, an account of all court fees and fines payable or paid into court, and to enter, or cause to be entered, an account of all such fees, fines, and monies in a book belonging to the court to be kept for that purpose; and, at such times as shall be directed by the order of the court, to submit my accounts to be audited or settled by the treasurer, and so often as I may be required so to do, deliver to the treasurer a full account in writing of the fees received in the court, and a like account of all fines imposed by the court, and of the expense of levying the same, and to pay over to the treasurer quarterly or oftener, by order of the court, the monies remaining in my hands over and above such balance as I may be allowed by order of the court to retain for the current expenses of the court; and once in every year, or oftener if required, to make out and send to the Mayor, aldermen, and commoners an account of all sums paid over by me to the treasurer of the court; and in the month of March to make out a correct list of all sums of money belonging to the suitors in the court which shall have been paid into court and remained unclaimed for five years before the first day of the month of January then last past, specifying the names of the parties for whom or on whose account the same were so paid into court.

6901. Are you aware of the evidence which has been given by Mr. Russell Gurney to the Commissioners?—I did not hear of it; I saw a report of it in the newspapers.

6902. Are you minutely acquainted with the manner in which the proceedings in the court are conducted?—I am.

6903. Does it appear to you that that court on the whole gives satisfaction to the suitors?—It is my decided opinion that it is generally satisfactory to the suitors, and increases in that respect every year.

6904. The business increases as the character of the court is better known?—The business has so increased as to induce me to form that opinion, and also from expressions I hear from the suitors with whom I come in contact in the discharge of my duties. If the Commissioners will allow me, I will show what has been the increase to which I refer. The court opened on the 29th of September 1847. Between that time and Christmas, there were 2,300 summonses issued. That was a quarter of a year, and it was thought desirable to bring the whole within a running twelvemonth. The court then began a new account. In 1848, the number was 7,886; in 1849, the number was 8,603; in the year 1850, the number was 8,484—that is a small decrease from the previous year—in the year 1851, it was 8,754; in the year 1852, 9629; and in the last year, 10,279; so that it has been gradually increasing from its opening up to the present moment.

6905. Is the great majority of those cases settled before they come to a hearing?—No. About one-half are settled or otherwise disposed of. About half the number are tried.

6906. In what proportion of those cases is a jury asked for?—In the year 1852, there were only 15 juries; in the year 1853 there were 36 juries; but it struck all of us in the office as being an unusual number. We do not have the number of trials by juries which we expected we should have, that power being left to the suitors; from which I might be permitted to say, perhaps, I collect that the suitors are better satisfied with the decision by the judge, who gives his reasons for the judgment, than with the decision of a jury who do not give their reasons for their judgment.

6907. Either party may ask for a jury?—Either party may ask for a jury.

6908. In what cases do they ask for a jury—is it in the most important cases, or is it accidental?—It is quite accidental. I cannot state that they are the most important cases undoubtedly. Most of those juries have been in causes in which I should have thought the suitors would rather have taken the determination of the judge.

6909. What is the class of persons who are generally suitors in the court?—All classes. In any case which occurs within the jurisdiction of the City, a party may sue and be sued in the court.

6910. Are members of the corporation often parties to suits?—Not often, certainly. I should say by comparison the number is very small.

6911. Is there any other fact which you would wish to mention?—By the Act of Parliament, the common council have the power to diminish the fees when they may think proper, and the power to re-impose them when they think proper. On the 28th of July 1853, the fees were diminished in this manner. The court directed, "That the "fee of one shilling in the pound now payable under the head of general fund fees, be "lessened by sixpence in the pound. That the fee paid for every summons issued under "the 38th section of the Act of Parliament, of 7d. in the pound, usually receivable with "the fee of one penny in the pound to the high bailiff, under the head of plaint fees, be

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"lessened by fourpence in the pound on all debts and demands under 20*l.* That the fee "for every judgment by consent be lessened from twenty-six pence in the pound to "thirteen pence in the pound. That the fee for every judgment summons be lessened by "threepence in the pound. That the fee of twopence in the pound payable on paying in, "and the like fee of twopence in the pound payable on receiving out monies be dis-"continued." This has not extended for so long a period of time as to enable me to give anything like the aggregate amount, it is only dated the 28th of July, but I calculate from the decrease made according to this scale, it will be the means of reducing the receipts from the fees to the extent of about 1,000*l.* a year.

6912. Has the business been increased by the reduction in the fees?—I think the reduction is beginning so to operate. The expressions of satisfaction are very general on the part of all persons when they find the amount which has been reduced.

6913. There is an appeal in all causes between 20*l.* and 50*l.*, is there not?—Yes.

6914. Have there been many appeals?—There have been no appeals in the City Court.

6915. The judge of the Sheriff's Court is the judge of the Small Debts Court, is not he?—He is.

6916. Is there any provision in the Act with respect to the salary he is to receive as judge of the Small Debts Court?—No, not in that Act. It is a matter of arrangement on the part of the corporation.

6917. It is a matter of arrangement with the corporation what the amount of the judge's salary shall be?—Quite so.

6918. I see there is a provision in section 15 that no clerk, treasurer, bailiff, or other officer of the said court shall, either by himself or his partners, be directly engaged as an attorney or agent in any proceeding in the court. Is there any clause which prevents his practising generally in the other courts?—No, there is no such clause; but I have given up my practice to devote myself to the duties of that office, feeling that they are quite enough to occupy me.

6919. You are not prevented by this Act from carrying on business in any other court?—Certainly not.

6920. Where is the court held?—It is held in the building called the Sheriff's Court at the corner of Basinghall Street, in Guildhall Buildings. The building which was the old Court of Requests, the old Court of Requests having been abolished, has been altered and modified and made the Sheriff's Court.

6921. What becomes of all the fees in the court?—I pay the fees which I receive into the chamber every week.

6922. Supposing the fees exceed the expenses of the court, what becomes of the difference?—That the corporation have power to dispose of as they think proper.

6923. Those are fees taken from the suitors?—Yes.

6924. Then the corporation may make a profit of the court; is that so?—They might perhaps, have the power to do so, but I cannot conceive it possible that they would do so. If they find there is an accumulation of more money than is necessary, they have power to reduce the fees, as they have already done, so as to leave enough to meet the exigencies of the case. Week by week, I pay the amount of the fees into the chamberlain's office.

6925. Is there anything charged to the fee fund of the court by way of rent for the building in which the court is held?—I know it to be so, though it is not in my department. The court pays, I think, the sum of 280*l.* to the corporation for the use of the building.

6926. Out of the fee fund of the court?—Yes.

6927. Is there any provision in the Act with respect to the salary of the bailiffs, or is that left in the discretion of the corporation?—That is left in the discretion of the corporation.

6928. Do you know what they are paid?—Yes.

6929. What are the salaries which they are paid as compared with the salaries of the bailiffs in county courts in general?—I do not know what the bailiffs in the county courts have.

6930. What is the salary paid to the bailiffs of the City Court?—200*l.* a year to the chief bailiff, 100*l.* to two of the under bailiffs, and 80*l.* to two others of the under bailiffs.

6931. You do not know what proportion that bears to the amount received by the bailiffs in the other county courts?—I believe it is much less, but I do not know that of my own knowledge. If the Commissioners will allow me, I should like to hand in for inspection by them the legal and financial summary for the year 1852, and the one for the last year, which shows the whole operation of the office (*delivering in the same*).

Adjourned to to-morrow at 12 o'clock.

Thursday, 26th January 1854.

The Right Hon. Sir JOHN PATTESON in the Chair.

Charles Pearson, Esq.

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Charles Pearson, Esq. was further examined, as follows:

6932. The Commissioners understand that you wish to add something to your former evidence?—It is upon the subject of Mr. Gentry's statement before you two or three days

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ago. I think such representations as he has made are better answered at once. In No. 5868 the question asked Mr. Gentry is, "'What did the chamberlain say or do upon that statement?' He said, 'Two months, Mr. Gentry;' that is all he said to me." Upon that, I can only remark that the chamberlain was the late Anthony Brown, a most amiable man. I was not present upon the particular occasion referred to, but I was present upon a great many occasions; and certainly a great courtesy and kindness of manner always distinguished that gentleman in each of those cases; and I am very much surprised if he gave such a curt reply in answer to such a statement. I think I saw him, and was present when he heard some eight or nine hundred persons, and great courtesy and kindness was always manifested by him.

6933. Do you think that the answer was in substance what Mr. Gentry represented it to be?—I doubt whether Mr. Gentry can have made a statement to him such as he describes, because I think the chamberlain would have felt it to be his duty to make a special representation. He did so in many cases where the party pleaded poverty. He made a representation of the fact to the committee, and in those cases the committee did not direct proceedings to be taken. That if he had asked for two months, the chamberlain would have given him two months, I have no doubt; but if he had stated that he had asked for two months on account of poverty or inability to pay, the chamberlain would have made a special representation of that fact to the committee, and, in all probability, Mr. Gentry would not have been selected. The substantial representation in the paper read by the recorder was that no unnecessary harshness had been used, and if it had been used, it was without the cognizance of the corporation and the committee, and that it would fall upon the officer. It would, therefore, fall upon me, as solicitor, if I have practised any harshness. I should state that I first sent a letter accompanying the chamberlain's summons to Mr. Gentry to take up his freedom. That letter was not in my usual course of duty, but out of my course of duty,—supposing my name might, perhaps, induce the parties to take up their freedom. When I was directed to sue Mr. Gentry, I sent him the summons, and a short time afterwards I wrote to him thus:—"Sir,—I find you have not appeared to the action commenced against you, to compel "you to take up your freedom, in conformity with the instructions I have received. "Unless this be done on or before Tuesday next, or otherwise you take measures before "that time to obtain your freedom, I shall be under the necessity of signing judgment in "the action, and issuing execution against you." I heard nothing from him, and I placed writs of execution in the hands of the officer against Mr. Gentry and five other persons. I told the officer to say to each person: "This proceeding is taken not for the purpose of "recovering the penalties, but to increase the constituency; and, if it is your pleasure to "take up your freedom, Mr. Pearson will relinquish his costs, and I have no doubt the "committee will also relinquish the fine; but I have authority from the solicitor to "say, that the man shall be immediately withdrawn from possession if it is your pleasure "to apply to the committee." I am informed by the officer, who is here and will answer for himself, that in each of those cases he did give that message from me at the time of his execution of the warrant. In five out of the six cases the parties did apply to me. In each of those cases I relinquished my charge for costs, and I applied to the committee, and upon their obtaining their freedom the fines were remitted. The officer came to me, and told me, that Mr. Gentry would make no such application; that he would not step over the threshold of his door if anybody would give him 50*l*; and, in fact, dared us to pursue the proceeding. My statement to the officer was, "The warrant is in your hands "to perform your duty. I shall not in any shape interpose. Discharge your duty as "you would under ordinary circumstances; but repeat to Mr. Gentry, that if he comes "to me, I shall not consider this as any affront to me, but shall deal with him as I have "in all other cases." The officer executed his warrant, and levied the amount. Some time afterwards, Mr. Gentry was summoned again. I was at that time sitting for the chamberlain, in consequence of the chamberlain's absence. I did not know Mr. Gentry personally, but he told me he was the same person against whom the previous action had been brought. I then spoke kindly to Mr. Gentry, and advised him to take up his freedom, telling him that the money was still in the officer's hands, and would be returned to him if he would obey the law. He then spoke in a subdued tone, which led me to sympathize with him. I then stated that he should have time to consider the subject, and he left me. He afterwards came to my office, and complained of the manner in which this execution had been levied, and his goods taken. I immediately sent for the officer, and desired him to give me his bill. Mr. Gentry says upon the officer producing it to me, I handed it to him. I then repeated to him what I had so often before said, "That if it was his pleasure to take up his freedom, I was authorised to remit the penalty, as I had already relinquished my costs." He did not do so. The money still remains in the hands of the officer; and if Mr. Gentry feels aggrieved as to the manner in which the officer executed his process, he should apply to the court out of which that process issued; and no doubt the recorder would deal properly with the case. I cannot interfere. The officer assures me that the process has been executed in due form of law, in accordance with the usual manner. I am but an instrument to execute the instructions of my client; and he is but an instrument of the law in carrying them into effect. Whether the proceeding is right or wrong must depend upon other considerations. I only feel myself called on first to vindicate my character as a professional man, and then

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to vindicate the statement that we have made,—that there has been no degree of hardship practised by me upon him. I have gone out of my own way, and sacrificed my own professional emoluments in order to avoid the possibility of any imputation of hardship.

6934. Did you learn from Mr. Gentry whether he had received that first letter of yours?—I did not.

6935. Was it sent by post?—I have no doubt by post—he did not complain of any want of previous application. On the contrary his manner to me was as if he knew perfectly well that the issuing of this process was not according to my views; he did not at all blame me, but quite the reverse.

6936. The second summons was not proceeded with?—It was not. I felt in the case of a man who appeared to be angry from some other circumstances, it was better to give him time to reflect upon the whole question. In looking at this account I regret certainly that the law is such as to allow so large an amount of expenses in such a case, but so it is.

6937. In reading Mr. Gentry's evidence did you observe whether he made any statement that any illegal step had been taken against him, or whether he did not confine his complaint to this, that there had been harshness in the proceeding?—I do not recollect that he alleges anything illegal. He says they took a large quantity of goods and gave him no account, and then brought him back his sofa; there is only a slight shade between harshness which is not illegal and harshness which is—he does not draw that line. Certainly, if Mr. Gentry's evidence were to stand as it does there, I think it not improbable that it might be considered a subject for inquiry by the court, and therefore with the permission of the Commissioners I think Mr. Gore should be examined, because he has a character like myself. He is a very respectable officer, and it would appear to me desirable that he should be examined.

J. Z. Gore.

JOHN ZACHARIAH GORE having been sworn, was examined as follows:

6938. Are you a sheriff's officer?—I am, and also serjeant-at-mace of the Lord Mayor's Court.

6939. Were you employed by Mr. Pearson, the solicitor to the City of London, to levy an execution upon the goods of Mr. Gentry?—I was.

6940. What was the course which you took in executing that writ?—I have been called upon to explain the circumstances to a committee of the Court of Common Council while the facts were fresh in my memory. I have a draft here of that statement, perhaps I may be permitted to read it. It was on the 3d of February that I levied the execution. I asked the defendant if he would discharge the claim by payment of the amount; he said he should certainly do nothing of the sort. I told him I should be under the unpleasant necessity of leaving a man in possession, and recommended him to lose no time in waiting upon the City solicitor with a view if possible of preventing my being obliged to remove his property. He stated that he did not intend to take any trouble or wait upon any person about it. His principal complaint was not as to the mode in which the thing was done. I have seen Mr. Gentry many times since, and he has never complained to me of my conduct or any other officer of the corporation in regard to the measures which were taken against him, but this was his complaint then, and I have always heard it repeated to the same effect. He said the City authorities were at liberty to take his things if they thought it right to do so; that the corporation by their proceedings had almost ruined him by the removal of nearly the whole of the neighbourhood and driving away his customers; they might if they pleased complete it, meaning his ruin; that he had sustained loss to a large amount, naming several hundreds of pounds; that he had been induced to pull down some portion of his premises under the impression that some compensation would have been awarded to him, but that was now refused. The circumstances of my proceeding are as follows. I saw the defendant again on the following day, and used all the arguments in my power to induce him to see the City solicitor upon the subject, and I explained the course which had been adopted in the cases of three other persons whom I also levied upon, and urged him to prevent the necessity of my removing his goods or incurring further expenses. He said he would not go over the threshold about it if I were to offer him 50*l.*, that he did not require the man to remain there, and I might take the goods as soon or whenever I pleased. Finding that he was disposed to render the man in possession uncomfortable, I reported the circumstances to the City solicitor, who instructed me to proceed in the usual way. I thereupon instructed a broker to remove such goods as would be least likely to inconvenience the defendant, and sufficient have since been sold to satisfy the amount and the expenses, and the residue has been returned to Mr. Gentry.

6941. What was the amount to be levied under the writ?—8*l.* 6*s.* 4*d.*

6942. What were the additional expenses?—The account I have received was as follows—To levy 8*l.* 6*s.* 4*d.* Costs of writ 4*s*, which I was instructed would be given up; my fee was 5*s.*; the man in possession was paid for two days 10*s.*—making together 9*l.* 5*s.* 4*d.* The appraiser's charges amounted to one guinea; van and man assisting, 7*s.* 8*d.*; warehousing, 20*s.* They were not sold for several weeks afterwards in order to give Mr. Gentry an opportunity of redeeming them if he should think fit; carting goods

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to the sale-room and man, 5*s.*; auctioneer's charges and commission, 1*l.* 3*s.*, making altogether 13*l.* 2*s.*

6943. A sufficient portion of Mr. Gentry's furniture was sold to produce that amount, and something was restored to him?—Yes; some article of furniture which he received back.

6944. That is all you know of the transaction?—That is all I know.

6945. Is there anything else which you wish to state?—No.

6946. Was anything said about the illness of his wife?—There was no complaint of that kind; his wife was about at the time and in business, and apparently attending to her domestic concerns; she very strongly urged him by all means to go up to the solicitor and settle it. She said all she could do to induce him to do so, to prevent the necessity of our removing the goods. I have only to say, that I am prepared to furnish the Commission with a scale of the charges of my particular duties in the Lord Mayor's Court. I have been called on to make a return for the year 1852, and I have annexed a note to it stating that the fees have been since revised and altered.

The scale of fees was delivered in, and is as follows :—

SCALE OF FEES OF SERJEANT-AT-MACE—LORD MAYOR'S COURT.

FOREIGN ATTACHMENTS.

1853.—Service of Attachment, or Summons in Attachment.

	£	s.	d.
Sums not exceeding £20 each - - - -	0	1	0
„ „ £50 „ - - - - -	0	2	6
„ „ £100 „ - - - -	0	4	0
„ „ £200 „ - - - - -	0	6	0
„ „ £500 „ - - - -	0	7	6
„ exceeding £500 „ - - - - -	0	10	0
Render in dissolution of attachment - - - -	0	2	6
Precept of appraisement of goods in attachment - -	0	2	6

Execution of Warrant against Garnishee in Attachment.

Sums not exceeding £20, including return - - -	0	5	0
„ „ £50 - - - - -	0	10	6
„ „ £100 - - - - -	0	17	6
£100 and upwards - - -	1	3	6
Summoning jury each cause - - - - -	0	2	0
Attending court and swearing each witness - - -	0	0	6

Process in Actions of Debt.

Executing warrant against goods, not exceeding £5 - -	0	3	6
„ „ „ „ „ „ £10 - -	0	5	0
„ „ „ „ „ „ £20 - -	0	7	6
„ „ „ „ „ „ £50 - -	0	10	0
„ „ „ „ „ „ £100 - -	0	15	0
„ „ „ „ exceeding £100 - -	1	0	0
Execution withdrawn, (*nulla bona*), and return - -	0	2	6
Executing warrant against the person in sums exceeding £20	0	10	0
Impri - - - - - - - -	0	2	6
Every *nulla causa* to discharge defendant - - -	0	2	6
Summoning jury each cause - - - -	0	2	0
Attending court, swearing jury, and witnesses - - -	0	1	0

G. B. Childs, Esq.

GEORGE BORLASE CHILDS, Esq., having been sworn, was examined as follows :

6947. What office do you hold?—I am surgeon of the City police.

6948. How long have you held that office?—Since 1844.

6949. What are your duties?—I beg to observe that I was not aware till last night at six o'clock that I was to appear before the Commission to-day. I have had no communication with the corporation, or any officer, with reference to the evidence which I am to give here to-day. I wish to state this more particularly, because Mr. Acland is under an erroneous impression, that as the son of one of the partners of an alderman I received my appointment. At the time of the office becoming vacant there were twenty-five candidates started for it, and among the number was a son-in-law of one of the aldermen, and many gentlemen of influence in the City, who it might be supposed would have had some weight in the corporation. I came forward as a perfect stranger, and was elected upon purely professional grounds.

6950. Were you elected by the Court of Aldermen?—By the Police committee of the Court of Common Council.

6951. What is your salary?—My salary is 500*l.* a year.

6952. What are your duties?—I have a statement of the duties here which, with your permission, I will read. It is the surgeon's duty to keep a daily register of all sick, showing the number of days they have been under his care, the nature of their illness, and the period when discharged cured. He is to send daily a copy of this register to the chief office, and on every Wednesday a weekly return comprising the above particulars, and also an annual return of the same character. It is also the surgeon's duty to examine every candidate for admission into the force, and report thereon to the chief office. This examination is necessarily of a lengthened character, requiring that the candidate should be stripped and thoroughly examined, to enable the surgeon to decide if the physical strength as well as the bodily health of the candidate are of a character to entitle him to admission into such a body of men as the police force. I find that the average number of examinations arising out of this branch of the surgeon's duty is 150 annually. The surgeon is also required to keep a register of the name, age, county of birth, and previous occupation of the candidate, and whether accepted or rejected by him, and if the latter, the reason on which such rejection is founded. This branch of the surgeon's duty is a very important one. It is also the surgeon's duty to specially report to the Commissioner in writing the circumstances of any case requiring particular attention, and also the name of any member of the force who, in the surgeon's opinion, reports himself sick without a sufficient cause, or who, from long continued indisposition, is incapable of performing the duties of the service. He is also, from time to time, to report to the chief office upon all such medical matters relating to the police force as he may deem necessary in the discharge of his duties. The next important duty is that of medical attendance upon the sick. The time required for the performance of these duties is not limited to any certain period of the day, but extends over the twenty-four hours, and it is the surgeon's duty to be constantly in readiness whenever in case of sickness or accident his assistance is required, and he is frequently called up during the night to decide in cases when, from intoxication or otherwise, the constable appears to be incapable of duty. The surgeon has to provide medicine, strappings, lint, bandages, and all other medical and surgical requisites. When their indisposition is slight these attendances are given at the surgeon's house, but in other cases at the men's own houses; and in fever or other severe illness, two or three daily attendances are sometimes required. From these facts it will be seen that the duties of the surgeon are not comprised within any certain limits, and that the whole of his time must necessarily become the property of the corporation. The surgeon's registers form the most accurate data on which the worshipful the Police committee can act in relation to all matters connected with the medical department of the force; the number and name of each man who has reported himself sick; the day on which he so reported himself; whether on day or night duty; the number of days he remained on the sick list; the cause of his illness; the date on which he again resumed his duty; state of the sewerage on his beat; the same of the street or court in which he resides, and the drainage of his house; the number of the inhabitants resident in the same house with him; and the character of the epidemic, if any, prevailing on his beat or neighbourhood. I should state that in 1844 I was appointed at a salary of 200*l.* a year to perform those duties. I have a return of the Officers and Clerks' committee in 1853. I find that in 1848 I received 312*l.* 10*s.*; in 1849, 350*l.*; in 1850, 350*l.*; in 1851, 350*l.*; in 1852, 462*l.* 10*s.* Since 1852 the Police committee, having taken into consideration the laborious duties I have to perform, raised my salary to 500*l.* a year. No emoluments whatever of any other kind attach to my office.

6953. Are the police force in general a fine body of men?—They are; we take no men under five feet eight.

6954. Mr. Harvey stated that your standard of height is an inch higher than that of the metrepolitan police?—It is; the metropolitan force take five feet seven.

6955. You require five feet eight?—Yes.

6956. Every additional inch of height of course excludes a considerable number of candidates, does not it?—Yes, it does, no doubt.

6957. What is the ground for requiring an additional height for the City force?—I should not measure a man's physical power by his height; but I think it is right to have in all public services one uniform standard. I think you must have men of some appearance in street disturbances, and so on, and five feet eight is, in my opinion, a very fair standard.

6958. Mr. Harvey stated that it was found desirable that there should be a different standard in the City to that which is adopted in the rest of the metropolis. What is the ground upon which that distinction is established?—I have none of my own. Mr. Harvey may have some private opinion on the matter probably.

6959. You are not aware of there being any special reason for requiring taller policemen in the City than in the rest of the metropolis?—I am not.

6960. Is there anything else which you wish to state?—It may be in the recollection of the Commissioners that in 1852 a Mr. Bessell brought an action against Mr. Alderman Wilson for false imprisonment, and that he stated that in consequence of the dampness of the cell in which he was locked up he became very severely indisposed. That statement

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went out to the world, and it never has been corrected. I believe the Lord Chief Justice at the time, upon the erroneous statement of the plaintiff, made some very stringent observations in reference to the matter. I received instructions to visit the station house and make a report to the Police committee upon the sanitary condition of the cell alluded to, which, with your permission, I will read. I was accompanied by the police receiver, and this is the report which he made to the Police Committee. "Gentlemen—In consequence of some remarks being made in a court of justice on the alleged damp state of the Smithfield police station, where Mr. Bessell was detained, I have, at the request of your chairman, Mr. Alderman Lawrence, particularly examined the lock-up in question, and beg respectfully to report. The place complained of is a middle one of four cells, on the ground floor of the station. It is entirely within the house, and on the left of a passage leading from the charge room to the policemen's mess room. It is in length twelve feet, in width six feet and a half. There is an opening in the ceiling twenty-six inches by twenty-two, and above it a skylight, which can be closed by a sliding shutter at night. There is also an opening over the door, twenty-two inches by fourteen inches, for ventilation from the passage. The floor is boarded, and under the seat is placed eleven and a half feet of hot water pipe. The walls are of brick, and, for cleanliness sake, are frequently lime whited. From the walls being perfectly dry, it might be possible to flake off some of the lime white with the finger nails. The basement of the station is in daily use as a cleaning and brushing place by the thirty men who lodge in the house. Beside the hourly attention given by the men on duty, the station is from time to time inspected by gentlemen who are members of your worshipful committee. The station has been in its present state during the last twelve years. In winter the furnace of the warming apparatus consumes about twelve sacks of coke per month, and I have never found occasion to report any want of either cleanliness, dryness, or warmth in the cells." My own report follows:—"Accompanied by the receiver, Mr. Payne, I yesterday visited No. 2 station, Smithfield, and inspected the lock-up referred to in his report. I concur in the opinions above expressed, and have no hesitation in saying that for space, cleanliness, and in all respects as regards its sanitary conditions it is not inferior to any police cell in the metropolis. I beg moreover to state that the cells of the different station houses in the City have been frequently inspected by me during the last seven years, and on no occasion since that period have I had to complain of any defect in their sanitary arrangements. These remarks apply themselves with peculiar force to the cell in question, as from its locality, space, and the other means at command for warming and ventilating the same, it must possess advantages beyond most other cells in the City."

6961. What is the date of that?—July 28th, 1852.

6962. Was that after the action had been tried?—Yes; after the observations of the Lord Chief Justice.

6963. Have you been able, either officially or otherwise, to form an opinion as to the efficiency of the City police?—I have.

6964. Will you state your opinion upon that subject?—I believe there is some objection raised as to the want of harmony between the City and the metropolitan police. Now it is a daily occurrence that the City and the metropolitan men act most harmoniously together. In fact, scarcely a day passes but a metropolitan policeman has to appear as a witness against some party in the City, or a City policeman against some prisoner in the metropolitan district. The men are always ready to render each other assistance and service. The Act of Parliament expressly states that the City police have a power to act in the metropolitan districts, and that the metropolitan police have power to act in all cases of emergency in the City; therefore the same reciprocity of action and feeling exists between the City police and the metropolitan police as would exist between policemen on adjoining beats.

6965. It has been stated to the Commissioners that there would be considerable inconvenience in referring from the City to the head office in Scotland Yard if the two bodies were consolidated, and that there would be a reluctance in the City to make such references. Is it your belief that such would be the case?—I have no doubt of the inconvenience which would arise from such a state of things. I may exemplify it by a case which occurred not long ago. A gentleman went to a banking establishment and received a large quantity of gold, which he took away with him in a cab; he got out of the cab and forgot that he had left his bag of gold in the cab; he immediately went off to the police office in the Old Jewry and made known his loss; in about five minutes the whole machinery of the City police was in operation, and in less than three quarters of an hour the gentleman recovered the whole of his money. That, I imagine, would not have taken place if that gentleman had had to go to Scotland Yard to make known his loss to the commissioners there. Time would have been lost, great delay would have occurred, and the probability is that the gentleman would have lost his money.

6966. Are there not principal station houses in each of the divisions of the metropolitan police to which reference can be made?—The authorities in Scotland Yard must be communicated with before they can put the detective force into operation for the purpose of recovering stolen property. It is the custom when a loss is sustained in the City for a person to go to the nearest station. The loss is entered in a book, and a report circulated to all the stations around. At a certain hour, when the men muster, this is read out to

them, but before you can get the detective men into operation you must communicate with the heads of the police force. The report would pass from the City into the metropolitan district, but the detective men would not be set in motion till such a communication was made.

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BENJAMIN BOWER, Esq., having been sworn, was examined as follows;—

Benjamin Bower, Esq.

6967. You are deputy-governor of the fellowship of porters?—I am.

6968. Who is the governor?—The alderman of the ward of Billingsgate is always the governor and his deputy exercises the office of deputy-governor. I believe that has been the case ever since it was formed.

6969. Practically you are the governor of the fellowship, are you not?—I do not think the present Lord Mayor, who is alderman of Billingsgate ward, ever interferes.

6970. For how long have you been deputy?—Not much above a year at present.

6971. Are you conversant with the affairs of the fellowship?—Not to a great extent.

6972. Have you ever taken any part in the management before?—No; I should state that the deputy's office resolves itself into this, that the corporation or whoever passed the Bill seemed to think that the fellowship porters, being labourers themselves, ought not to have any very extended powers over their fellow men. The consequence is that, by a clause in their Act, if any misdemeanour arises which it is considered goes beyond the powers of the rulers of the fellowship, the deputy is called in to adjudicate upon it. For instance, the rules cannot fine a man beyond two guineas, let it be for whatever offence it may, nor can they suspend him from labour above 14 days, but they have the power to call in the deputy whose jurisdiction extends to dismissing the man from the service, if the case seem to require it, or he may fine the man a larger sum, or suspend him a longer time.

6973. What are the powers of the twelve rulers of the fellowship?—Their particular business is to keep the men at work. As I understand it, any person who wants men to work can apply to a ruler who is appointed, each in his turn, at a particular spot, and he is bound to find men for the work required.

6974. Do the rulers ever meet and deliberate as a body?—They do.

6975. How often?—Once a month in the regular way, but I suppose they meet oftener if need be.

6976. Are you present at their meetings?—No; I can attend if I please, but unless I am wanted I do not do so. I believe any one of the fellowship porters has the power, if he is dissatisfied, or does not choose that his case shall be taken before the rulers, to apply to the deputy for a deputy's summons; then the deputy attends and adjudicates.

6977. What is the nature of the business transacted at the meetings of the twelve rulers?—They manage the finances, and very often decide disputes between the meters and the porters.

6978. What are the powers of the deputy?—The deputy, as the system is now carried on, appoints the fellowship porters and adds men to the number; he also has the power of fining for misconduct; he has the power even of dismissing, if the case is a strong one.

6979. What is the origin of the body of fellowship porters?—It is a very ancient body. As in the case of the Waterman's Company, and many others, such a body was found absolutely necessary in former times.

6980. Was it created by grant or did it arise by prescription?—It was created by the corporation in those days, I imagine.

6981. The corporation could not have granted exclusive rights, could it?—The corporation I believe have the right of porterage and metage, and they appoint those men to do the duty.

6982. The porters have nothing to do with the metage, have they?—They have to work with the meters.

6983. Can you explain how the exclusive right of the porters originated?—I presume the corporation claimed the right of porterage and employed those men as their servants to do it; they have no other interest.

6984. Is there any Act of Parliament under which they act?—I believe not; there is an Act of the common council.

6985. What is the present state of the fellowship porters?—The number of men who are actually on the books of the fellowship I am told is very nearly 2,000; a great many of those men do not work, or work only occasionally—perhaps from 900 to 1,000 men are constantly at work.

6986. What is it that enables a person to become a member of the fellowship?—He must be a freeman of the City of London; he then applies to the deputy to be made a fellowship porter. The deputy says,—"Who recommends you?" If he appears to be a strong able man, and fit for work, he is supplied with a form of recommendation, which he must get signed by as many as he can of the inhabitants in the neighbourhood that the deputy is likely to know anything about. If he gets that, and there is room for more workmen, the deputy appoints him.

6987. The only condition is that he shall be a freeman of the City?—That is all.

6988. He may be a freeman of the City without having paid anything, may not he?—He must have paid a small sum, 2*l.* 6*s.* 8*d.*, and trifling fees beyond that.

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6989. Even where he is a freeman by birth?—Yes.

6990. Is there any payment when he becomes a member of the fellowship?—He lodges in proper hands, I believe in the hands of a ruler, 5*l.*, as an assurance for his honesty, and to meet a portion of the expenses.

6991. He deposits caution money to the extent of 5*l.*?—If it is caution money; I am not aware whether it is so or not; he pays 5*l.* I know.

6992. Does the porter ever get the 5*l.* back?—I have cautioned those men who have applied to me lately; I said—"An inquiry is going on with respect to this right; supposing "it is altogether abrogated and done away with, what shall you do for your 5*l.*?" I then recommend them to go to Fellowship Hall, and inquire what will be the course; they have come back to me and told me it will be returned to them, and I know that that is the understanding that it will be so.

6993. Would it be competent to the common council to dissolve the fellowship?—I believe it would.

6994. There is no Act of Parliament recognizing the body?—I believe not; I believe them to be a very useful body of men, and in giving evidence upon that point I would rather speak as regards my own trade or profession.

6995. What is your trade?—I am a fruit merchant, landing very large quantities of goods constantly on men's heads. We have forty men appointed to our trade alone. We live in the neighbourhood of the Thames, so that packages of fruit are put on the men's heads, and they bring them from the ship into our houses. We consider them a very useful body of men, and we could not do without them.

6996. Why do you prefer them to the porters employed under ordinary circumstances, without any corporation superintendence?—They are trusted to a large amount. Any of the men might walk off with our goods; they take those packages of fruit on their heads on board the ship, and they come up through crowded thoroughfares, where their lives are almost in danger with carts and a number of people surrounding them in all the streets; if they were badly inclined they could very easily get rid of those things by putting them on to a cart, or slipping with them up a passage, which we find is often done when we employ strangers. I should say that those forty men are not sufficient for the trade, and though the fellowship porters used formerly to object to any man working with them, they now do not object; rather than give up their nominal privilege they will even guarantee strangers, and very often they have to pay money for them.

6997. Are the porters of the fellowship in general better off than other porters in the same condition of life?—I think they are a more respectable body of men, and though they do not earn a great deal of money, yet, being under a certain kind of surveillance, they save their money and do better in many instances. They are looking forward to a certain advantage if they do behave properly, because when they have been on the fellowship a certain length of time they get on to the rank of corn porters, where their pay is better, and the labour rather lighter.

6998. Is that payment more than that of ordinary porters?—I do not think it is. I can speak for our own trade that they are not a bit too well paid. A man takes a package on his head from a ship lying, perhaps, two or three vessels deep from the shore, walking over those two or three ships before he gets to the shore, then up a plank, then across the street into our houses for 2*d.*

6999. Do you know whether complaints are made by persons in your trade and other trades which are liable to porterage rates, as to the privileges of the fellowship?—I do not think much complaint is made. I think the dock companies have been able to get a little profit by employing what are called lumpers to do this work, instead of letting the fellowship porters go on their premises, but the public get no benefit from that, inasmuch as they charge them the same as the fellowship would.

7000. Is there not a fund belonging to the fellowship?—There is a fund.

7001. Can you give us any account of the state of that fund?—At present I have ascertained that they have a sum in the 3 per cent. consols amounting to 3,500*l.*

7002. How was that fund created?—In a great measure from the payments of 5*l.* I presume. There is also in the hands of the shifter the sum of 5,750*l.* to enable him to pay the men directly the work is done and to have time to collect it from the parties who have ultimately to pay it, but I think that is a larger sum than he ought to retain.

7003. Have you seen the evidence of Mr. Brown given before this Commission?—Yes.

7004. Have you any explanations to give in reference to that evidence?—I see in two or three places he says the corporation have done so and so. Whatever the corporation have done must have been most gratuitous, for they have no interest whatever in it, except to make it work well for the public benefit.

7005. All the payments go to the fellowship fund?—Yes.

7006. Nothing goes to the corporation?—Nothing at all.

7007. Are the fellowship a corporation?—I think they call themselves so; I do not well see how they can be so; they are under the corporation of London.

7008. Can they sue and are they sued in their own name?—No.

7009. Will you refer to the evidence given by Mr. Brown at page 330—he says, "An- "other of our complaints against the corporation is this, that they have passed acts of "council regulating our body in which they have coerced us to make payments to officers "of their appointing. Our principal corn shifter borrowed of the company 7,000*l.* which

" the corporation compelled the company to lend him to carry on his business as a corn " shifter. He was appointed in 1827 and by the return he has made, it appears that he " has received the sum of 87,000*l.* out of the earnings of the porters from that branch of " employment of corn labour. Although a portion of this sum has been paid over to the " rulers of the company at different times no effective provision is made for old members " of the body." The next question is, " You say the corporation compelled you to lend " this officer 7,000*l.*," and the answer is " Yes, without interest to carry on the business " which they appointed him to do and he has received during the time he has been in the " office from the year 1827, the sum of 87,000*l.*" Can you explain this transaction?—That is the result of 1*d.* in the 1*s.*—he is allowed 1*d.* in a 1*s.* for his trouble in getting in the money, of which he keeps 4½ per cent. for himself and 3½ per cent goes to the fellowship fund. He pays the men when the work is done, but he has to wait some time before he gets the money; therefore he maintains that he requires a large capital to be able to do that; I think the capital is larger than he does require, although no doubt he does require some balance in his hand for the purpose.

7010. Will you explain what the nature of his duties is; he is an officer of the fellowship?—Yes.

7011. What is he appointed to do?—He collects the money for all the work done.

7012. He collects the money from the persons who employ the porters?—Yes.

7013. Has he collectors for the purpose, or do the porters come to his office and pay it?—He has to collect it, and I am told that the reason why so large a sum of money is left in his hands is that he frequently has to collect it from great distances in the country. The men are paid immediately by the shifter, Mr. Ruston.

7014. Are they paid at his office?—Yes.

7015.—The system is that he has an office at which he pays the men as any employer of labour would do, and then he has to collect the money from the real employer?—Yes, for which 1*d.* in a 1*s.* is deducted, and that is the money which is here made to amount to such a large sum.

7016. What is the meaning of the corporation compelling the fellowship to lend the corn shifter 7,000*l.*?—It is quite new to me. I dare say the committee may have specified that he should be allowed to keep a sum of money in his hands for the purpose.

7017. The 87,000*l.* spoken of here, you believe to be made up by his profit of 1*d.* in a shilling?—Yes; that is the way in which the money has arisen. Mr. Brown himself states that some part of the money has been returned to the rulers.

7018. Does it often happen that the corn shifter has bad debts, that is to say that he is unable to recover from the importer the money which he has previously paid to the porters?—I dare say it does happen sometimes, I am not aware of the fact. I should state that, according to the Act of Common Council, there are certain sums agreed to be paid to the rulers; among others there is a sum paid down for the deputy; it is but fair that I should state that I have declined receiving that.

7019. You are entitled to the sum, but you have declined it?—Yes.

7020. Your office therefore has been wholly gratuitous?—Yes.

7021. Is there anything else which you wish to state to the Commissioners?—I should like to make a remark upon the assertion of Mr. Bennoch, that the committees of the corporation do not elect men to the chair from their competency in business or their general talent, but from their convivial qualities. My experience for 18 years is quite contrary to that; I should specify that the rule of the the committee is that they almost always take a man for the chair who is in his fourth year, the plan of the corporation being to change their committees every fourth year. From among those gentlemen who are in their fourth year, the chairman is generally chosen, and I can assert from my experience and positive knowledge that, nineteen times out of twenty, they take the man most fitted for the office of chairman by his attendance to the business of the committee, by his general knowledge of business and his fitness for it but more especially is it necessary that a gentleman who is to be in the chair to manage the business, should be one who makes himself acquainted with the nature of the business; and who is always at his post. So far from taking inefficient men, my experience leads me to say that they have always had the most efficient men, perhaps not men who will make the most brilliant speeches, or make the greatest show, but who make themselves most conversant with the business of the committee. I should say if Mr. Bennoch himself had attended at the committees and made himself master of the business there, he was a man, being a pleasant convivial kind of man, who would have been almost certain of being placed in the chair; but as far as I can recollect he was never in one of the chairs, the reason being that he would come into the committee and sit for half an hour and gossip with some one, and then take himself off again. He was a gentleman who liked to be seen and heard, and to make something like display. He was not a man to make himself cognizant of the business of those committees, and therefore he was not placed in the chair.

7022. Does the chairman usually dine with the committees when they have their business afterwards?—It is expected that he will.

7023. Supposing he were to decline to do so, would they vote him out of the chair?—Certainly not. Once elected he is chairman for that year, and they would have no power to do so.

7024. Would it preclude his being elected in all probability to the chair in the following

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year?—He would go off the committee the following year, the chairman being generally chosen from those who are in their last year upon that committee.

7025. It was asserted that if a man who was chairman of a committee was unwilling to partake of the convivialities and did not attend the dinners, probably when his time of service was out he would not be elected to any other chair; is that according to your experience?—It is quite contrary to my experience. I do not find that gentlemen have any objection in a general way to take the chair at dinners, and it is very often the case that the man who is most expert in attending to the business of the committee is most competent to do the business of the chair at the dinner table.

7026. What do you say as to the system of dinners altogether for members of committees of the common council; do you believe such a system is necessary in order to secure an adequate attendance?—I think if it had that effect, it would be a very prudent thing; it is of great importance to have a full attendance.

7027. Do you believe it is necessary for that purpose?—I do not believe it is; I have belonged to many committees in which no allowance is ever made, and I never saw any lack of attendance, still I think it is fair that when gentlemen give up a large amount of time in the middle of the day, and break into their own social habits, they should have a dinner provided for them. Unless I can get away so as to get into the country to dine, I have no means of getting dinner; consequently when I am detained after five o'clock in town I have no objection to dine with them. Permit me also to remark upon another portion of Mr. Bennoch's evidence. He says "The corporation is generally composed of retail dealers, men of no mark or influence." As a person can always give evidence upon that which he best knows himself, I speak of my own ward. We have eight representatives, and not a retail dealer among them; they are all men of education and respectability and most, if not all of them, men of very considerable wealth.

7028. Do you think it is not true generally to say that the common council is composed of persons engaged in retail rather than in wholesale trade?—I am sure it is not true; it may be the case with some individuals, but the general character of the common council is quite the reverse.

Mr. W. Lawrence.

Mr. William Lawrence, having been sworn, was examined as follows.

7029. Are you one of the rulers of the fellowship of porters?—Yes.

7030. There are twelve rulers, are there not?—There are.

7031. How long have you been a ruler?—About ten years.

7032. How were you made a ruler?—By election on a vote by ballot of the whole body.

7033. How is the election conducted?—When there is a vacancy occurs, if there is an opposition, an election takes place by vote by ballot.

7034. Candidates are proposed?—Yes.

7035. Is there a meeting of the rulers at which that takes place?—The rulers do not propose them.

7036. Who proposes them?—The body of the fellowship.

7037. One of the porters nominates an individual and another seconds him?—Yes.

7038. How are the votes taken?—By ballot.

7039. Will you explain the process?—Blanks are put in one box, and the names of the candidates they vote for in another. There are so many candidates and as many cards. The persons whom they vote for they put in the ballot-box, and the others are put into the blank-box.

7040. How many porters generally vote at a contested election for the rulers?—Mine was upon a vacancy, and there were 1,600 polled.

7041. How many candidates were there?—Two candidates.

7042. What is it that the rulers do?—They have to attend on court-days once a month, or oftener if summoned, and there is any business; likewise to attend and see that the men attend to their work. There is one man always on duty at Tower-street to supply the corn-meters with men; sometimes there is one over the water at the potato-work to see that that is properly conducted, and supply the meters with men.

7043. Do you receive any pay?—36*l.* a-year as a ruler.

7044. Out of what fund does that come?—Out of the general fund.

7045. Have you no other emolument?—The rulers go to work on the days when they are not on duty. I am a collector, and have 60*l.* a-year for attending at the hall and doing duty there.

7046. What is the business transacted at the monthly meetings of the rulers?—Disputes between the men are settled as to seniority; one may consider that he is wronged by another, and the rulers decide such cases. If there is any complaint, if a man has misconducted himself, if he has made use of bad language, or anything of the kind, he is brought before the court of rulers.

7047. Every porter must be a freeman of the City, and he pays 5*l.* upon entrance?—Yes, for admission.

7048. Does he ever receive that 5*l.* or any part of it back?—2*l.* or 3*l.* are given at the death of a man, and there are other pensions which the men receive, but the funds have fallen away lately.

7049. Is there a power of striking a porter off the fellowship if he misconducts himself?—

Yes. The governor or the deputy can do it. The rulers have not the power. If he misconducts himself, or if he has charged a turn more than his right, he is liable to be struck off. He gives two bonds of 40*l.* each.

7050. If his name is struck off does he lose his 5*l.*?—Decidedly.

7051. Do the porters of the fellowship receive better pay than ordinary porters?—No; I do not consider that they do. In regard to the corn work, if you take small jobs with large ones they receive less.

7052. Are they more regularly employed?—No.

7053. What is the inducement to a person to become a member of the fellowship?—It is a living for a young man looking out for one, but it is a very precarious one.

7054. Why is it more of a living to him than if he were not a member of the fellowship?—I do not see that it is; however, there is a security for him; it was better many years ago; if a man came to be a senior man in regard to the corn work it was better for him.

7055. Is the employment more regular for the fellowship porters than for other porters?—It is more regular certainly.

7056. But the pay is not higher?—It is not. If a man does not get work at one place perhaps he can get it at another; if he cannot get it at Billingsgate at malt he can go to potatoes.

7057. Is there more corn imported into London than there used to be?—There is more imported, but unfortunately for the fellowship it goes into the docks and by railway, and they have not anything to do with that.

7058. There is not more imported in such a manner as to give employment to the fellowship?—No; it has been falling off the last five or six years.

7059. What is the state of the fund of the fellowship?—The fund is 3,500*l.* in the Three per cent. Consols, and 5,750*l.*, I believe, in Mr. Ruston's hands, the shifter. In 1822 there was an Act of Common Council that we were to supply Mr. Ruston with money. We got 1,000*l.* from him some years ago, considering that it was more than he wanted. About three years ago we applied for another 1,000*l.* We had got a debt to pay in consequence of a lawsuit in the case of the Corporation against Combe; that cost the fellowship upwards of 1,500*l.* We applied to Mr. Ruston for money to pay this off. We wanted 500*l.*, but all we got from him was 250*l.*

7060. Mr. Ruston is the corn shifter?—He is appointed by the corporation.

7061. He is paid by a penny in every shilling?—Yes; that is 8 per cent.; he receives 4½ per cent. and the company of fellowship receive 3½ per cent.

7062. How are the payments managed—does the shifter pay the corn porters every day?—Yes, for all corn work.

7063. He gets the money back from the importer?—Yes.

7064. Do you know how his affairs are managed—does he suffer losses?—There are very few losses, I believe; if there is any case in which he cannot get the money our men have to suffer—they have to repay him back. If anybody should be a bankrupt, or anything of that kind, Mr. Ruston is at the loss.

7065. What is the reason why the parties are not paid directly by their employers—why is a middle man employed between the porter and the employer?—He collects all; some of them live at Norwich and Ipswich and different parts of the country, the porters conld not do that.

7066. The porters get their money more generally from him than they would do from the importer?—Yes.

7067. Will you refer to the evidence given by Mr. Brown before the Commission. In answer to Question 4028 he says, "Another of our complaints against the corporation is "this, that they have passed acts of council regulating our body, in which they have "coerced us to make payments to officers of their appointing. Our principal corn shifter "borrowed of the company 7,000*l.*, which the corporation compelled the company to lend "him to carry on his business as a corn shifter. He was appointed in 1827, and by the "return he has made it appear that he has received the snm of 87,000*l.* out of the earn-"ings of the porters from that branch of employment of corn labour. Although a portion "of this sum has been paid over to the rulers of the company at different times, no effective "provision is made for old members of the body." He is then asked "You say the corpo-"ration compelled you to lend this officer 7,000*l.*?" and his answer is "Yes, without interest; "to carry on the business which they appointed him to do, and he has received during the "time he has been in the office, from the year 1827, the sum of 87,000*l.*" Can you explain those answers to the Commissioners—what is the transaction which is referred to?—That is what he has received during the number of years that he has received the money.

7068. Has he received that sum for himself or has he paid over some portion of it?—I think it amounts to that to himself.

7069. What is the meaning of the corn shifter having borrowed 7,000*l.*?—We were obliged to supply him with money to carry it on, for which he pays no interest.

7070. When did that take place?—I think it was in 1824, at the time when the act of common council was passed.

7071. Then the fund was larger than it is now?—Yes.

7072. You had more than 7,000*l.*?—Yes.

7073. What was the system before that year which rendered it necessary that an advance

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of 7,000*l.* should then be made to the corn shifter?—Mr. Ruston's father, and likewise himself have it upon a lease for a mere nominal sum; an inquiry took place before a committee of the corporation and it was settled by the corporation that he should receive 4½ per cent. and pay over to the fellowship 3½.

7074. What are the annual payments which he makes; how much does the 8 per cent amount to annually?—I have an account of what we have received from 1841 to 1851, at 3½ per cent. In 1841, 1,694*l.*; in 1842, 1,650*l.*; in 1843, 1,588*l.*; in 1844, 1,588*l.*; in 1845, 1,464*l.*; in 1846, 1,307*l.*; in 1847, 1,315*l.*; in 1848, 1,286*l.*; in 1849, 1,252*l.*; in 1850, 874*l.*; and in 1851, 707*l.*

7075. It has fallen off more than half?—Yes, this is at 3½ per cent.—then Mr. Ruston receives 4½.

7076. The total payment last year was about 1,700*l.* and the 7,000*l.* was advanced to him in order to obtain this payment?—Yes.

7077. Then it was a good bargain for the fellowship, was not it?—No, he receives the interest of the money—he does not require the whole of the 5,750*l.* now.

7078. What do you think the corn shifter ought to do; ought he to repay you a portion of that money?—Decidedly.

7079. How much do you think he ought to repay you?—I think 2,000*l.* is enough to carry it on with now.

7080. Have you ever represented that to the common council?—That has been represented to the common council.

7081. Have you any other complaint except as to the amount which has been advanced to the corn shifter?—The whole of the potato work is paid for in the same manner; one of the potato meters receives the whole of the 1*d.* in the 1*s.* and pays the fellowship 130*l.* a year.

7082. Is that an unfair arrangement?—I do not consider that it is sufficient.

7083. You think he does not pay you enough?—No.

7084. The income of the fellowship seems to be annually declining according to the statement which you read?—Yes.

7085. What is the cause of that diminution?—The principal revenue of the fellowship is derived from corn work; of course as it falls off in consequence of corn going by railway or going into the docks, it does not come under the fellowship.

7086. Is that the only reason?—That is the reason.

7087. Is there anything else which you wish to explain?—No, I only wish to say that the body of the fellowship have great confidence placed in them. As regards potato work a potato salesman will have a fellowship porter in preference to anybody else. We have had occasion this year, there being a large influx of potatoes, to put on other men, there not being sufficient men to do the work; one salesman in particular lost eight sacks in one week; of course a complaint was made, and they said they would have none but fellowship porters; in consequence of that, we were obliged to apply to the alderman and to the deputy to put on some supernumerary men, to give them a ticket and put them on for a certain time to aid and assist in the work. A sack of potatoes was lost at Fresh Wharf lately, belonging to Mr. Moxam. The man who was looking after them went and took a sample to sell them; however, one of the fellowship porters suspected him; he went up into Thames-street and he caught him with the sack of potatoes and gave him in charge. We pay for all losses which take place. The body of the fellowship is highly respected, and their correctness in doing the work is very much praised. What the fellowship suffer from is the corn work—there are so many small jobs in comparison to the number of large jobs; the men have to go off for five quarters, ten quarters or twenty quarters, the greater proportion of the work is under fifty quarters. Six or seven men have to go off to do the smallest work, and after paying the waterage there is nothing left to themselves. A large job of 200 or 300 quarters may pay them, but those small jobs do not.

7088. You think that generally the system of fellowship porters is acceptable to the trade who come within the privilege?—Decidedly so.

7089. There is great confidence felt in the honesty of the porters?—There is. At Billingsgate if there are any oysters lost they come up to us, we generally trace them, and it it is very seldom that we have to pay for anything, and I do not believe that with regard to oranges the loss averages above a box a year. With respect to nuts and corn and potatoes it is the same. Unfortunately we had to pay for those eight sacks which were lost, but that very seldom happens.

Mr. S. Baylis.

Mr. Samuel Baylis, having been sworn, was examined as follows:—

7090. Are you collector of tonnage dues?—I am.

7091. How long have you been so?—Since August 1849.

7092. How are you appointed?—I am appointed by the Thames Navigation Committee under the sanction of the Court of Common Council.

7093. What is your salary?—200*l.* a year—out of which I have to pay a clerk and the partial services of a messenger, which in fact reduces the net income to about 80*l.* a year; but I ought in justice to the Committee and the Corporation to say that that arrangement with me was made quite as an experiment, at the time that the collection of the tonnage

duty was handed over from the Government to the corporation. An application has been made for an increase in the remuneration which has not yet been disposed of. I also hold another appointment, that of collector of wine duties.

7094. That is a City duty is not it?—It is.

7095. What is the origin of the tonnage dues; did they ever belong to the Government?—I am not acquainted with the origin of them, except that they were under the management of the Government, as far as the collector was concerned, up to the time I took them and I understood that the Government had an interest in them. That interest ceased before the period at which I took the collection and that led to an arrangement with me to collect the duties.

7096. What are the present rates of tonnage duty?—The rates levied are one halfpenny on each ton of the ship's register on every coasting vessel, from or to any port in the United Kingdom; one halfpenny per ton also upon any ship coming from or going to any foreign port in Europe, north of Cape Ushant in France; three-farthings a ton on every ship coming from or going to any port in Europe, south of Cape Ushant; and three-farthings also for any ship coming from or going to any port in Asia, Africa, or America.

7097. Are those dues levied upon every ship, entering or going out of the Port of London?—Yes, except ships coming in or going out in ballast vessels coastwise under forty-six tons register; vessels coastwise whose principal cargo is corn; fishing-smacks; lobster and oyster boats; vessels for passengers only; vessels coming in and leaving without breaking bulk, and Her Majesty's ships, which are all exempt by Act of Parliament; and certain coasting vessels laden with stone and other articles exempted by the board of customs from making entry at the Custom House.

7098. Is there any difference between the dues on British ships and foreign ships?—No.

7099. Those rates apply to every class of vessel?—They do.

7100. Whatever its national character may be?—Yes.

7101. When is it that those dues become payable?—On the ship's entry being made, whether inwards or outwards.

7102. The ship's entry is a Custom House operation?—Yes, in the case of ships entering inwards from a foreign port, the ship's report, which is the first document which is lodged with the customs authority, is brought to me as the officer for the corporation, and a stamp is affixed upon it indicating that the duties have been paid before the Custom House officers proceed.

7103. When the Government collected the duties, where they collected by an officer of the customs?—They were.

7104. Would not it be more convenient that the officers of the customs should collect them?—Not at all, they are collected in precisely the same way; they are collected in the Long Room on the spot where the parties have to come to make their customs entries, and a seat is appropriated by the commissioners of customs to the corporation officer.

7105. You sit in the Long Room?—Yes; close to the office where the ship's reports are received.

7106. You are in fact then almost a Custom House officer?—Practically I am.

7107. You receive your information from the Custom House officers and you sit in the Long Room at the Custom House?—Yes, I sit in the Long Room at the Custom House, and the documents upon which I collect the duties, and which are the foundation of the information I get are customs' documents.

7108. Have you now described the whole process of collection?—Yes.

7109. How do you know when a ship is about to leave the port; has the Custom House cognizance of a ship's departure?—Yes, a ship cannot depart in cargo without clearing at the Custom House.

7110. Is the process a similar one with regard to ships clearing out?—It is.

7111. What do you do in respect to the wine duties?—The process of collection is much the same. Previous to the entries being made with the Custom House authorities the entry is brought to me, and my signature is required previous to its passing further, which signature is an indication that the duty has been paid.

7112. What are the duties on wine?—4*s.* 9½*d.* per ton of 252 imperial gallons.

7113. Is that a uniform duty upon all varieties of wine?—It is.

7114. Is there the same duty upon Cape wine as upon French or Spanish wine?—Yes, the duties are uniform.

7115. Do you collect any other duties besides those which you have mentioned?—No.

7116. To what fund do you pay the tonnage duties?—The duties are paid daily into the chamberlain's office.

7117. And the same with the wine duties?—Yes, except that they are paid weekly instead of daily.

7118. Those are also paid into the chamber?—They are.

Adjourned to to-morrow at 12 o'clock.

Friday 27th. January, 1854.

The Right Honourable HENRY LABOUCHERE, M. P., in the Chair.

The Right Hon. the Lord Mayor.

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The Right Honourable The Lord Mayor, having been sworn, was examined as follows:—

7119. How long has your lordship been connected with the corporation?—Since the year 1842.

7120. Have you always taken an active part in the business of the common council and the corporation?—I was only one year in the common council. During that year I took an active part in the question of municipal reform connected with the corporation.

7121. When was your lordship elected an alderman?—In September 1844.

7122. Your lordship has probably perused the evidence which has been given before the Commission?—I have.

7123. Are there any observations which you are desirous of addressing to the Commission?—In the first place I desire to rebut some evidence given by Mr. Acland personal to myself, which will be found in Questions and Answers 325 and 326. He is asked the question "You have stated that in the case of a contested election of importance at "common hall, it is the practice for the committees of the rival candidates without the "least concealment to give money to the electors who vote for their respective candidates. "Will you state to the Commission some recent instance in which that system has been "carried out in the City of London?" The answer is "I drew the distinction between "the two modes, expressly in order to answer the former question satisfactorily, and "fully; I believe the most recent instance of bribery has been in the election of the Lord "Mayor elect, Mr. Alderman Sidney. I believe it was only to the extent of 200*l.* or 300*l.*" Question 326 is "There were but two candidates proposed, were there?" The answer is, "Others would have been proposed, but a sum of money was given to a manager of those "long shore men not to execute his threat to put in nomination two others. Mr. Alderman "Sidney is generally supposed to be a corporate reformer. It was believed in the City "that it was not desirable that he should be Lord Mayor, and it was declared by an agent "that he should not be Lord Mayor, for that two other persons would be named and "elected, so that either Alderman Sidney would have been under the necessity of going "to the great expense of a poll to secure his succession to the office, or two names, that of "Alderman Sidney not being one, would have been returned to the Court of Aldermen "from which to select the chief magistrate. The party who made this threat received a "bonus. Under the inducement of that bonus he did not carry his threat into execution, "and Alderman Sidney was therefore elected to the office." I wish to say in answer to that statement that I know of no party who received any bonus, that I certainly did not give any bonus, nor one single farthing either in the way of promise, or any other gratuity whatever to prevent myself from being opposed. I also wish to say in contradiction to the rest of the charge, that I never have bribed to the extent of one single penny, and that my expenses in being elected to the office of Lord Mayor, so far from being 200*l.*, are comprised within the following items—seven books of livery at 10*s.* each, 3*l.* 10*s.*; stamps, 10*s.*; men delivering letters, 7*s.* 6*d.*; room at Guildhall coffee-house 3*l.* 12*s.* 6*d.*; several gentlemen of the common council taking dinner after the election, 7*l.* 3*s.* 9*d.*; printing circulars, 5*l.* 15*s.*; sundries, 11*s.*; the total amount being 21*l.* 9*s.* 9*d.* I produce the bills and receipts, and am prepared to say that that is the total charge for my expenditure connected with my election. I further wish to give a contradiction to another statement made by Mr. Acland in answer to Question 340: "Nineteen of the aldermen," he says, "agreed to find 100*l.* a piece towards turning the scale. Whether they paid it is another "question." I beg leave to say for my own part and I think I may answer for my brethren—I am sure I may answer for the great majority of them, because I have heard them deny it—there was no subscription ever entered into. I say that for others to the best of my knowledge. Certainly for myself I neither engaged to subscribe nor paid anything.

7124. A statement to the same effect was made by Mr. Sheriff Wallis in Question No. 1462. This statement appears to imply that some part of the corporation funds had been used in some contests. He is asked, "The Commissioners do not ask you to state to "them any specific fact as to whether you know that a certain sum was so applied they "only ask you to state generally whether you have any knowledge as to the application of "the corporation funds to the purposes of corruption?" The answer is, "Not from the "corporation themselves, but I was informed by a candidate in an election that I once "conducted, that a sum of 1,900*l.* had been subscribed among the aldermen at the Mansion "House in order to secure a brother alderman's election."—I beg leave to give the flattest contradiction, so far as I am concerned, to this statement, and my firm belief is that no such sum was either subscribed or engaged to be subscribed by the aldermen.

7125. Have you communicated upon this subject with other aldermen?—Yes; the subject has been a matter of conversation in our body.

7126. Are you satisfied from the result of your conversation that the rumour which seems to have prevailed of this subscription is erroneous?—Entirely groundless; it is with-

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out a shadow of truth or of foundation. No sum was subscribed to the best of my belief. I also wish to allude to some portion of the evidence given by Mr. Dillon, Mr. Bennoch, Mr. Thomson Hankey, and Mr. Morley, relative to Lord Mayor's day and the Lord Mayor's show. Mr. Dillon states,—"Whether, however, it may arise from the extent of "the trade of the City of London, the various and conflicting interests of its merchants, "and their having other tastes and other objects of ambition in Parliament and elsewhere, "I cannot tell; but the fact is certain that there is in these matters an essential difference "between the commercial bodies of London and other ports and cities, so that if you were "to reform the City corporation, and to clear away all the nonsense and foolery of the "Lord Mayor's show, you would not thereby, as I believe, create an inclination on the part "of the merchants of the City of London to take part in the management of municipal "affairs." Again, in the evidence of Mr. Morley, he says,—"The Commission has heard "from most of the witnesses references to the Lord Mayor's show, which is really felt to "be a thing more in accordance with the dark ages than the present day." The question is then put,—"You do not think there is any class of the community which wishes to retain "it?" "Reference has been made to children and nursery-maids, but I have no idea "that the citizens of London look at the thing with any other feelings than those of repug-"nance." "You do not think the educated tradesmen take any pleasure in such a show?" "I should imagine that the tradesmen living in the line of streets must be greatly incon-"venienced by it. It was this year felt by the committee of the Coal Exchange to be a "positive affront to them, that their business should be interrupted by it the whole day?"—Prior to my becoming Lord Mayor, I, in conjunction with my colleague, Mr. Sheriff Wire, took the opinion of my brethren and the Court of Aldermen, whether or not this show and the usual ceremonies of the feast should be continued. I then made a point of going into Lombard-street and eliciting the opinion of several important firms connected with the banking interest, and I showed them also a programme of the intended show. I may state that so far from its being received with disfavour, Mr. Samuel Gurney, one of the gentlemen whom I consulted, was highly delighted with it. He said he had not seen one for many years; he should make a point of going with the whole of his family. And he said, —"Thou must be put to considerable expense," and very handsomely wished to subscribe fifty guineas towards the show. I may say also that the show had to go down Mincing-lane. I inquired of a number of the persons connected with the colonial markets. They not only willingly acceded to the request, but they made it a general holiday, inviting their friends from the country, and each of them giving a sort of banquet in his counting-house. With regard to the market at Billingsgate the inhabitants unanimously, I believe, acceded to the request; the market business was, by arrangement, transacted previously with cheerful alacrity, flags, banners, devices, and various signs of welcome greeted me on my passage. I may say there was but one general expression of satisfaction with the show going through those streets. I am connected in business upon the line of procession where the show goes and has gone every year, and I speak from my own knowledge and that of my neighbours, that so far from regarding it as a thing that we would wish to have done away with, it has generally been regarded with the most popular feelings. It is looked upon as a red letter day by the tradesmen, who take the opportunity of inviting their friends and giving a partial holiday to their establishments. Upon the last occasion, I speak within compass when I say that it was witnessed by at least 500,000 persons. I know that persons of the highest distinction witnessed that show. I know that elegantly dressed ladies from the rooms of the houses were seen to greet it with feelings of warmth and admiration, and the great bulk of the populace were either, or they seemed to be, pleased and gave it their countenance. Whether the gentlemen whom I have named are more competent to speak the feelings of the great multitudes of London I leave for the Commissioners to judge. I can only give my testimony to the best of my belief, that the show is as popular now as it ever has been in the former history of London.

7127. I observe it is stated in the paper which was read by the recorder, that the expense of the show was not more than 200*l.*?—I think that must have been a mistake. The expense of the show this year I think would amount to 500*l.*

7128. Was it more expensive this year than usual?—Probably it was, because there was a demonstration which we thought of some value at the present juncture of the political aspect of Europe. We substituted for men in armour that which we thought was more on the minds of the public—a procession consisting of allegorical emblems of *peace* and so on. There were the several figures of Peace, and Plenty, and Justice, and also various nations were represented upon horseback, with banners and devices, our object being to endeavour to show the blessings of peace and the miseries of war.

7129. Is there ever any attempt on the occasion of these processions to revive with some decree of accuracy the pageants of former days, and so give at least an antiquarian interest to the sight?—I have seen such emblems at the Fishmongers' Company, which formerly used to take part in the pageantry, but of late years I think the companies have not taken that active part in the display which they formerly did.

7130. Do you imagine that the show as now conducted is at all like the shows of the City of London in former times?—I should apprehend it has very much varied in its character, but I by no means think that the interest has abated.

7131. At one time it was rather a procession of the companies than of the Lord Mayor, was not it?—I think that was very probably the object of it. I may state in my justifi-

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cation that what I felt in the matter was that I was elected as a popular magistrate—I believe the only magistrate of the kind in the kingdom—by the voice of the people, and I should think it no less my duty to conciliate the good will and popular feeling of the multitude than of the higher class of citizens.

7132. Does the amount of the expense incurred on the occasion of the procession depend entirely upon the Lord Mayor?—The Lord Mayor and the sheriffs.

7133. Whatever unusual expense is incurred is paid out of their pockets, and not out of the corporation funds?—Not a farthing is paid out of the corporation funds with the exception of lighting and preparing the Hall.

7134. It is part of the charge which comes upon the Lord Mayor out of the emoluments which he derives from his office?—The Lord Mayor has emoluments which virtually belong to his office, and which are in lieu of certain offices which his predecessors have surrendered to the corporation. There are dues and emoluments attaching to the office of Lord Mayor quite independent of any which relate to the other branches of the corporation.

7135. If any additional expense is incurred in the Lord Mayor's show it would be so far a diminution of the income of the Lord Mayor. If there was any diminution of the expense of the show, that would go to the advantage of the Lord Mayor, would not it?—If there was any diminution in the expense, the Lord Mayor of course would not pay so much money for it. The Lord Mayor, I apprehend, whether he is liberal or illiberal, would still have the emoluments due to the office which have been settled upon it.

7136. No specific grant is made by the corporation for the expenses of the show?—Not at all.

7137. In what proportions do the Lord Mayor and the sheriffs pay the expenses of the procession?—They have generally divided the amount into four proportions—the Lord Mayor paying two of those proportions and the sheriffs one-fourth each. In this year it was different, inasmuch as one sheriff declined acceding to the arrangement. There have also been expressions used with regard to the feast itself. I think it is attacked by Mr. Thomson Hankey and others, who say it is considered a very noisy occasion and a feast which it is not desirable to continue. I think I cannot do better than put in an extract from the leading journal, the *Times*, upon the subject. It so fully expresses my own views upon the feast and upon the show, that I would rather speak in the words of the *Times* than my own upon this occasion. It is taken from the *Times* of Friday, November the 10th 1848: "Yesterday was the great metropolitan festivity. The chief magistrate of the "ancient City of London entered his year of office with the same antique pageant, grave "ceremonial, and magnificent hospitality that our fathers saw before us, ere the age of "revolutions had begun. Representing all the municipal corporations of the country, "he presented himself with all his civic court at Her Majesty's Palace of Westminster "to be sworn to his arduous duties, and after the 'double triumph' by land and tide, "which still excites the smile it did a century ago, he received the chief notabilities of "the empire at that same Guildhall which Plantagenets and Tudors have visited on similar "occasions. Among the few relics of old London, happily there survives one centre of civic "associations. It is true that instead of the lurid torch, the blazing hearth, or the forest "of wax candles, the walls are resplendent with gas, and ten thousand mysterious tongues "of flame shed a second daylight on the festive array. It is true that the chiefs exalted "to the dais are no longer men of fierce countenance, more used to blows than to words. "Lower down, faces full of comfort and wealth contrast oddly enough with the barbaric "effigies that still adorn the Hall. Yet as a whole there is not to be found, probably in all "Europe, a more perfect and natural mediæval idea than the Lord Mayor's banquet and "show. The scene which historic novelists have attempted to describe with so much "tedious detail is here recognized at a glance. It is no affectation, no revival, no vain "attempt to ingraft old upon new—it is old London just where it was, and in many "honourable respects, very much what it was. Go where you will, you will nowhere see "so goodly a muster of old English industry, honesty, and skill. Of the many hundred "men who yesterday crowded the Hall and its adjoining apartment, nearly all had risen "to a position of competence, respectability, eminence, dignity, or power, by habits of "independent feeling and exertion. The vast variety assembled illustrates the uniformity "of character pervading all the orders of British society. There were the constitutional "advisers of the crown, men of no mean reputation or ill-tried honour; there were dis-"tinguished naval and military commanders, the law officers of the crown, judges, "dignitaries of the church, noted merchants, and tradesmen, men who had made their own "fortunes, and won their own fame. The Lord Mayor sat on the seat whereon have sat "before many a man who once was houseless, and who afterwards attained still higher "distinction. Many of our nobility, if they wish to go back so far, will find the *cunabula* "of their race in the gaudy honours of the homely old City. The tone of such a company "is that of industry and honour. Here are no murmurings against fate, no accusation "of the elements or the stars, no jealousy of governments, no schemes of revolution, "or greediness of plunder; for the simple reason that our good citizens have proved "and ascertained by experience that a man may generally rise if he chooses, and that "if he does sink lower, or grovel in his native squalor, it is generally his own fault. "In such a place, if anywhere, may be permitted those modest congratulations which "will spontaneously rise to the lips and struggle for utterance, at the comparison of this

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" metropolis with its continental sisters. Prudish moralists have forbade us this innocent " joy. We were lately told by a man who has not taken his own elevation with the most " exemplary meekness, that it is self-righteous to recognise the remarkable immunity we " hitherto enjoy from the scourge of epidemic insurrection. The parallel, indeed, is " striking enough. Our Hotel de Ville is occupied by harmless citizens, instead of a " revolutionary junta, or a democratic clique. Instead of whole battalions a few unarmed " policemen protect it from invasion. Our metropolis has not seen its streets contested " inch by inch by furious factions. It has not become familiar with volleys of musketry " and the thunder of cannon. It has not been besieged by provinces, blockaded by " famine, bombarded, and taken by assault. It has not been ruined from below, and " burnt with rockets from above. It has not been entered by victorious strangers. It " is not a prey to anarchy. It is not governed by an imbecile, or, what is worse, " by a man too crazy to reign, and too sane to depose. Its citizens are not armed. Its " youths do not dream of conquest, at least on European soil. Its credit, shaken by " commercial mischief at home, has revived even under the alarms of spreading revolution; " its industry is not abated, and the fountain of wealth is not dried up. It is scarcely " human not to think of these things and be thankful for them. Such congratulations " need not be alloyed by vanity or ill will. We can receive with equal pleasure Lord " Lansdowne's well deserved compliments to the loyalty of the late Lord Mayor and his " fellow citizens when threatened with revolution, and M. de Beaumont's excellent " observation, that the common property is furthered by international peace, and " impaired by war; and that it is rather our object to raise our neighbourhood than to " ruin them." I refer to that extract from the *Times* for this purpose. I do not know of any popular feeling against the Lord Mayor's festivities, nor the Lord Mayor's show, except that I have seen it mentioned in a portion of the public press. I quote the press to answer itself by this statement five years ago. I can answer that the feelings of the citizens of London have not changed on the subject. The press perhaps can best explain for itself.

7138. What is the usual expense of the dinner at Guildhall given on Lord Mayor's day?—I believe the average expense to the Lord Mayor and the sheriffs would be about 2,200*l.*

7139. That expense is divided in the same proportion as your Lordship stated with regard to the procession?—Yes, the Lord Mayor would pay 1,100*l.* and the sheriffs 550*l.* each; I am afraid this year it has rather exceeded that.

7140. About how many guests are usually invited?—I should say in round numbers about 1,100.

7141. Do you know whether the state dinner upon this occasion has been conducted pretty much in the same way, and on the same scale for a great number of years?—I should think so; we generally consult the remembrancer, and as far as possible adhere to the ancient custom.

7142. That is the only dinner of this kind during the year?—The only one, except upon extraordinary occasions, such as when the allied sovereigns visited London.

7143. The other entertainments given by the Lord Mayor are at his own discretion and from his own official income?—Yes.

7144. And at the Mansion House?—Yes, there can be no doubt that the more comfortable entertainments as banquets are given at the Mansion House, but upon the occasion of Lord Mayor's day it is thought to be rather a great spectacle, and I have heard it stated that nothing has excelled it except the inauguration banquet of the sovereign.

7145. You stated that you never heard any notion of a subscription among the aldermen for promoting the election of Sir John Key; was not there some occasion when one of the aldermen stated that he had been applied to to subscribe to a fund of that description, and refused?—It was an observation made by Mr. Alderman Humphery, I do not think that Mr. Alderman Humphery was justified in the observation he made; Mr. Alderman Wire of his own accord at the Mansion House said, " We must subscribe if necessary;" it was not responded to by any of the aldermen, and it went no further. Mr. Alderman Humphery, I believe, offered that observation with a view of palliating the natural indignation which was felt by the aldermen generally in the presence of Mr. Sheriff Wallis, who took his seat among them after giving such evidence upon oath. The court was cleared by Alderman Copeland or some other alderman, and a general denial was given, and surprise was expressed that such evidence should be tendered before Her Majesty's Commission upon oath, without the slightest ground for it.

7146. And then Mr. Alderman Humphery made that observation?—That there was some such allusion to the subject, the observation being simply by Mr. Sheriff Wire, but not responded to by any of the other gentlemen present. I conceive there would be no moral wrong in my subscribing to Sir John Key's election out of my own funds; I am merely giving my denial upon a matter of fact. There is only one more observation which I wish to make on the evidence given, so far as regards the position of the aldermen of London. I have seen statements made, particularly in the early part of the evidence given before this Commission, about the mercantile standing and position of the aldermen of London. That is not a new charge; the same charge which is made now I see was embodied

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in a memorial from some liverymen to the court of the Lord Mayor, aldermen and commons in the year 1769, and I have preserved a copy from the *Gazetteer* of that date, from which I will only trouble the Commission with two paragraphs. It says, "Presuming "that the bulk of my fellow citizens have not read the following dedication, I have desired "the favour of Mr. Say to print it in his *Gazetteer* for their perusal, that, with the supplement "annexed, they may be thoroughly sensible of their own importance, and at the same time "that many of our nobility may see that they are sprung from the livery of London to whom "it is now grown so fashionable, at the west end of the town, to give the soft and genteel "appellations of mob, banditti, scum of the earth, the dregs of the people, &c., &c." It then goes on to say who the magistracy are, and that the great bulk of the corporation in that day was formed of retail traders, and there is this paragraph which I wish to read as my own statement upon the present occasion, in answer to that general charge: "So far is "trade from being inconsistent with the character of a gentleman, that in England it makes "gentlemen, and hath peopled this nation with nobles and gentlemen; for after a generation "or two, have not the children or grand-children of traders sprung from the magistracy of "London became as good gentlemen, statesmen, parliament-men, privy councillors, judges, "bishops, and noblemen, as those of the highest birth, and the most ancient families?" It goes on to elucidate who those families are who have sprung from traders of London; there are upwards of forty noble families, from a ducal title downwards, who are at present upon the peerage of England, and who have owed their origin to the humble ancestry of traders of London. I do not think that the corporation at the present day is less respectable in the position of its members than it has been in any former period of its history; the charges, though not now made by the nobility against the standing of the corporation, are made generally by a class which as citizens we cannot but feel very indignant at,—gentlemen who in their political opinions have certainly aimed at levelling the distinctions of rank as regards those above them, and who appear to view with indignation those whom they think are a little inferior to them in the line of commerce or wealth. On the matter of intelligence or wealth, I may say on behalf of my brethren I do not think that, taking the Court of Aldermen, twenty-six gentlemen could be found in any assemblage of public representatives in this kingdom who could vie with them in more blameworthiness of private character, more general energy in the administration of the objects which they have had in view, or who, by the blessing of Providence, may be said to have had a greater reward for their exertions than those which the aldermen can boast of. I think it is fair to say that the Court of Aldermen, as a body, are possessed of wealth to the extent of between three and four millions sterling, and they have filled and are filling positions of great importance in the public mind; many of them are representatives or have been representatives of large constituencies in the House of Commons, and I think therefore I may safely dismiss that charge by a general denial of its accuracy.

7147. Without intending to pass the least disparagement upon the Court of Aldermen, as a matter of fact, is not it the case that there is a wider separation between the corporation of London in these days and the great merchants of London, than there was in the days of Sir Thomas Gresham, or in the days of Sir Charles Duncombe?—I may be permitted to observe that I think circumstances will easily explain that; in the first place, formerly all persons who traded in the City of London, were compelled to reside in the City of London or they lost their freedom; they could not carry on their business at that day unless they were free of the City of London. In the next place, for many centuries I believe the representation of the City was confined to the aldermen of London, therefore it may have caused a greater ambition among the richer portion of the citizens to become aldermen in order to obtain more directly a seat in the House of Commons; but there is a third and still stronger reason why the merchants and bankers in my opinion are not members of the corporation at the present day—there is an undue desire to enrich themselves by their own respective callings, and not to perform those duties of citizens which the ancient charters of London require all its citizens to perform. They, think, no doubt that by giving up their time to the public, as many of the citizens do, they would virtually deny themselves the opportunity of being so enriched by commerce, as by devoting their own energies to their particular callings; but I think a moment's reflection will show that there is no dishonour in men giving their time to the public welfare—if there is dishonour, it attaches to those parties who seek to enrich themselves rather than study the public weal, and the part they ought to perform as citizens of the community. I should not have introduced any observations so personal to ourselves, but we have been so fairly challenged by the evidence given before the Commission and in the public papers, that honest pride is naturally aroused, and requires that we should maintain that position in public estimation which circumstances warrant us in assuming.

7148. Does not your Lordship believe that the duties of an aldermen now, are more onerous than they were, say, in the first twenty years of George the Third's reign?—I should apprehend the duties are much more strictly performed now than they were at that period.

7149. Has not the business of the City greatly increased, and the duties of a City magistrate become more onerous?—I should think very much so.

7150. Would not that be a circumstance which might operate to deter persons engaged in important private business from undertaking the duties of an alderman, which did not operate so strongly 100 years ago?—It is very difficult to make a comparison between the duties now and at that time, but I should think at present the duties are certainly more onerous than they were at that period. I think the difference consists rather in the performance of them than in anything else.

7151. You do not think the quantity of business to be transacted is greater?—I do not see that it can have changed very much, except with the growing trade and importance of the City itself.

7152. Should not you believe, for instance, that the business of the justices has increased, the duties of inspecting the prisons, and the criminal business generally?—I should think not; I fancy from the evidence which we have of old Newgate in those days, and the fact of our present state of prison discipline, the duties of the aldermen have been much better attended to of late than they were at that period; but I do not see how the duties should have increased.

7153. If the duties are more punctually discharged, and public opinion exacts a more energetic performance of the duties, it would come to the same thing that the amount of duty to be performed by an alderman would be greater now than it was at that time?—I have no doubt that a greater amount of time is given to the performance of those duties than there was at that period.

7154. Do many of the present aldermen reside within the City?—I do not think there is one at present who has anything more than a business connection with the City. Passing from this subject I desire to give my views upon the present position of the corporation of London. I am quite willing to admit that it has some defects. The chief of those defects consists in its being unable, from the existing state of its charters and the uncertainty of its powers, to act so vigorously as myself and many others would wish to see it. I can only say for myself, and saying this entirely as an individual, that I believe if this inquiry should do no other good than that of elucidating and consolidating the charters of the City, it will have done great public service to the community of which I am a very humble member. I wish to state my views first with regard to common hall elections. We have all the livery of London assembled at the election of Lord Mayor, sheriff, bridge master, ale conner, and also chamberlain. In my judgment the chamberlain is a proper officer to be elected by the corporation at large, and I think the power of his election by common hall would be transferred most usefully to the Court of Common Council. I see no necessity whatever for the expensive office of bridge master. At present there are two bridge masters appointed under a statute, and I believe they have on the average about 800*l.* The duties performed by those individuals are generally of a very trifling character, and there is no occasion whatever for such expensive officers. Besides that it is not a position which should be coveted, because if my information be correct there was one gentleman, Mr. Gibbs, who is lately deceased, as to whom report says his family have not been reimbursed the expenses he incurred at his election as bridge master. The other gentleman is now lying dangerously ill, and it is said that his expenses have not been repaid by the salary he has been receiving since his election.

7154A. What expenses do you refer to?—There is generally a contest in the common hall, and of course with such a number of persons as assemble in common hall, the expenditure is very serious.

7155. How many years has Mr. Gibbs held the office of bridge master?—I should suppose about seven years.

7156. What is the salary attached to the office?—I believe about 400*l.* a-year.

7157. You think that the salary during those seven years has not been sufficient to defray the expenses of his election?—I speak from report only; it is the general feeling of the citizens of London that it is a snug berth for a worn-out man. There is no doubt with a constituency like the livery of London, which is to be approached through the post, that in addressing some 15,000 persons the mere writing of the circulars and the posting of the letters is a very serious expense.

7158. You think those instances of the election to office by the livery in common hall should be put an end to?—I can see no reason at all why the common hall should elect officers of this character in public hall assembled. So as to the office of ale conner, I should say that it is certainly worse than useless—it is mischievous. I am prepared to recommend that the office of bridge master and the office of ale conner should be abolished, that the election of the chamberlain of London should be transferred to the common council, and that the common hall elections should be strictly confined to the election of Lord Mayor and sheriffs.

7159. Do you think there is any good reason for there being more than one constituent body for all municipal purposes in the City of London?—I am quite of opinion that one municipal body would work more advantageously for the community at large than the present system.

7160. Why, then, would you retain the common hall for the election of the Lord Mayor

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and the sheriffs?—Because the Lord Mayor and the sheriffs have ever in the history of London been elected by the citizens at large, and I would not disturb the existing arrangement.

7161. Supposing the constituent body on which the whole system of the municipal government of London was based fairly comprised the citizens of London generally, should you see any advantage in there being more than one constituent body for all purposes?—I would have only one constituent body, but at present that constituent body is divided into wards for the election of aldermen and common councilmen. I should desire that the whole body should have a voice in the election of the Lord Mayor and sheriffs. I am in favour of a constituency founded upon the ancient existing privileges of the City of London. Formerly I believe it was the privilege and undoubted right of every person residing within the City of London to be enrolled as a citizen after he had been in the City twelve months and a day. I see no valid reason why that should be changed at present, and I am in favour of abolishing altogether the requisite of freedom and of enrolling as a matter of necessity for the public welfare all persons occupying premises within the City of London for a twelvemonth and a day. I believe that to be the ancient foundation of our municipal privileges. I must be understood as speaking now my own private opinions. I have no doubt that other members of the corporation will differ from me, but at the same time every gentleman I consider is called on now to give his testimony to the best of his judgment. With regard to the common council, I think the numbers are much too large at present. I would reduce the number of wards from 25 to 18. I would give to the twelve larger wards six members, and to six of the smaller wards four members each, making an aggregate of 96 representative in the common council, and of course I should recommend a reduction of the number of the aldermen from the present number of 26 to 18. I would also beg to suggest that the Court of Aldermen should be retained for the despatch of the business which now comes before it, and which is of a very multifarious character, and that the aldermen should as at present be continued for life. I should at the same time recommend that they should have the power of appointing two paid magistrates for the police courts of the City of London. I should also recommend that the aldermen should not have the power to draw cash, except for magisterial duties, and that the scale of payments should be settled by the corporation at large. I consider that the Court of Aldermen may be most usefully maintained in its magisterial character, and if we give up the vexed question of the power of drawing upon the chamber of the City, which in fact is scarcely ever used at present except for magisterial purposes, I think we have a court which would be both popular and felt to be very influential in the City of London. I am of opinion that the officers of the corporation are much too numerous. I should recommend the abolition of the offices of steward of Southwark, the three common pleaders, the secondary, the high bailiff of Southwark, the clerk of the chambers, the two attorneys of the Mayor's Court, the clerk to prepare accounts for the auditors, and the two marshals of the City of London, the upper marshal and the under marshal. I should recommend the consolidation of the offices of comptroller of the City, and comptroller of Bridge House estates with the office of the City solicitor. I should also recommend the consolidation of the office of remembrancer with that of town clerk. I would also beg to recommend the consolidation of various offices connected with the navigation and conservancy of the river. I think their duties are very conflicting, and the officers much too numerous a body. There are also several officers connected with the collection of the wine duties, such as the collector, the comptroller and the gauger. I doubt very much the importance of the continuance of those offices. I would recommend the consolidation of the criminal prisons connected with the City of London. At present we have an establishment at Newgate which in salaries alone costs, I believe, upwards of 4,000*l.* per annum, and which has now, and has had for some time very few prisoners; we have under the jurisdiction of the magistrates a further prison called Bridewell, which has been condemned by every report presented to Parliament and by every prison inspector for many years. I think that a worse prison does not exist, and I am very happy to find that the committee of management connected with Bridewell and Bethlem Hospitals are about to recommend to the governors at large, the abolition of Bridewell as a prison. I should therefore recommend that Newgate and Bridewell be consolidated with our new goal at Holloway, and that, on the site of Newgate, we should have constructed new and convenient courts, which within the City of London we greatly need at the present moment, both for the convenience of the public, and for the proper administration of justice. If those offices which I have mentioned, and which I think are nearly useless, were abolished, and if the other offices, together with the prisons, were consolidated, the saving would be at least 14,000*l.* per annum.

7162. Can you distinguish between the two sources of economy, how much of that amount would in your opinion be derived from the consolidation and reduction of offices?—I have scarcely thought it necessary to go into precise details, seeing that the Commissioners have been encumbered so much with details from the officers. In the case of the two marshals, the upper marshal and the under marshal, they have 1,000*l.* a year, besides perquisites for the performance of their duties. One good policeman would do the duties of both, and in my opinion quite satisfactorily.

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7163. Are any of the offices to which you have referred what may be called condemned offices, not to be filled up in the case of vacancy?—I do not know; the comptroller I regret to say, died yesterday morning, that office will undoubtedly form a subject of inquiry with the common council. We refer all vacant offices to a committee, to consider as to their emoluments and duties, and the propriety of filling up the vacancy. One of the bridge master's offices is also vacant by death, and from the age of several others of those parties, it is not improbable that there will be other vacancies before long.

7164. Do the corporation intend to fill up the vacant office of bridge master?—I have been requested as Lord Mayor to call a common hall for election to the vacant office. I sent the communication to the town clerk requesting him to comply with the statute and call a common hall. I received a message from him that several gentlemen in the common council were anxious to have an opportunity of considering the question in common council before such vacancy was filled up, and I have therefore withdrawn my order for the common hall to be assembled. Believing that the subject will engage the attention of the common council at their next assembly, the office is only filled up at present *pro tempore*.

7165. You say when any office falls vacant there is usually a previous enquiry as to the necessity of retaining it before any election takes place?—That is in the case of offices which are in the gift of their own court; the bridge master is elected by the common hall. The common council have upon the last several occasions, thought it right to make regulations as to the office of chamberlain, and I believe, with great advantage to the working of the office.

7166. The Commissioners have no power and they have no desire to interfere with the administration of the affairs of the City, but it may be as well that we should suggest the propriety of the corporation considering, whether as this office is vacant and there seems to be a doubt in your Lordship's mind as to the propriety of filling it up, it would not be desirable either to abstain from filling it up for the present; or if it is filled up, stipulating that the person appointed shall take it with the understanding that his appointment is subject to any change which may be made?—I am justified in the observation which I have made to you by the statement of Mr. Brand, the comptroller of the Bridge-house Estates, who informed me of the death of Mr. Gibbs, and at the same time, in answer to some questions of mine, stated that the office was really unnecessary. Therefore, after this intimation from the Commissioners, I should consider myself discharging my duty properly by not issuing an order for the common hall for the present.

7167. Have you an unfettered discretion in that respect?—I am not aware that any one can call a common hall but myself.

7168. Is there no obligation upon you, upon an office being vacant, to call a common hall for the purpose of filling it up?—I understand that there is no immediate obligation upon me to call a common hall for electing to it.

7169. Will you proceed with your observations?—I also think that the courts of law in the City of London are too many and conflicting. I think that the Court of Hustings, the the Mayor's Court, the Sheriff's Court, and the Secondary's Court might with great advantage be consolidated into one court. I also think that the business of the quarter sessions held at Guildhall, together with the licensing might be performed at one session, and that the quarter sessions now held at the Southwark Court, ought as a matter of course to be abolished, there being no business to engage those who are assembled; and the only result of opening the quarter sessions at Southwark has been to trouble a great number of gentlemen in the neighbourhood to give their attendance when there is no business to be performed.

7170. Does your Lordship see any objection to severing the connection which now exists between Southwark and the City?—I believe the inhabitants of Southwark, or some considerable portion of them, have a great desire to be incorporated, and the corporation of London has been approached more than once by petition and memorial from those inhabitants, praying that they might participate in the benefits of a municipal government with ourselves, but after great inquiry, we have always come to the conclusion that we have no power without a special Act of Parliament for the purpose, to embody Southwark with the City of London for municipal objects. I do not think there is any particular objection in the City of London to a connection with Southwark; but I do not see any great advantage that it would be either to the City themselves; or to the inhabitants of Southwark to be incorporated with the City of London.

7171. It has been represented to us, that there would be considerable practical objection to the incorporation of that part of the Borough of Southwark which is connected with the City of London now, unless the whole of the Parliamentary Borough of Southwark were at the same time incorporated with the City of London. Does your Lordship see any objection to so large an addition as that being made to the City?—I see great objection to very large corporations. I think it is a defect in our present constitution that all places which are boroughs for Parliamentary purposes are not also boroughs for municipal purposes. I conceive that the inhabitants of the whole of the metropolis, if incorporated as different corporations according to the limits of the present Parliamentary boroughs, would find great advantage in the administration of their local affairs.

7172. Is your Lordship of opinion that the entire severance of Southwark from the City

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would be preferable to an incorporation of the whole of the Parliamentary Borough of Southwark with the City of London?—My own private opinion is, that the inhabitants of Southwark would be much more benefited by being separated from the City and incorporated as a separate incorporation. The subject of prosecutions by the orders of the magistrates has been referred to. I am sure where those prosecutions have been instituted, it has been with the thorough conviction that public interests were consulted and promoted by ordering them, and I believe they have been undertaken from the want which is felt by all the magistrates in not having a public prosecutor. I wish however to say, that I see great objections to committing magistrates having the power of being prosecutors, especially where the criminal has to come before a tribunal in which they themselves may afterwards be judges. I believe the use of this power is not popular with my brethren, the aldermen; but occasionally from necessity they have felt constrained to adopt that course. There is another subject which I wish to mention to the Commissioners, which is, the charities connected with the prisons of London. Those charities are very large, and from recent inquiries which we have made, with the assistance of the learned chief baron, within the last two or three years they have been considerably augmented. I believe that they now amount to upwards of 1,600*l.* a year, and they are applied in the discharge of prisoners in compounding their debts with solicitors. I think the application of these charities is open to very serious objection, and it is one of those subjects to which I should invite the attention of the Commissioners with the view of giving us the power to deal with their application in a more useful manner. I have also been asked to speak upon the subject of the fellowship porters and the metage dues, but I think the Commissioners have had so much evidence already upon those subjects, which are very complicated, that I could not usefully occupy your time upon it. Being alderman of the ward of Billingsgate, I am governor of the fellowship porters, and if there is any question which the Commissioners wish to ask me I should be happy to answer it. Should the Commissioners wish to go into the merits of the question I will leave with them two papers which have been drawn up, one of which embodies a statement of the whole question, so far as the interpretation of the powers claimed on behalf of the fellowship porters themselves goes. It is a history, as far as we can trace, of the body, and the manner in which it is now worked. The other is upon the general subject of corn meters as connected with the felllowship of porters.

7173. Is it your Lordship's belief that the porters themselves derive any great benefit from the fellowship?—I do not think the porters do derive any great benefit from the fellowship. I think, looking to the constitution of the body, particularly if it be revived and placed upon a firm footing, it would be found highly useful to the merchants and the trade of London. Even now, in its decrepid state, it is considered to be a very great advantage by the great bulk of the mercantile community, but I am afraid that the porters themselves do not find that personal benefit which, as free labourers with constant labour, they might find.

7174. Your view is, that, whatever benefit arises from it, is rather to the trade than to the labourers?—Yes.

7175. Why does your Lordship make use of the expression "in its decrepid state?—They have been annoyed very much by actions with Messrs. Combe and Company, and they have also had a great inroad made upon their means of labour by several private Acts of Parliament which have given power to Dock companies to unload vessels from their respective docks. This power has greatly interfered with the privileges of the fellowship porters in their working, and has taken from them in fact a great many of the larger and more lucrative cargoes of corn, leaving them to perform all the smaller jobs, which they are compelled to perform at the same prices. The subject has been under the consideration of the Court of Common Council for the last several years, but I am free to say that I think it is so ultimately mixed up with the question of metage that the whole will require the consideration of Parliament, before it can be placed again upon a permanently useful footing.

7176. Would you wish to retain the custom of metage as a compulsory system?—I may say that I have been approached by several members of the corporation to invite a conference with many gentlemen of the corn trade, including Mr. Hales, who has given evidence before the Commissioners and other gentlemen. They have met a deputation of the corporation at the Mansion-house twice, and I think the basis of a permanent agreement beneficial to the community at large has been come to. Under the advice of the officers of the corporation, that can only be carried out by an Act of Parliament, which I believe will be an unopposed Act, and will pass through Parliament, as it is expected with their sanction.

7177. In negociating upon that subject has the corn trade only been consulted, or have other branches of trade which come under the metage privilege been referred to?—The chief complaints and difficulties hitherto have existed with the corn trade, but there is no doubt that other branches of trade, such as the fruit trade and the potato trade, which is a very important branch, would be very willing to accede to the general arrangement. In fact I have ample testimony as governor of the fellowship, that the trade generally prefer employing porters belonging to the fellowship than employing other labour irrespective of it. I believe the fellowship offers much greater security by the honesty and respectability of the labourers employed than they could possibly have if they employed a mere casual set of porters. I wish to make an observation with respect to the navigation and conservancy of the river. I know the commissioners have had very valuable information, and that the

views upon this question have been fully elucidated to them by the officers of the corporation, but I may say that I am decidedly of opinion that the welfare of the City and its commerce would be much more benefited by a permanent board for the management of the conservancy than by the present system. I think if the corporation had the power of nominating a board subject to the approval of the Trinity House, of a moiety of that board, the best interests of the port of London would be consulted, and great satisfaction given. I would beg distinctly to state that it is my opinion that the power should be given to the Trinity House, and not to dock companies. There is reason to believe that the partial interests of the dock companies would very often be conflicting with the general interests of the navigation of the river.

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7178. Would you prefer the Trinity House to the government?—I would. A measure was before us, and it was agreed to by the government and the corporation a few years ago, to the effect that the body should be the Trinity Board; seeing that the junior members of the Trinity Board are nautical men, I think that that board would be infinitely the best body which could be associated with the corporation in the management of the river. In conclusion, I may say that I think we do need reforms in the city of London, of which I have mentioned a few: but one great stumbling block has always been felt to be the Act of Parliament, the 11th of George I., which was really obtained against the will of the citizens at large, and which has proved, as the protests which are upon the journals of the House of Lords prognosticated, the great bane of the corporation of London. I think if the 11th of George I. and all the subsequent Acts were repealed, all fines upon freedom, all city tolls abolished, great advantages would be the result.

7179. What would be the effect of repealing those statutes?— Simply to leave the old constituency as it was before the 11th of George I. passed. That Act was undoubtedly obtained by fifteen aldermen of that day against the decided opinion of the Court of Common Council, and the decided opinion of the citizens at large. Unquestionably in my view of it, it was obtained with the sinister motive of creating a constituency manageable by themselves, for the election of their own body as members of Parliament. In fact I think the whole bane of our corporate existence has been the ulterior design of getting into Parliament.

7180. You mean the desire which certain aldermen had to use the corporation as a means of getting into Parliament?—Yes. The 11th of George I. gave a power of election to the members of the livery companies, which is not recognised in the constitution of this country. Those livery companies unquestionably are chartered for trading purposes. The City has outlived the usefulness of those companies in a trading point of view. The companies are generally possessed of immense funds, but the 11th of George I. is the only Act which has placed them in a position to constitute their members electors either for members of Parliament or for municipal officers. I consider it to be the greatest inroad upon the municipal constitution of our city which has ever been made, and quite at variance with any sound legislation. The operation of it is at present this:—A liveryman living in Cornwall or in Scotland may come over at an enormous expense, and vote for a lord mayor, or a sheriff, or a chamberlain, while a party living in the city of London, occupying premises subject to the good or ill government of those officers, may have no voice whatever in the election. The Reform Bill of course made a great inroad upon the livery of London, inasmuch as it threw open the power before vested in the livery to the 10*l.* householders, and it also confined the power of voting for members of Parliament to liverymen residing within a radius of seven miles, but for other purposes the power is not confined to any particular distance.

7181. You would propose that the lord mayor should be elected by the burgesses according to the franchise which you suggest?—Yes. At the same time I would not deprive the livery companies of the whole of the power which they possess by virtue of the 11th of George I. I would act as the Reform Bill acted in 1832; I would open the Common Hall to the residents of London, while at the same time I would not disfranchise the present liverymen of London.

7182. Do you speak of the individuals who are at present liverymen of London, or how do you mean that you would perpetuate their franchise?—I am very much against abolishing existing rights, however acquired, and there are many in the livery of London who exercise their trust with a very sound desire for the welfare of the City of London, who perhaps have no connection with the city further than belonging to the livery companies. I certainly would not allow them to retain those exclusive privileges to the exclusion of those who reside in the city of London.

7183. You would perpetuate this system which allows those liverymen scattered all over the country to have votes for the city of London?—I see no objection to it. I think the city of London may be considered as connected with the whole of the country.

7184. Has not that a tendency to increase the expense of all elections in the city?—Most undoubtedly.

7185. You would leave the election at Common Hall as at present, but you would throw in the votes of the burgesses, if they may be so called?—I would not disfranchise the liverymen, but I would enfranchise the occupiers of London.

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7186. You think it would not be expedient to adopt the franchise of the general Municipal Reform Bill for the City of London?—I think not. I do not think it works satisfactorily as regards the franchise in many of the larger towns. I know when in Parliament I made an extract from a return made there, and I found that it does not increase the franchise in many towns. The municipal franchise at present is three years' residence. That is a very complex machinery, and if parties thought it worth while to contest it, there might be most expensive litigations before the revising barrister's court. It is pressed upon them by such numbers, that nobody thinks it worth while to contest the claim of persons desirous of being placed upon the franchise; but it is not working advantageously in many places. For instance, I find, taking the parliamentary electors in 1850, and the municipal electors of the same date in Birmingham, there were upwards of 7,000 parliamentary electors, while the municipal electoral constituency was only 6,000. In Bristol the number of parliamentary electors was 12,157, municipal electors 7,131, or 5,000 less. I also find in Liverpool there are 17,316 parliamentary electors, and at the same time only 10,584 municipal electors. In Manchester 11,841 parliamentary electors and 11,128 municipal electors. I see that is reversed in some other large towns; but I see no reason why you should disturb the ancient landmark which has worked so well for so many ages in the City of London. It always has been a popular constituency managing its own affairs, and to limit it by any term of three years' residence would not in my judgment work well, or satisfactorily, and it would rather tend to diminish than increase that constituency which we all feel desirous of having enlarged.

7187. Would there be any difficulty in having an accurate register of voters upon the principle which you have recommended?—I believe previous to the 11th of George I. the register was always made up in the wardmote by the aldermen. It was a public register, and all men were commanded under a fine to attend the wardmote when held. All persons were required to come and take the franchise as citizens, and they became enrolled in the wardmote. And I can conceive of nothing better than that that system should be carried out.

7188. How would an accurate list of the liverymen be provided for?—The liverymen are altogether an unconstitutional body in my judgment for municipal purposes. They were only constituted for trade purposes; if I retained them it would be only as a matter of expediency and not of principle.

7189. The municipal franchise which you recommend I understand to be the occupation of premises within the City of London, for 12 months and a day, without any pecuniary gratification?—Quite so.

7190. And without the necessity of residence?—Yes.

7191. Would there be any difficulty in making up a register of a constituent body so composed?—I wish to add to what I before stated, that I think they ought to be rated to some rate, and then I think there would be no difficulty in making a register.

7192. Would you have no pecuniary qualification?—We have no occupations in London of less than 10*l.*, and therefore I think it would be superfluous.

7193. You would propose that the occupier of a counting-house, for example, who was not resident in the City, should be a municipal voter?—Certainly.

7194. The City of London is peculiarly situated in that respect. Those who transact business in it and occupy premises have more generally a residence without its limits than in any other borough or city in England. Is not that the case?—No doubt of it; and there has been much false reasoning founded upon the fact that the City of London is only small in its area compared with other parts of the metropolis. I beg leave to say that the City of London in my judgment is as much the metropolis now as it ever was, taking the commercial aspect of it. Though the sleeping population of the City of London is not more than 126,000, still the day population may be considered as at least three times that amount.

7195. Still, even in a commercial point of view, it can hardly be said that the City proper is as extensively the metropolis of England now, since Southwark and the Tower Hamlets have grown up, as it was in the days of Queen Elizabeth?—I presume Southwark was in existence then. Though unquestionably much larger communities have sprung up round the City of London, I apprehend in no period of history was the commerce of the City so great as it is now; and I think from the City of London emanates nearly the whole of the commerce of the southern part of the kingdom.

7196. Would you consider the corporation as virtually representing the entire metropolis?—Certainly not. I think as the legislature has already decided to enfranchise other portions of the metropolis as parliamentary boroughs, the legislature ought to complete the work by enfranchising them for municipal purposes also.

7197. Are the Commissioners to understand your opinion to be that a person should be a voter voting for municipal purposes who occupies a shop, without reference to where he may reside?—That is my view. The corporation have already taken that view of it, connecting with it the question of their being freemen of London, but I apprehend the freedom qualification must be abolished, or the municipality of London is constrained to

grow less every year. If we are to confine it to the question of residence in London we shall only have a constituency representing the minor interests of publicans, fellowship-porters, and police officers. I think if gentlemen can be found to resort for the daily franchise of business to London, you may safely entrust them with privileges as municipal electors. If a gentleman lives at Brighton and comes up to discharge his trading avocations, I do not see why, though he lives at Brighton, he should not be as good an elector as if he lived within 7 miles of London.

7198. Supposing he is a partner in a large house in London, and does not take an active part in it, but resides in the north, and does not personally come to London at all, would his being a partner in that house and in that way occupying premises in London make him a voter?—I would constrain all men to be placed upon the list, however high their rank, or however wealthy they might be. Every man who thinks it worth his while to be connected with the trade and commerce of London should be liable to perform all the offices of citizenship, and I do not know how you can draw a line, or compel some men to be liable to perform the duties and not others.

7199. Is your Lordship of opinion that the duty on coals is an expedient mode of levying money for municipal purposes?—I should have hesitated myself in originating such a tax, but I have heard very little complaint against the tax in my own walk of life. I do not think the coal-tax is felt to be any great grievance by any class which I have met with.

7200. You spoke in favour of the aldermen having the power to appoint paid magistrates in the City. Would you give to the aldermen themselves a co-ordinate jurisdiction with them?—I would give to the aldermen the same power of appointing a magistrate in the police courts, which is now by ancient charter given to them in the election of their Recorder. I think in carrying out the reduction of the number of aldermen to 18 it will be found that the public interests require that you should have one or two paid magistrates; but I should certainly guard that by giving to the aldermen optional power to appoint, in the event of their deeming it necessary. I do not see any objection to such a principle, inasmuch as the Court of Aldermen at present elect the Recorder, and the Court of Common Council elect the other judges of the Central Criminal Court and the Sheriff's Court. I would certainly retain to the aldermen the functions of magistracy which they have at present. I can conceive of nothing more popular nor anything more useful for the citizens of London than the present system.

7201. Do you attach importance to the retention of the separate jurisdiction over the police, which is now possessed by the corporation within the limits of the City of London?—I beg leave upon that head to express my conviction that when a community is enfranchised, the constitutional principle would be that they should have separate jurisdiction over their police; I should even go further, and say that in my judgment a municipality is incomplete unless its corporation has entire jurisdiction over the lighting of that district, and the supply of water to the district. I consider instead of the numerous companies which we have for lighting the City of London with gas, and supplying it with water, if powers were given to the corporation to buy up the interest of the private companies, and deal with the subject as one of municipal government, great advantage would result.

7202. Do you think it would be expedient as a general principle that supposing London to be divided into different municipal districts, the police should be under the control of those municipalities rather than in the hands of the general government?—I would certainly oppose the further extension of the powers of centralization in any government I think there might be regulations made by which the whole of those municipalities might work upon one uniform principle, but I have no idea that in any extension of the municipal franchise you ought to restrict them from the entire management of their own affairs.

7203. Do you think that having regard to the fact of London being the seat of government, and looking to its great size no difference arises in that respect?—I think the general government would be much more stable and secure when the control was left to other hands. I would contrast the cases of Paris and London. I think it is clear that the principle of centralization is a very unsound one both constitutionally and in practice.

7204. Your Lordship proposes to maintain a separate Court of Aldermen; the aldermen remaining as magistrates, although they might be empowered to appoint paid magistrates to sit in the police courts, would you propose to reserve to the Court of Aldermen any powers which are not connected with their magisterial duties?—I would give them the same powers which they now possess, of being members of the general body of the corporation.

7205. At present the Court of Aldermen exercise certain powers connected with magisterial duties, such as inspection of prisons; it also exercises some powers, not connected with magisterial duties. Do you think it desirable that the aldermen should retain the powers connected with their duties as magistrates?—I am not aware that they exercise any power now, of which it would be desirable to deprive them, nor would I

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deprive them of the sembiance of any power which they have; but, in arranging a new system, I think, as Cæsar's wife should be above suspicion, so I should leave the magistrates free from anything like the imputation that they have the power of drawing money out of the chamber for any improper or sinister purpose.

7206. Have the aldermen much to do with the administration of any trust property belonging to the City of a charitable nature or otherwise?—In virtue of their office they are connected with the Royal Hospitals, and they also have exclusively committed to them the management of Emanuel Hospital. There is also a charitable trust which is conducted by the Lord Mayor for the time being, and the two senior aldermen and the chamberlain of London for lending money to poor tradesmen anxious to set up in business.

7207. Do they manage the City charities and the City estates more than the rest of the Common Council?—The City estates are altogether managed by the Common Council.

1208. The Court of Aldermen do not act as managers of any of the City property?—Only as members of the Court of Common Council.

7209. By custom they do not take any greater share in business of that kind than the members of the Court of Common Council generally do?—They never consider the question at all. The estates of the corporation are altogether managed by the Common Council and by the City Lands' committee. I wish further to say, that in considering that question I think such separate jurisdiction connected with the corporation as the Bridge Trust and the Irish Estates ought to be abolished, and the whole ought to centre in the corporation at large.

7210. The Bridge House Estates might be included with the City Estates without difficulty, might not they?—By the repeal of an Act of Parliament they might.

7211. The Irish Society manages estates which belong to the companies, does not it?—I do not know that the Irish Society manages estates belonging to the companies, it manages estates in connection with them. I am at a loss to see the usefulness of the society in its present position.

7212. Is not the ownership of the estates in the companies?—It is very difficult to know the exact constitution of the Irish Society. No member of the court can serve beyond two years—it takes him a twelvemonth before he can fully understand the business, and in another year he ceases to be a member.

7213. It has been stated that the corporation of London has no control or jurisdiction over any of the corporations in Ireland—do you know how that is?—I cannot answer that question satisfactorily.

7214. With respect to the extent to which the committees of the Common Council interfere with the ordinary duties of the officers of the corporation, do you think it is desirable that those committees should exercise so much detailed control as they appear to do upon the ordinary business of the different officers?—I should have thought the reverse had been the case, I think the officers generally exercise a great control over the committees. The committees sit and gather opinions very much indeed from their officers, and pay I think a very marked attention to those opinions.

7215. Still the officer cannot act without the authority of the committee, can he; he may be able to guide the committee by his advice, but he cannot act without their authority?—I apprehend you would not wish that to be the case. I think if the officers could act in defiance of the committees, the corporation would virtually be the officers and not the representatives.

7216. The responsibility is with the committee, not with the officer?—Certainly.

7217. In the detailed management of the City Estates, for example, is it desirable that the committees of the common council shall give all the directions, and that a general discretion should not be given to the officers?—I can conceive nothing to work better than the present system of corporate committees; the only objection I have ever entertained to the corporate committees has been in the case of such a committee, for instance, as the present consolidated committee. Sitting, as it does, in secret, with a great deal of mystery in its proceedings, some of its acts have in my opinion militated against the credit and the spirit of the corporation. The duty is referred to that committee of watching proceedings and taking measures, appointing deputations, going off with those deputations to members of the Government without the consent of the whole body—and such steps taken by a committee are, in my judgment, dangerous to the welfare of the common privileges of the body at large.

7218. You mean that they may commit the corporation to particular measures, which may not be in accordance with the wishes or interests of the body generally?—It has the effect of committing the corporation to a course of proceeding which sometimes is unwise, and, at all events, if it is wise, I think it unconstitutional.

7219. In the management of parliamentary business, or other business, there must be the power of acting according to circumstances, must not there?—A power on every question, I think, should be given by the body at large to their committee. In matters of negociation that committee depute their business to a sub-committee—that sub-committee is called the Deputation committee, and it goes and negociates with various members of

the government, pledging the whole body to arrangements with the government. I have ever thought that the most objectionable system of this secret committee.

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7220. According to the present system, does not each officer feel that he is the servant of the particular committee which has the superintendence of his department, rather than of the common council and the corporation at large?—I should say not.

7221. You do not think, for example, that the Superintendent of the Police feels that his instructions are taken from the committee of Police rather than from the common council, or that the comptroller takes his instructions from the City Lands committee rather than from the corporation at large?—I think either of them would be bound to pay deference to the instructions given by the committees, but the whole proceedings of the committees are subject to the approbation of the corporation at large. No committee (but the consolidated) can act, except upon a reference made to them by the general court.

Charles Farebrother, Esq., having been sworn, was examined as follows:—

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7222. You are an alderman of the corporation of the City of London?—I am, and have been so for 28 years. I have the honour to attend to-day, in pursuance of a resolution of a committee of aldermen, that I, as the senior alderman present, in the absence of my honourable friend, Mr. Alderman Thompson, who is absent from London, should attend before the Commissioners to-day, for the purpose of expressing their entire approbation of the statement made by the learned Recorder, as containing the opinion of the Court of Aldermen. I am also further in attendance to have the honour of answering any questions which you may think proper to put to me connected with the court of which I am a member. I have not prepared myself to make any observations upon what may be the future regulations which may be necessary to be adopted for the purpose of extending the benefits which the City may be entitled to claim or the public to desire, because it was decidedly moved and agreed to in the court, that we should "tender the officers of the corporation and other witnesses as well to substantiate on oath the facts stated in the answer as to submit themselves to general examination upon all matters into which the Commissioners may think it right to inquire. We shall, however, ask leave to reserve the expression of any opinions, either corporate or individual, upon any alterations in the constitution or administration of the corporation till we have concluded what we intend to be a full and perfect refutation, either written or oral, of the various charges which have been preferred." I cannot but express, and I do express it strongly, in the name of the court of which I have the honour to be a member, and on behalf of a general committee assembled for the purpose of investigating the affairs of the City, and communicating with this Commission, that we are no parties, directly or indirectly, to the observations which have been made, or to the recommendations which have been offered by my Lord Mayor—they may be perfectly good—they may be what ought to be carried out, but we cannot help expressing our surprise that my honourable friend, who has quitted the room, should have volunteered, behind the back of his brethren, and without any communication with them or with the committee, the evidence which he has just given. He was present when the resolution was agreed to, which particularly alludes to the necessity of confining ourselves to giving an answer to the charges made against us, and after that submitting, if we felt inclined so to do, certain propositions to the Commission; and I have not the slightest hesitation in expressing my belief that when the evidence shall have been closed on both sides, and time has been allowed to the corporation of the City of London for the purpose of laying down a scheme for its better regulation, if there is the necessity for such a measure, the whole of the corporate body will, as one man, join in that which would be acceptable to this Commission and conducive to the benefit of our fellow citizens. Of that fact I have no doubt, because I have had the honour to attend the committee, and though there may have been differences of opinion in that committee, as there must be in all committees, for no committee can come to a proper resolution upon any point without such a difference of opinion as may create argument and discussion, I am sure, with respect to every measure which may be connected with the benefit of the City of London and be honourable to the Crown and to this country, the citizens of London, as a body, and the aldermen and the members of the common council have but one view and one wish, and that is to forward everything that shall tend to the respectability and honour of the City, and the benefit and advantage of the public.

7223. It was distinctly stated to the Commissioners that the observations which were made by the Lord Mayor were made in his individual capacity, and not as representing the corporation. We were perfectly ready to hear from him as we are from any other member of the corporation, any suggestions for improvement which in his opinion might be made in the corporation of the City of London; but we should not urge any member of the corporation to state any such opinions, unless he was perfectly willing to do so?—Everything that the Lord Mayor has suggested may be perfectly correct; but I wish the Commissioners to understand that the statement of the Lord Mayor is not the statement of the court of which he is a member; it is not the statement of the corporation. A question was put by one of the Commissioners to the Lord Mayor with respect to any

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power which the Court of Aldermen may have in the appointment of police magistrates. By the Police Act, which was passed in 1838, a power is given to the Court of Aldermen, in the event of their being unable to attend, or feeling the necessity of it, of appointing such magistrates, or such persons to attend as they may deem proper. I merely mention that because I do not think it is clearly understood that we have such an Act. I will only further call the attention of the Commissioners to the observation which has been made as to certain charities. There are a variety of charities, the administration of which is left by will to the Court of Aldermen for the time being they are trustees for those charities; and if they have committed any abuse which I am now ready to say they have not, they are responsible, as all other trustees are, to the proper court, for the neglect of their duties, and they may be dismissed from the trust which they have so improperly carried on. I mention this to show the distinction between certain charities which are left personally to the Court of Aldermen, if I may use the expression, and others which are mixed up with the City of London generally. With respect to the Irish Society, there appears to be some little misunderstanding. The Irish Society do not manage any portion of the estates which belongs to the different companies; they are managed by themselves. But there was an Act of Parliament constituting a society for the management of certain estates in which the City have rights, and in which different persons have particular rights. In the case of the Vintner's Company, for example, to which I have the honour of belonging, we have only an annuity chargeable out of those estates, and that annuity is received by the City land paid over to us. I take the liberty of saying that the corporation of the City of London do not interfere with any estates which are the separate property of the different companies. Having said so much, and having referred to this resolution, in which I fully agree, I again tender to you, as I have done, my humble opinion that whenever this inquiry shall be ended, there will be a meeting, and a submission to the Commissioners on the part of the City of London, of such a plan as we hope in their judgment may be acceptable to them, and acceptable to the public at large. But at present we are not prepared to submit that plan, because we have not yet heard all the evidence that is to be adduced either on the one side or the other; nor have we asked the opinion of the law officers upon certain points, for the purpose of being instructed by them what we ought to cede at once, or show a substantial reason why we think the power ought to be retained by the Court of Aldermen. Having said that, I now appear here as one of the aldermen of the City of London. Observations have been made upon us. I am not in the habit of quarrelling with any such representations which may be made. I am more disposed when I see such representations, and they are not founded in that truth which ought to belong to all representations, to leave them to find their own level, rather than give them anything in the shape or appearance of respectability of character by commenting on them. But I am now here merely as one of the aldermen to answer for the position of that court. You have the names before you, and I am prepared at this moment to answer as to their different avocations, and their different positions in life, to show, as I hope I can, that no gentleman is holding that position who is not worthy of the trust reposed in him, or who has not been chosen to that position by the well merited voice of the citizens of London. It is not for me to discuss whether the mode of election is right or wrong, that will be a matter for future consideration, but I take the liberty of saying that in the case of a gentleman who, like my friend, the Lord Mayor, has had the honour of passing first the ordeal of an election as sheriff, in the next place a second election for the office of alderman, and after that a third election for the office of chief magistrate of the City of London, occupying of necessity, at least, a space of some seven or eight years; during all which time his conduct, his character, his ability, his judgment, his humanity, and everything that is rightful and honourable to a man has been before the public, and who, upon those three several occasions has been pronounced to be a man of such character, and such respectability that he was entitled to the choice of his fellow citizens, no man of common honour, no man of common honesty, no man of common feeling, no man who loves justice would dare to impute an unjust character to any man holding such an honoured and honourable position. I say "honoured," because upon all occasions the magistrates are received with that respect, and candour, and kindness, which shows that they have public opinion in their favour, and upon all occasions the public opinion, sooner or later, is right. I will not occupy the time of the Commissioners with any further observations, unless it is your pleasure to put any questions to me with respect to the past. As regards the future, I will not offer any opinion. I will only repeat what I have ventured to state as the intention of the Court of Aldermen, and the intention of the Court of Common Council, or of the corporation jointly, which is to consider every matter, not as a matter affecting themselves individually, but as a matter affecting the general interests of the public and society at large.

7224. You have stated that there is a committee now sitting to consider certain improvements and alterations which may be thought expedient by them, to be recommended to this Commission,—how is that committee composed?—It is composed of aldermen and common councilmen.

7225. A certain number of aldermen and a certain number of the common council?—I cannot say what is the precise constitution of the committee.

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7226. Was the committee appointed for that special purpose, or is it one of the general committees of the corporation?—It is appointed for that special purpose; and it was that committee which drew up the statement submitted to the Commission by the learned Recorder on a former day.

Mr. Serjeant Adams.

Mr. Serjeant ADAMS, having been sworn, was examined as follows:—

7227. Are there any points to which you are desirous of calling the attention of the Commissioners?—Having read the evidence of the Recorder as given in the *Times* newspaper of Wednesday last, respecting the restoration of the jurisdiction of the court over which I preside, I wish to be permitted, as the assistant judge, to place my views also upon that subject before the Commission. The learned Recorder says, that he considers the effect of the restoration of the jurisdiction of the Middlesex Sessions "to be extremely injurious "in its effects." Now, although that measure has very greatly increased my duties and responsibilities, I, on the contrary, believe that the public have been very much benefited by the change, and I am borne out in that opinion by the chief magistrate of police. The learned Recorder states further, that if the whole of the criminal jurisdiction were concentrated, "arrangements might be made for taking cases on particular days, whereby wit- "nesses need not be detained for a whole week, and the expenses would be considerably "reduced." Allow me to say, that it was to obtain all those important advantages that the jurisdiction of the sessions was restored, and they have been so fully attained by the arrangements which have been adopted, that, although the sessions sat in 1853, 132 days, and tried 2,650 cases, there were but forty which, except for special causes, were not tried on the days on which the bills were found, so that the average detention of the parties on each case did not amount to half a day, and as the cost of a trial at the sessions does not exceed 30*s.*, as appears by the parliamentary returns, while the cost of a trial at the Central Criminal Court of the same species of offence averages about 5*l.*, the saving to the country has exceeded 8,000*l.* With respect to the serious evils alluded to by the Recorder, "of "counsel handing over briefs to one another just to suit their own convenience," I must say I entirely agree with him, but it is a complaint of very old standing; and I may be permitted to doubt, with my experience of now nearly half-a-century, whether it is really caused, though it may be increased, by the increase of the jurisdiction of the sessions. Nearly one-half of the bar who practise before the Recorder, never come to my court at all, and the business has now so much increased at the session that there is always an efficient bar. There are also other lucrative courts to which the bar go, as for example the police courts, and I believe it will be found that the court over which I preside is not the only, or nearly the only, cause whereby briefs are so handed over. At the same time I admit the evil; but as far as the Court of Quarter Sessions is concerned, no counsel can take a brief for a case in that court, without knowing at the time he takes it the day when the case will come on, the arrangements are so complete. A sufficient number of sessions are held, so as never to overcrowd them: all male prisoners are tried on Wednesday, all female prisoners on Tuesday; and all bailed cases on Wednesday. This arrangement was made with a view to get rid as much as possible of any interference with the Central Criminal Court, as on Mondays there are, generally speaking, very few cases tried in the Central Criminal Court, and the judges do not attend there until Wednesday.

7228. Do the same counsel attend your court who attend the Old Bailey?—Some of them, but not in all; and the question really is, whether the minor inconvenience to certain counsel, of not being able to practise in both courts, must not yield to the great public advantages which resulted from the present arrangements.

7229. There was a particular instance mentioned, in which a counsel was not there, and it was supposed that he was attending in your court, upon which Mr. Justice Cresswell made some strong remarks?—There is a reference to that circumstance in the Recorder's evidence. Where the counsel really were, or what excuse was made to Mr. Justice Cresswell, I cannot say; but I can undertake positively to say they were not at my court, for I had that morning but one prisoner to try, who pleaded guilty. I did not sit ten minutes; it was therefore utterly impossible that it could have been because of the sitting of my court that the counsel were absent from the Central Criminal Court. The Recorder also stated that the Court of Quarter Sessions now sat "every month at the same time as the Central Criminal Court." That also is not exactly correct. The Court of Quarter Sessions sits from thirty-six to forty weeks in every year, and if the sittings of the Central Criminal Court were monthly there would be no difficulty in fixing the sessions so that the two courts should never clash. But the sittings of the Central Criminal Court are, I do not doubt for sufficient reason, extremely irregular; sometimes the adjournment is for a fortnight only, sometimes it is for six weeks, occasionally five weeks, often three weeks, and sometimes four weeks.

7230. Though there may be those uncertain intervals, the days are fixed, are not they?—They are all fixed days, but it renders it impossible for a court, which has to sit from thirty-six to forty weeks in a year, so to arrange that it shall not occasionally interfere with the other.

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The sittings of the Central Criminal Court are fixed to meet the convenience of the judges, and the arrangement of terms and assizes, and so on. All I mean to say is that it renders it impossible for me to arrange my sittings so as never to clash with theirs, although every endeavour is made to do so. This leads me to another part of what the learned Recorder has stated. He says he is of opinion that it would be better "to consolidate the criminal jurisdiction, and have but one court." I hesitate in giving an opinion upon that subject, from the very deep personal interest I have in the question, for such a consummation must necessarily tend greatly to diminish my labours, by equalizing the duties of the metropolitan criminal judges, which are now most unequally divided, for while, as I have already stated, the number of days on which the assistant judge sat in 1853 was 132, and the number of cases tried in his court 2560, the number of cases tried by all the judges of the other courts united, including the judges of the land, was only 1,135, and the number of days on which that court sat 56. The Recorder, common serjeant, and commissioners sitting on an average forty days each. There can be no doubt whatever that such a measure would obviate any inconveniences which may now exist from the counsel having to attend different courts, and the prison officers being then all at one court, would have a better means of identifying the old offenders. I do not myself see any practical difficulty in framing such a jurisdiction, and thereby giving to all the suitors of that court, if I may use that term, the same advantages arising from the absence of delay, &c. which has already been obtained by the suitors to the sessions. Of course, if such a court were established, I presume the Recorder of the City of London *in virtute officii* would be the head of it; and I hope I shall not offend the Recorder's good taste if I say that I believe it would be the unanimous opinion of the profession that a more efficient, upright, or excellent man could not be found to fill that office. If such a jurisdiction were established it would not require a weekly sitting, but about thirty-six sittings in the year would be amply sufficient, and a provision might easily be made by which the judges should only be required to attend, say eight or ten times in the course of the year. I believe also that if grand juries were dispensed with, and all the ordinary cases of committals of police magistrates, a full fourth of the time and costs of a trial would be saved. Speaking of the cases at the sessions only, I believe the grand juries to be perfectly useless; and a session scarcely passes in which they do not express the same opinion of themselves.

F. T. Southgate, Esq.

Francis Thomas Southgate, Esq., having been sworn, was examined as follows:—

7231. Have you seen the evidence of Mr. Matthews, given before this Commission?—I have it before me.

7232. What knowledge have you on the subject of which he speaks?—I was solicitor for the defendant in the case he referred to. I see that the statements of Mr. Matthews, though not untrue, still are calculated to leave an inference which is not correct on the minds of the Commissioners.

7233. Was Mr. Matthews solicitor for the plaintiff in the case he mentions?—He was. A few minutes will enable me to state the whole of the case. The parties held property next to one another in Gravesend. The whole of the town of Gravesend fronting upon the water is built upon embankments between high and low water mark. Adjoining to the property of my client were the premises of Mr. Simmons, who was the plaintiff, which stood upon an embankment. Immediately on the other side of my client's property was an embankment which had been recently created by the authority of the Navigation committee. The consequence was, that between the two embankments my client had an inlet. I have here a plan of the spot in question—(*producing the same*). The Commissioners will see by this plan a row of low and very inferior houses running along here, the tenants of which have been in the habit of throwing their refuse and filth into this inlet; a common sewer running along the common thoroughfare also emptied itself on to the premises. It was considered a great nuisance, and an application was made by the owner and the lessee to the Navigation committee for liberty to embank this spot. They sent down a deputation of the Navigation committee, who viewed it. Along with the memorial requesting liberty to embank was a certificate from the whole of the medical practitioners of the town of Gravesend, stating that it was a great nuisance and injurious to the health of the neighbourhood. There was also sent to the Navigation committee a representation, by the owners of almost all the property in the immediate neighbourhood, that it would be a great benefit to the neighbourhood if the inlet were filled up. The sub-committee reported upon the whole of those circumstances to the General Navigation committee. When the General committee met, Mr. Simmons attended, and made objection to this inlet being filled up, on the ground that he had by user obtained a right over it. On hearing his statement, the Navigation committee, unwilling to interfere in a case in which there was a dispute upon a question of private right, determined, although they were fully convinced that the embankment would be beneficial to the neighbourhood, and not detrimental to the river, they must under the circumstances refuse to grant the permission which was asked for; the ground of that determination, as we presume, being that they did not choose to interfere between two parties both claiming a right. The parties, however, thinking that

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they would not be interfered with by the corporation, as the Navigation committee had said that it would not be detrimental to the navigation of the river, while it would be beneficial to the neighbourhood, proceeded to fill up the inlet, and to drive piles for the purpose of making an embankment. There were a great many disputes took place, and the piles were sawn through in the night, and fights were not uncommon between the labourers and the parties; the magistrates were appealed to, but they would not interfere in a matter of disputed right; and thereupon Mr. Simmons filed a bill to restrain the defendants from filling up the dock. He obtained an injunction upon the condition, not as Mr. Matthews stated, that he would try an action at law, whether he had the right with others to use that portion of the river, but whether he had the private right which he claimed over that portion of the river. The action was tried before the Lord Chief Baron. The declaration in the action was that he had the right to the use of that portion of the river by an occupation by him and his predecessors of premises adjoining and user of that portion of the river for 60 years. When the plaintiff's evidence was concluded, it was contended, and the Lord Chief Baron held, that there was no case for the plaintiff, for he had not proved his right as such occupier. Thereupon permission was asked to amend, and the Lord Chief Baron gave permission to amend, and the declaration was then altered, the effect of the alteration being that Mr. Simmons then sued on the ground that, as one of the public, he had a right to use this part of the river. The jury returned a verdict of 1*s.* damages. The Lord Chief Baron, having an opinion as to the nature of the action, refused to certify, so as to entitle the plaintiff to costs. Upon this verdict being given the plaintiff went to the Vice-Chancellor, who said that the litigation was a great disgrace, but that the injunction might be made perpetual, but having regard to all the circumstances, each party must pay his own costs. The result has been that Mr. Simmons has had to pay the whole of his own costs of the action and of the suit in Chancery.

7234. Though he obtained an injunction and a verdict of 1*s.* damages?—We could not help his having a verdict, because it was a public navigable river; but to show the opinion of both of the judges who tried the cause, they both refused to give the plaintiff any costs whatever. Mr. Matthews endeavours to affix some blame upon the Navigation committee, because they have not interfered to remove the embankment. I wish the Commissioners, however, to observe that there is no order of the Vice-Chancellor that this embankment is to be removed, but only that it is not to be carried further by the defendant—in fact (for that is what I believe it amounts to) that we had no legal right to do it without the permission of the Navigation committee. I attend before the Commissioners to make this statement in order to show that the Navigation committee only refused to interfere in the matter on the ground that this was a squabble between the parties whether this was a private right or not. Mr. Matthews has not told the Commissioners the previous proceedings in which he was engaged, nor that having abandoned his claim of private right he afterwards sued as one of the public, claiming to use the shore of a navigable river.

7235. Mr. Matthews said that the object of enclosing this space and embanking it was that your client might build upon it?—It would be a wharf, the same as the adjoining property whether he might build upon it I cannot say. My client had been receiving rent for this portion of the shore for a period of seventeen or eighteen years. The difficulty that arose was with the pleadings—we had to plead custom, which was negatived.

E. Tyrrell, Esq.

Edward Tyrrell, Esq., was further examined as follows:—

7236. On a former occasion you were so good as to promise to prepare a statement for the Commissioners with respect to the coal duty, which would enable them more distinctly to understand how that matter stands. Have you prepared such a statement?—I have prepared such a statement, and with the permission of the Commissioners I will proceed to read it.

(*The witness read the same as follows:*)

"The corporation of London are entitled by prescription, confirmed by charters and Acts of Parliament, to the office of measurer of all coals, grain, fruit, and things whatever measurable brought into the river Thames, between Staines in the county of Middlesex, and Yenleete Creek in the county of Kent, and the Medway and the port of London, and upon every bank, shore or wharf of the said rivers.

"In the reign of King James the First, the Crown instituted proceedings against the corporation calling upon them among other things, to show by what title they claimed the office of measurer within the limits aforesaid. The Attorney General of that day, (Sir Edward Coke,) in his reply to the City's plea, admitted the right of the corporation to the office in question, with all fees and emoluments, which was subsequently confirmed by two charters granted by King James the First, in the third year of his reign, confirming to the mayor and commonalty, and citizens of the City of London and their successors for ever their right to exercise the aforesaid office, and to receive, collect and enjoy all the fees, wages, rewards and profits, whatsoever pertaining and belonging to the said offices and measurings. The second charter of King James the First, granted in the twelfth year of his reign, states that a question had arisen whether the weighing of coals belonged to the

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mayor and commonalty, and citizens of the City of London, and confirms the right of the corporation of London to the office of weighing, and the sum of 8*d.* per ton on coals as the fee to be paid.

"The fee paid to the corporation for weighing coals was 4d. per chaldron.

"By custom a court of record was held in the City of London for the care and government of orphans, and the Lord Mayor and aldermen were invested with the custody and guardianship of all orphan children of freemen while under age and unmarried, and with the management of the personal estate of deceased freemen.

Freemen of the city had also the privilege of investing their property at interest in the chamber of London, and availed themselves of such privilege when the interest to be obtained from investment or other securities was less than 4*l.* per cent., the rate allowed by the said chamber.

"From these sources very large sums had accumulated in the chamber of London, which in the reign of King Charles II. were invested in Exchequer tallies, when, by a financial expedient of that day, which was called closing the Exchequer, the money was entirely lost to the corporation and their creditors, and they were compelled to declare themselves incapable of discharging either the interest or the principal of their debts amounting to upwards of 750,000*l.* to the orphans and others.

"Under these circumstances from 1689 to 1694 the corporation of London presented several petititions to Parliament setting forth that by their great losses their debts to the orphans amounted to a sum vastly greater than they were enabled to pay, they prayed the House to assist them by making provision for the discharge of these and the claims of other creditors, and ultimately, by the 5th and 6th of William and Mary, cap. 10, relief was afforded by the establishment of the Orphans' fund.

"This statute, intituled, 'An Act for the relief of the orphans and other creditors 'of the City of London,' charges the estates of the City of London with an annual payment of 8,000*l.* and assigns to the funds the rents and profits of the City aqueducts or right of bringing water to London, imposes a duty of 2,000*l.* per annum to be levied upon the personal property of the inhabitants of the City, assigns the rents and profits arising from a lease of the exclusive privilege of lighting the City with convex lights, imposes a duty of half a crown upon the binding of every apprentice, and five shillings on the admission of every freeman into the City. A duty of four shillings per ton on all wines imported into the port of the City of London and a duty of fourpence per chaldron or ton additional meterage on every chaldron or ton of coal and culm so imported for ever, and a duty of sixpence for every chaldron or ton to be imported for fifty years.

"By an Act of 21 Geo. II. cap. 29, intituled "An Act for the further relief of the 'Orphans and others creditors of the City of London, and for other purposes therein 'mentioned,' the duty of sixpence per chaldron on coals and culm was continued for 35 years longer, and the estates of the City were charged with a further sum of 2,000*l.* per annum towards the fund.

"By an Act of the 7th of of King George III. chap. 37, 'An Act for completing the 'bridge across the River Thames, from Blackfriars, in the City of London, to the 'opposite side in the county of Surrey, and the avenues thereto on the London side, for 'redeeming the tolls on the said bridge, and on London bridge, for rebuilding the gaol 'of Newgate, in the said City, for repairing the Royal Exchange, within the same, for 'embanking part of the North side of the said river within certain limits and for further 'continuing towards those purposes the imposition of sixpence per chaldron or ton of 'coals and culm imported into the port of the said City, established by an Act of 'the 5th and 6th years of the reign of King William and Queen Mary, and also for 'carrying on the new pavements in the city and liberties of Westminster and parishes 'adjacent, and in the town and borough of Southwark, and for other purposes therein 'mentioned,' the duty of sixpence per chaldron or ton was continued for 46 years, and the City revenues were further charged with 1,500*l.* per annum to the Orphans' Fund for 46 years.

"By an Act of the 44th of King George III. chap. 27, 'An Act for raising an additional 'sum of money for carrying into execution several Acts' for windening the entrance into the 'City of London near Temple Bar, for making a more commodious street at Snow Hill, and 'for raising on the credit of the Orphan's Fund certain sums of money for those purposes; 'and also for enlarging the powers of the said Acts, the duty of 6*d.* per chaldron or ton upon coal was continued for five years and three-quarters, and the yearly sum of 1,500*l.* on the City revenues was continued for the same period.

"By an Act of the 47th of King George III. Session 2, chap. 68, 'An Act for repealing 'the several Acts for regulating the vend and delivery of coals within the cities of London 'and Westminster and Liberties thereof, and in certain parts of the counties of Middlesex, 'Surrey, Kent, and Essex, and for making better provision for the same,' a coal duty of 1*d.* per chaldron or ton was imposed for the purpose of purchasing lands for building and establishing a coal market.

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" By an Act of the 10th of George IV. chap. 136, intituled 'An Act for Improving the 'Approaches to London Bridge,'—under that Act the name of the fund was changed—it is called there the 'Fund,' in lieu of the old name of the 'Orphans' Fund,"—the duty of 6*d.* per chaldron or ton on coals was continued for twenty-one years, and the duty of 4*d.* was also to form part of the fund.

" By an Act of the 11th of King George IV. chap. 64, an Act intituled 'An Act to 'make further provision for defraying the expenses of making the approaches to London 'Bridge and the removal of Fleet Market,' the duty on wine, on apprentices, freedoms, and aqueducts, and the several sums of 8,000*l.*, 2,000*l.*, and 1,500*l.* per annum, and half of the profits of Fleet Market were applied to and formed part of the Improvement Fund.

" By an Act of the 1st & 2d of King William IV. chap. 76, 'An Act for regulating 'the vend and delivery of coals in the cities of London and Westminster and in certain 'parts of the counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, 'and Berkshire,' the duty of 1*d.* per ton is continued for the purpose of the coal market 'and other objects,' the duty payable to the corporation of London was commuted to 4*d.* per ton, and the two duties of 6*d.* and 4*d.* per chaldron or ton were commuted to 8*d.* per ton. By that Act a complete change was made in the system of selling coals—instead of being sold by measure, they were thenceforth to be sold by weight.

" The corporation of London were consenting parties to this Act. They gave up 4*d.* out of the 8*d.* per ton they were entitled to receive for weighing coals, they took upon themselves the compensation to the sea-coal meters, then 18,371*l.* 15*s.* per annum, now amounting to about 7,500*l.* per annum, and gave up several minor charges, estimated at 3,200*l.* per annum.

" By an Act of the 1st & 2d Victoria, chap. 101, 'An Act to continue for seven years 'an Act for regulating the vend and delivery of coals in London and Westminster and in 'certain parts of the adjacent counties,' the Act of 1st & 2d William IV. chap. 76, was continued for seven years.

" By an Act of the 3d & 4th of Queen Victoria, chap. 131, 'An Act to continue for 'four years from the 5th day of July, 1858, the duties now levied on coal and wines 'imported into the port of London,' the duty of 6*d.* per chaldron or ton was continued for four years, and the duty on wine was continued for four years.

" By the 8th & 9th of Queen Victoria, chap. 101, 'An Act to continue until the 5th 'day of July, 1862, the Acts for regulating the vend and delivery of coals in London and 'Westminster and in certain parts of the adjacent counties, and to alter and amend the 'said Act,' the two former Acts were continued till the year 1862, and by that Act the coal duties were payable on all coals brought within twenty miles of the General Post Office; and the duty of 1*d.* per ton, formerly payable for the coal market, which the corporation of London relinquished, was applied to public improvements in the metropolis under the direction of the Board of Works.

" By an Act of the 13th & 14th of Queen Victoria, chap. 103, 'An Act to authorize 'further charges upon the London Bridge Approaches Fund for the completion of certain 'improvements in the metropolis,' the parts of the fund which were not permanent were continued until the 5th of July, 1862.

" By an Act of the 14th & 15th Victoria, chap. 146, entituled, 'An Act to amend the 'Acts relating to the vend and delivery of coals in London and Westminister, and in 'certain parts of the adjacent counties, and to allow a drawback upon coals conveyed 'beyond certain limits,' the regulations for the collection of the duties on coal were defined and improved, and a drawback granted for all coals conveyed beyond twenty miles of the General Post Office, the words, 'in a direct line,' were inserted in the Act to prevent any legal difficulty in the construction of the words 'within the distance of twenty miles from the General Post Office.' The opinion of the law officers of the Crown, and of the corporation, already given in evidence, is conclusive that the area of taxation was not extended by this Act.

" The whole of the sums due to the orphans and other creditors of the corporation of London, were paid off in the year 1834, and the final account audited by the Public Audit Commissioners at Somerset House, is in the possession of the corporation.

" All the sums of money charged upon the London Bridge Approaches Fund for improvements within the City of London, have been paid off.

" The sums charged upon the London Bridge Approaches Fund for improvements in the metropolis, not within the City of London, amounted, on the 5th January 1853, to 1,042,302*l.* 7*s.* 11*d.*; a detailed account of these improvements, and the Acts under the authority of which they were made, will be found in Appendix A.

" The charges made upon the one penny per ton duty on coals, are not known to the corporation of London.

" The corporation of London have effected various public improvements out of the coal duty of 4*d.* per ton belonging to them. A statement of the charges made upon the coal duty of 4*d.* per ton will be found in Appendix B.

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"The several duties and payments now constituting the London Bridge Approaches Fund are, for the year 1852—

	£	s.	d.
"Duty of 8*d.* per ton on coals	123,657	3	11
"Duty on wine	5,040	8	8
"Charge on the revenues of the corporation	11,500	0	0
"Duty on admission to the freedom	171	15	0
" Do binding of apprentices	56	0	0
"Profits of aqueducts	182	5	6
	£140,607	13	1

"From this it will be seen that the sums now contributed by the Corporation of London annually to the London Bridge Approaches Fund, amount to 11,910*l.*, although the improvements are not within the City of London.

"The total amount contributed out of the profits of the estates of the Corporation of London, for public purposes and improvements since the passing of the Act of 5 & 6 William and Mary, amounts to upwards of 2,500,000*l.*

"APPENDIX A.

	£	s.	d.
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., pursuant to Act 2 & 3 Victoria, cap. 80, to be applied under Act 3 & 4 Victoria, cap. 87, for making certain additional thoroughfares in the metropolis, namely, a street from Oxford Street to Holborn; a street from Long Acre to Charlotte Street, Bloomsbury; and a street from the London Docks to Spitalfields Church, with interest at 5 per cent. per annum from the 24th August 1839	200,000	0	0
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., pursuant to Act 3 & 4 Victoria, cap. 87, to be applied towards the improvements before mentioned, with interest at 5 per cent. per annum from 7th August 1840	100,000	0	0
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., to be applied under Act 4 & 5 Victoria, cap. 12, in formation of a new street from Coventry Street to Long Acre, and another from East Smithfield to Rosemary Lane, and in aid of improvements in Southwark and Westminster, with interest at 5 per cent. per annum from 10th May 1841	189,000	0	0
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., pursuant to Act 13 & 14 Victoria, cap. 103, to be applied towards the satisfaction and discharge of monies already raised for the improvement of the metropolis, or such further improvements as shall be sanctioned by any future Act of Parliament	116,000	0	0
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., pursuant to Act 13 & 14 Victoria, cap. 103, towards the expense of making and completing a line of street in Southwark	30,000	0	0
"Charge made upon the fund by the Commissioners of Her Majesty's Woods, Forests, &c., pursuant to Act 13 & 14 Victoria, cap. 103, towards the expense of making, forming, and completing the new street in Westminster, intended to be called Victoria Street.	30,000	0	0
"Charge authorized to be made by the Corporation of London, pursuant to Act 13 & 14 Victoria, cap. 103, sec. 7, for the purposes of completing the improvements from Farringdon Street to Coppice Row, Clerkenwell	88,000	0	0
	753,000	0	0
The interest on the above-mentioned sums of 200,000*l.*, 100,000*l.*, and 189,000*l.*, and which has not been paid out of the growing produce of the fund, amounted on the 5th January 1853, to the sum of	296,302	7	11
	£1,049,302	7	11

"Appendix B.

Dr. The Coal Duty of 4*d.* per Ton with reference to the Charges upon it, effected by the Corporation of London for Public Improvements. *Cr.*

		£	s.	d.	£	s.	d.			£	s.	d.	£	s.	d.
1844.	To Loan from Union Bank, London, and others	30,000	0	9				1849 & 1850.	By temporary loan to New Prison Fund	-	-		45,000	0	0
	„ Ditto from Guardian Fire Office	20,000	0	0					„ Discharge of part of debt (loan of 50,000*l.*)	-	-		10,000	0	0
					50,000	0	0		„ Contribution to the undermentioned accounts towards completing the respective improvements, the fund provided by Parliament having proved insufficient						
1848.	To Cash on account of Loan from the Governor and Company of the Bank of England	50,000	0	0											
1849.	„ Ditto ditto	150,000	0	0				1849.	„ London Bridge Approaches (*vide* Account No. 18.)				21,421	18	1½
1850.	„ Ditto ditto	75,000	0	0				1849.	„ Royal Exchange Avenues (*vide* ditto)				23,337	17	4½
1851.	„ Ditto ditto	25,000	0	0				1849.	„ Ditto ditto				15,240	4	6
					300,000	0	0	1852.	„ Ditto, St Mary-at-Hill, Improvement (*vide* ditto)				20,000	0	0
1851.	„ Cash on account of Loan from A. Brown, Esq.	80,000	0	0											
	„ Ditto „ of John Giles Pilcher, Esq.	60,000	0	0											
	„ Ditto „ of W. Wigram, Esq.	10,000	0	0											
	„ Ditto „ of Messrs. Alexander & Co.	50,000	0	0				1847 to 1852.					80,000	0	0
					200,000	0	0								
1852.	„ Loan from Union Bank of London	-		-	40,000	0	0	1847 to 1852.	„ Purchase of Ground, Cannon-street, Tudor-street, Holborn-hill, &c.		-	-	616,827	11	6½
1845 & 1852.	„ Amount received from the City's Cash, under Resolution of 25th September 1845	-		-	140,000	0	0	1847 to 1852.	„ Law Charges, Conveyancing, &c.		-	-	21,889	6	11
								1847 to 1852.	„ Deficiencies of Rates, Taxes, and Tithes		-	-	5,991	10	11½
1850.	„ Contra Loan to New Prison Fund repaid	45,000	0	0				1847 to 1852.	„ Surveys and Valuations		-	-	6,089	14	11
	„ To Interest from the City's Cash	1,002	14	8				1847 to 1852.	„ Salaries and Allowances		-	-	1,514	4	0
					46,002	14	8	1847 to 1852.	„ Incidental expenses		-	-	3,646	10	3
1851 & 1852.	„ Sale of Ground Rents, New Cannon-street, &c.	-		-	82,430	14	0	1846 to 1852.	„ Building of Vaults		-	-	3,149	9	6
1849 to 1852.	„ Ditto Old Materials	-		-	15,812	4	7	1848 & 1852.	„ Interest on the loan of 50,000*l.*		-	-	10,407	9	4
1851 & 1852.	„ Rents of Property received	-		-	2,572	6	2	1851 & 1852.	„ Ditto 300,000*l.*		-	-	35,573	19	2
1847.	„ Amount received under Contract for effecting Improvements in Tudor-street	-		-	1,030	3	0	1852.	„ Ditto 200,000*l.*		-	-	6,855	18	4
									„ Ditto 40,000*l.*		-	-	292	1	1
1850 & 1852.	„ Reimbursement of building Vaults	-		-	3,541	7	6								
1852.	„ To amount received from the Court of Chancery; proceeds of sale of Stock contributed by the Corporation to this account, pursuant to the London City Improvement Act 1852	-		-	15,182	19	5		„ Amount of debt to Union Bank, Guardian Fire Office and others		50,000	0	0		
									„ Less amount paid off 1846		10,000	0	0	40,000	0	0
									„ Ditto Bank of England		-	-		300,000	0	0
	„ Balance, being the amount remaining charged upon the duty of 4*d.* on the 31st December 1852.	-		-	530,665	6	8		„ Ditto A. Brown, Esq., J. G. Pilcher, Esq., W. Wigram, Esq. and Messrs. Alexander		-	-	200,000	0	0
									„ Ditto Union Bank of London		-	-	40,000	0	0
					1,427,237	16	0						1,427,237	16	0

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7237. It would appear from the statement which you have read that there is an essential distinction between the 4*d.* duty on coal and the other duties. The 4*d.* duty is permanent, and I believe is claimed by the City as a part of their own estate, subject to their own uncontrolled discretion. The rest of the duty on coal is temporary, and will expire in the year 1862, and is affected, by the Act of Parliament, to particular objects of public improvement?—That is the case.

7238. The 700,000*l.* which the City lost, upon the closing of the Exchequer by Charles the Second, has been long ago repaid, has not it?—The last portion was repaid in 1834; it need not have continued so long, but there were parties who were disposed to allow their money to remain there as long as they could.

7239. Out of this 4*d.* duty, is it the fact or not that the City have given large sums to the general improvement of the metropolis beyond the limits of the City?—Not out of the 4*d.* duty, but out of their general funds.

7240. Do the City draw no distinction between the proceeds of the 4*d.* duty and the proceeds of their general estate?—For a vast number of years it formed part of their general property—within the last few years a certain portion of it has been assigned for public improvement.

7241. Do they consider that the metropolis at large has a claim upon the proceeds of the 4*d.* duty which it has not upon the City estates?—I do not think they consider that there is any legal claim; but they have, for some years past, voted very large sums out of that 4*d.* duty for improvements within the City of London, which are also improvements which other parts of the metropolis have the benefit and advantage of.

7242. Have they devoted no part of the proceeds of that 4*d.* duty to the improvements which have taken place in other parts of the metropolis?—No further than that the 4*d.* formed part of that general fund, out of which general fund they have contributed very large sums of money to improvements without their boundaries.

7243.—Is this 4*d.* duty now specially mortgaged for any particular purposes?—Yes.

7244. To what extent?—I think there is about 580,000*l.* mortgaged for New Cannon Street, besides other charges.

7245. I suppose the rest of the City property is an available security for that mortgage?—I apprehend, under the terms of the mortgage, if the coal duty were not sufficient the other parts of the city property would be liable.

7246. Waiving altogether the general justice or expediency of such a step, what would be the financial effect of allowing this 4*d.* duty to expire in 1862, together with the rest of the coal duty?—I am hardly able to tell you fully what the financial effect would be but it would leave very large sums of money to be paid by the Corporation of London, which have been advanced on the credit of the 4*d.* duty.

7247. Do you mean that the proceeds of the 4*d.* duty, if applied to the redemption of those debts, would not be sufficient, before the year 1862, to pay them off?—A calculation was made by Mr. Scott upon that subject, last year; and, if I remember correctly, he stated it would take about 16 years to pay off the amount now charged upon the 4*d.* duty.

7248. If it had been the case that the proceeds of that duty had been sufficient between this and the year 1862, to pay off the debts specially affected to it, the result of its cessation would merely have been to have thrown upon the ratepayers of the City a payment equivalent to the proceeds of the tax, would it not?—No, that would not have have been the result, because the corporation have no power to call upon the ratepayers of the City to contribute any sums for improvements.

7249. Supposing upon the cessation of the coal duty all over the metropolis, a general power was given to levy an improvement rate in lieu of a coal duty, of course the City of London would have the same power as the rest of the metropolis, of levying money for that purpose, only in another way?—Yes; but as I stated on a former occasion, I think there might be great difficulty in getting parties to agree to a rate of that sort, and, undoubtedly it would not be money so immediately or so readily applicable as the fund arising from a certain duty like the coal duty.

7250. You state that the 4*d.* is considered as part of the City estate, and not specially affected to improvements?—Within the last six or seven years, the Court of Common Council have resolved to apply 20,000*l.* a year out of the 4*d.* duty, for the purpose of improvements. Since that period several large sums have been charged upon the 4*d.* duty, for the purpose of improvements.

7251. There is this great difference between that part of the City revenue and all the other branches of the City revenue, is there not—that that branch is contributed to by the inhabitants of the whole of the metropolis, and those living within twenty miles, whereas the rest of the revenue comes from the estates of the City and sources which are contributed to by the citizens themselves?—The corn duties, and other duties of that nature are paid by the inhabitants of the metropolis generally.

7252. Still this is the largest of those dues?—It is.

7253. Is there any other observation which you desire to make?—Mr. Pemberton, in his evidence, at No. 2992, in respect to the Greenwich Pier Act, says, a clause was inserted "saving the rights of the Crown." Mr. Pemberton should rather have said, the clause was to save "any rights of the Crown." The Commissioners will observe the distinction. The words "the rights," recognize their existence; the words "any rights of the Crown" imply a reservation merely in case there should be any.

JOHN WOOD, Esquire, having been sworn, was examined as follows: *John Wood, Esq.*

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7254. Are you chairman of the Consolidated committee of the Court of Common Council?—I am. I attend here as such chairman, the Court of Common Council having, by a resolution of the 30th of June last, ordered that it be referred to the Consolidated committee to assist the inquiry before the Royal Commission on behalf of the corporation of London, and afford the fullest information on every subject connected therewith; and that all the officers, clerks, and servants of the corporation be authorized to attend before the Commissioners, and give them the fullest information in their power, both oral and documentary. The Commissioners will permit me, on behalf of the Consolidated committee to say that it has been their most anxious desire to afford, through the means of their officers, and otherwise, the fullest information they consider the Commissioners might require. I am instructed to state now that if there should be any other officers that the Commissioners would wish to examine, they will be presented to you. Our officers are numerous, and we have tendered to you, in the exercise of our discretion, such of them as we thought necessary, but it will be for the Commissioners, if they think fit, to call for the remainder of the officers, or as many as they think desirable. The Commissioners have not required the attendance of members of the corporation, but it has been thought respectful to the Commissioners that certain members of the court should present themselves to you for examination upon any points respecting which you might think fit to put questions to them. Having said this much, and having heard a portion of the statement made by the Right Hon. the Lord Mayor to day, I will take leave to read the terms of the appointment of the Consolidated committee. On the 22d of May, 1846, it was "Resolved and Ordered that a committee of the corporation, consisting of the chairman "of the several committees of this court, together with the committee appointed on the "3d day of April 1845, be a committee, to be called the Consolidated committee, with "full power to confer with her Majesty's Government and others upon such of the "matters especially referred to the several committees as the Consolidated committee "shall deem expedient, and that the committee refer to this court, from time to time, as "they shall find necessary. Resolved, that William Thompson, Esq., and Alderman, "M.P., be added to the said committee." That committee consists of about sixty members.

7255. Is not that rather a large and inconvenient number for the transaction of business?—For ordinary committees it would be too large, but when I have stated what I am about to state, you will probably think the court were right in so constituting the committee. Among the duties of that committee has been that of conferring, from time to time, with the Government and with other bodies upon matters of importance to the corporation and to the public at large. The Commissioners will, I think, see the convenience of the members of the corporation generally being acquainted with the proceedings of a committee like this, in relation to such subjects, without the necessity of convening, from time to time, the Court of Common Council. The object of putting upon the committee the chairman of every committee of the court was, that any matter which any particular committee had in charge might, if it were of importance to the corporation generally, be considered, from time to time, in this committee. Another purpose was, that if communications were going on with the government or others, the various committees might, through their chairman, be informed of the proceedings of this Consolidated committee, by which means every member of the court, without the formality of a meeting of the Court of Common Council, might know what was being transacted in that committee. As an illustration of the operation of this, I may mention to the Commissioners that the Consolidated committee have, within the last few days, felt it necessary not only to be in consultation with the chairmen of the several committees, but, with the sanction of those chairmen, to call together all the committees of the court upon matters connected with this Commission; thus the whole body of the court has in fact met, and it has been felt to be productive of much good, as a means of communication informing members of the transactions going on.

7256. You mean that the whole Court of Common Council meet only in another form?—The object is to meet freely to confer upon the state of things now. It has all the effect of a court without its formality. Sometimes in the formality of a court there is not that same quietude of feeling and observation as when members of the court are called together in the manner I have mentioned. Imperfectly as I heard the Lord Mayor, it struck me that he represented that this committee had taken upon itself, by a deputation of its members, not only to confer with the government upon various matters, but to agree with the government in respect to them. Nothing can be more incorrect than that, and I could not, on my own part, or on the part of the corporation, permit a statement of that kind to be made without taking the earliest opportunity of correcting it. The fact is, we have had various communications with the government, more especially with regard to that important subject, the bed and soil of the river, into the details of which I do not enter, because our learned recorder and our learned town clerk have been heard before you, and I believe have put before you the main facts. Having been on this committee from its formation, I have been acquainted with the facts stated, and I have been in personal communication with the recorder and others with regard to some matters which at the time were necessarily treated as confidential. The Commissioners will at once see

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that if there were not some parties entrusted with the management of subjects of importance, who had a discretion to negociate, no satisfactory arrangements could be arrived at. Communications have been had with various governments. I have been present at interviews with Lords of the Admiralty, with Lord John Russell, with Lord Aberdeen, with Lord Carlisle, Lord Seymour, and others, upon matters affecting the corporation and the public, and if what passed at those interviews could with propriety be made public, it would be seen that the only object in view was the general good. It has been the custom for deputations to report their proceedings to the general body, and for the committee, when necessary, to report to the common council. The government have always been told by the deputation that it was not possible for them to do more than treat upon certain subjects; but if the treaty arrived at such a stage as would enable the committee to proceed to a recommendation to the Court of Common Council, then the committee would report, and the court would probably agree. I should think, with the Lord Mayor, that it would be too great a power to commit to any members of the court the right of binding the court without express authority. I am not aware that any such thing has been done. Having heard other statements made to-day by the Lord Mayor, for whom as long as I have known him I have entertained the greatest respect, I may say I came here without any intention, on my part, to express an opinion as to what changes, if any, it would be desirable to make in the corporation of London; while I say that, I may observe, that I should be willing, in my individual capacity, at another time to state my views in that respect. On my own mind there was an impression, in fact there has been an understanding on the part of myself and other members, that we should attend before you to state any facts within our knowledge upon which we might think it desirable to give you information; but we desired to reserve any expression of opinion as to alterations in the constitution or management of the corporation till the whole of the facts have been laid before you, and till an opportunity had been given us in the Court of Common Council to consider whether we could not, as a corporation, present some suggestions to you that might be worthy of your consideration. While, therefore, I do not now express any opinion, I hold myself at liberty on a future day, if it should be thought right, and you should permit, supposing the Court of Common Council do not present to you any suggestions, to trouble you with any observations which I may have to make. There are various matters of management connected with the corporation of London as to sewers, as to improvements, and other matters, upon which other members of the corporation will give evidence, and I do not propose to trouble you with any observations or facts upon subjects which other gentlemen are prepared to speak to. But I will say, with regard to my experience of the working of the corporation, and particularly of the committees, the business has been exceedingly well done. I have been a member of the corporation for about sixteen years, and my experience satisfies me that, however necessary it may be in some respects to make an alteration in the constitution of the court, or in matters affecting it, the general management of the business cannot, in my opinion, be better than it has been.

7257. Do not you think the machinery might be simplified?—That is one of the matters upon which I may hereafter be prepared to offer an opinion. I now speak of the general management of the business by the committees and by the officers.

7258. You mean to express a high opinion of the integrity and qualification of the officers of the City, so far as you have observed them?—Yes. I feel that I should not do my duty to them if I did not in the strongest terms testify my high opinion of their talent as well as of their integrity; and it is satisfactory to me to be able to make this statement. Some allusion has been made in the course of this inquiry to the Consolidated committee having expended large sums of money secretly in various ways. I can I only say, that I know of nothing of the kind. The statement of Mr. Scott has been before you, in reference to what has been spent in the purchase of newspapers; also as to the payment of a sum of money connected with the establishment of a projected newspaper. I can state, that whatever was done with reference to that subject, the committee, as a committee, never gave any directions at all. Some members of the committee may have thought that the matter was one which was fit to be encouraged, but the committee did not give any directions about it.

7259. Did not the committee ultimately sanction the repayment of the sums advanced?—Yes. That was after the matter had quite ceased; they had nothing to do with the getting-up of the newspaper, or with its proceedings; and I believe nothing whatever was paid by the Corporation in respect of it till long after it had ceased to exist.

7260. Mr. Scott stated to the commissioners, that he considered that expenditure, which may be called perhaps an irregular expenditure, was almost a single instance of the kind. Is that your experience?—Quite so. I may say, when I heard a statement to the effect that the Consolidated committee had expended 1,000*l.* a-year in bribing the press, I was a little indignant; but I felt that the time would come when that matter would be set right before you, and that it was not becoming in the corporation to do more than to wait that time. Nothing of the sort was ever thought of or contemplated. The expenditure has been only of the nature which has been put before you. A certain sum has been spent in purchasing and in distributing newspapers which has averaged about 160*l.* or 180*l.* a year.

7261. Admitting, which I see no reason to doubt, that the expenditure in regard to this newspaper was a single instance of the kind, do you think it desirable that there should be

such a system of accounts established as would render it impossible for any kind of concealment to take place in the expenditure of public money?—I am not aware that there was anything like concealment. This sum appeared in the accounts.

7262. Did not it appear in such a form as to render it impossible that the public could have discovered that money was actually spent in that manner?—I am not aware that that is so.

7263. Another instance was brought before us in regard to Smithfield Market. A considerable sum was expended in opposing the bill for the removal of the market. Without entering into the question whether it was a right or a wrong way of spending money, do not you think a full statement of such expenditure ought to appear ultimately before the body whose money is expended?—No payment could be made by the chamberlain to any person without a warrant signed by seven members of the committee to authorize it?—

7264. Do not you think it desirable that there should be some stricter and more accurate mode of rendering the accounts established, which would really account for every hundred pounds spent in such a manner as that those whose money it is should see how it is gone?—I think there should be such a statement of accounts as would inform the minds of any persons reading the account of the nature of the expenditure. Perhaps it would be impossible always to put the detail of every particular sum in a general account such as we print. The matter of the expenditure would appear upon the warrant to the chamberlain, and upon the report of the particular committee.

7265. The question is one entirely apart from the propriety of the expenditure If such a sum as 2,500*l.* could be concealed from public observation by the mode of stating the purposes for which it was granted, of course there would be a means of concealing the expenditure of any sum for any purpose whatever?—I have not looked into the particular question which the Commisssioner refers to. I am not a member of the Markets Improvement committee. If that sum was the expenditure incurred in opposing that particular bill, I think a general statement of the object of it would be sufficient for the general account; but I think there should be some means of arriving at the details. The Consolidated committee considered it desirable to take some effectual means of promoting the circulation of reports of the proceedings of the Court of Common Council, and it was referred to a sub-committee to carry out temporarily that resolution, at a cost not exceeding 20*l.* per week, and to devise such means as they might think expedient for a permanent arrangement, and to report the same for the approbation of the Consolidated committee. That sub-committee consisted of myself as chairman of the committee, it being usual to put the chairman upon those sub-committees; Mr. Norris, Mr. Lowman Taylor, Mr. Blake, Mr. Low, Mr. Richard Taylor, and Mr. Holt. I believe nothing final was done under that resolution. Various suggestions were made. One was, that short-hand writers should be asked to take notes of the proceedings of the corporation, and that transcripts of those notes should be sent to the various newspapers; but the expense of that, it was estimated might amount to something like 2,000*l.* a year, and that was abandoned. Other propositions were made, and at length it was suggested that, whenever anything took place in our court, we should be furnished with 300 copies of the following day's newspaper. In respect to the committees, there is one to which I will refer. We have large sums of money to pay annually for law and conveyancing business; and a committee was appointed about ten years ago, called the Law Bills committee, consisting of the solicitors in the court and some few other members, and the chairmen of all the other committees. Of course the amount of the bills has every year been large; out of those amounts however, the necessary disbursements have also been large, and I may say, that I think the corporation have every reason to be satisfied with the manner in which that committee has acted, though I am not quite sure that the officers of the corporation might be so well satisfied themselves. Previously to the appointment of the Law Bills committee, it was usual to refer any bill incurred by direction of any particular committee to some solicitor who happened be a member of it; if there was no solicitor on the committee, it was referred to some solicitor in the court, who was asked to examine it. This led to anything but uniformity in dealing with bills. What one solicitor would allow, another solicitor would disallow; and it was thought that by constituting a committee of this kind, and placing upon it all the solicitors in the court, troubling them to examine the bills, first seeing that the bill was certified by the particular committee by whose direction the business was transacted, uniformity would be secured. They meet in committee. The chairman of the particular committee will state that the business was done; the vouchers would be produced; sometimes the members of the committee take bills home and carefully go through them. They make such deductions as they think proper, and then report to the committee. This system has all the effect of a taxation by a taxing master, except that I think it is true what some of the officers have stated to me, that possibly, if their bills were to go to a taxing officer they would be dealt with more liberally than they are by the members of the court,

7266. As far as your observation goes, you believe that the expenditure under the head of Law Proceedings, is effectually controlled?—I am quite sure of it. It cannot be open in my opinion to anything like abuse. When referring to the Consolidated committee, the business of which has been very laborious to its members, and of considerable anxiety to them, I may be permitted to say that there has been no allowance to it, and the committee has desired that there should not be any allowance. It has been suggested to

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them more than once, but looking to the nature of the business before them, they have thought it right to decline. There are matters before them of great importance to to the public. One of them, the question relating to the bed and soil of the river. Although I cannot think that the corporation have been in any way to blame in resisting a claim which they considered was not warranted on the part of the Crown, or in taking such steps as they have been from time to time advised by counsel of the greatest eminence it was their duty to take,—I may say, that from first to last, there has been a strong and anxious desire on their part to effect the settlement of that question. Very large sums of money would by this time have been expended in the improvement of the river, if there had been a settlement of the question; and the corporation hope and trust that there will yet be such a settlement.

7267. Have you found any inconvenience to arise from the practice of not making any allowances to the Consolidated committee, with regard to the attendance of its members? —I have not. The matters referred to the committee have been known to be of that interest, and so much connected with the welfare of the corporation generally, that there has been always a very fair attendance indeed of the members. The deputation consisting of seven or eight members I think, have attended constantly to the business which has come before them.

Adjourned to Wednesday next at 12 o'clock.

Wednesday, 1st February 1854.

THE RIGHT HON. HENRY LABOUCHERE, M.P., in the Chair.

C. Farebrother, Esq.
1st Feb. 1854.

CHARLES FAREBROTHER, Esq., was further examined as follows:

7268. Is there any point in regard to your former evidence to which you are desirous of calling our attention?—Yes. In reference to a question put to me the other day, I stated to the Commissioners that, from the best information I could obtain, and from my own memory, there was a power given in the Police Act to the magistrates in the City to appoint further magistrates. I stated that the Act was passed in 1838. I find, upon referring to the Act, that it passed in the year 1839, and the power to which I have referred is contained in that Act, the 2d & 3d Victoria, chapter 94, section 6, and is confined to the appointment of the Commissioner of Police.

Francis Bennoch, Esq.

FRANCIS BENNOCH, Esq., was further examined as follows:

7269. The Commissioners understand that you are desirous of making some statements to them in regard to the Gresham committee?—I am. I appear here to-day not in my individual capacity, but as chairman of a committee appointed to endeavour to establish in London a mercantile and maritime college. I am accompanied by Dr. Waddilove, Mr. T. P. Lowell, Mr. Cook, Mr. Leone Levi, and Mr. Anderson, who wait upon you as a deputation from the committee. In that position we were early brought into connection with the Gresham committee, for the purpose of endeavouring to induce them to assist us; and a number of the merchants of London to whom we applied to aid in the establishment of this college, regarding the Gresham College foundation as the nucleus of an institution on which might be built the superstructure we desired to raise,—in consequence of that, a sub-committee arrived at a resolution, recommending that that should be taken as the basis; and a public meeting was held in the month of May last, at the London Tavern, presided over by Lord Harrowby, at which were present 100 or 150 of the leading merchants, ship-owners, and traders of London, who came to certain resolutions recommending that communications should be opened with the Gresham committee, with the corporation, and with Her Majesty's government, in connection with the subject. In this way it was that we happened, I may say almost incidentally, to come into connection with the Gresham committee. The meeting was held, and I have a report here containing various resolutions, and the names of the gentlemen who were appointed on the committee. We put ourselves in communication with the Gresham committee, requesting to be heard either by deputations or by any other means which they might think proper. To that application we had no answer. We subsequently wrote another letter to the Gresham professors, who requested us to draw up a statement, so far as we could, of what were our views in connection with the Gresham College, and what suggestions we wished to make in respect of the scheme we had propounded. For the purpose of saving time we condensed into one statement, so far as we could, the whole history of the Gresham College, from its commencement, referring to many works of authority, so as to have the matter fully elucidated. In this statement it is just possible that there may be some inaccuracy, because we could only avail ourselves of the documents which came before us, and some documents may possibly have been overlooked, others we had not in our possession, and could not obtain. For the

purpose of being accurate, we recommend the Commissioners to call before them some gentlemen in connection with the college, who can put us right it we are wrong in anything, and at the same time show the disposition which exists in regard to it. It may perhaps be most convenient to the Commission that I should read this statement, so that it may become a substantial document before you; and we shall be prepared to be examined on any incidental points of doubt that may arise out of it. "1. That in the "year 1575 Sir Thomas Gresham, merchant of London, by his last will and testament, "bequeathed his own dwelling-house, after the decease of Lady Gresham, to the corporation "of the City of London and the Mercers' company, in trust, for the purpose of founding "a college. 2. That seven professors were to be appointed to read daily, within the "college, lectures on divinity, astronomy, music, geometry, law, physic, and rhetoric—the "same professors to inhabit and study in the college, being allowed a salary of 50*l.* per "annum each, provided they did not marry. 3. That to endow such professorship, the "Royal Exchange (built by Sir Thomas Gresham, on the ground purchased by the "citizens of London for more than 4,000*l.*), its shops, cellars, &c., were also bequeathed "to the same corporation and the Mercers' company. This will was confirmed by an Act "of Parliament (23d Elizabeth) in 1581. 4. That, in conformity with such dispositions, "on the decease of Lady Gresham in 1596, the joint trustees took possession of "the house bequeathed, appointed professors, and fixed the times for the reading "of the lectures; and in 1641 they took a patent from the Crown to possess for ever the "Royal Exchange, and Gresham's house, already converted into a college. 5. That, for a "time, the college acquired great celebrity, and counted amongst its professors Sir "Christopher Wren, Barrow, Hooke, Sir William Petty, and other men of science. It "was within its walls that the Royal Society had its origin, and that Charles II. signed "its charter in 1663; and apartments were assigned for their books, instruments, and "rarities. 6. That, during the plague and great fire of London in 1665-1666, Gresham "college was used as a place of meeting for merchants, and therefore the delivery of the "lectures was for a time suspended, and the Royal Society removed to Arundel House, "whence, however, they returned to Gresham College in 1673, and there remained till "1710, when they purchased the house of Dr. Brown, in Crane Court, Fleet Street, "whither they removed with their museum, &c. 7. That, the Royal Exchange having "been burnt down in the Fire of London, the Gresham committee were called upon to "rebuild it in 1667; and subsequently, on the plea of the expense which they had thereby "incurred, the trustees of Gresham college, as early as 1699, stopped the salaries of the "professors for two years, and refused to keep up the building. 8. That in 1701 the "Gresham committee petitioned Parliament for power to pull down the old mansion and "to erect smaller buildings for the use of the professors; but Parliament refused to "entertain their petition, and thereafter for some time the lectures became of little "practical value. 9. That great complaints having been made of the management of the "college, an inquiry was instituted before the Lord Mayor, the Gresham committee, and "professors, whereupon the lectures were resumed, and greater attention paid to the "conduct of its affairs. 10. That in 1717 the trustees again petitioned Parliament for "authority to pull down the college, proposing to erect on the same site another building "capable of accommodating the professors and their audience, but their request was "once more rejected. 11. That in 1760 they again petitioned Parliament to the same "effect, in this instance proposing to build a convenient room for the lectures, and to "build in addition thereto houses for merchants and others, but they again met with "a similar refusal. 12. That in 1767, Government requiring a new Excise office, the "trustees sold Gresham college and the ground attached to it for no other consideration "than an annual ground rent of 500*l.*, the corporation of the City agreeing to pay 1,800*l.* "in one month, towards pulling down the college. An Act of Parliament (8 George III., "cap. 32), was passed to confirm the transfer. That Act provided that, by reason of the "professors being deprived of their lodgings, their salaries should be raised from 50*l.* to "100*l.* per annum; that the trustees should provide a place for the delivery of the "lectures; and that it should be lawful for the professors to marry, notwithstanding any "restrictions in the will of Sir Thomas Gresham to the contrary. 13. That, for a "considerable time afterwards, an upper apartment of the Exchange was used for the "delivery of the Gresham lectures, during which they became comparatively unknown, "and consequently neglected. 14. That in 1838, the Royal Exchange being again burnt "down, the delivery of the lectures was transferred to the City of London School, until "the present building was erected in Gresham-street, where the lectures are now "delivered during the law terms. The Royal Exchange was again built by the Gresham "committee, and opened in 1844. 15. That in 1852, the building erected for the "purpose of an Excise office, together with the ground attached to it, were sold by "Government for 108,000*l.* It is understood, however, that the Crown still pays the 500*l.* "per annum to the trustees of Sir Thomas Gresham. 16. That the lectures now delivered "at Gresham College consist of lectures on astronomy, physic, divinity, law, rhetoric, "geometry—in Latin, at 12 o'clock at noon, and in English at one o'clock in the afternoon; "and on music and geometry, in English, at seven o'clock in the evening, delivered during "term time. 17. That the delivery of such lectures in Latin is comparatively useless at "the present day, although at the date of the foundation of the college it was useful, as "Latin was often the medium of communication with foreign merchants. Moreover, the

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" lectures being delivered during term time only, the merchants have long ceased to " attend them, and the professors are often unable to secure an audience. 18. That, owing " to the progress of commerce, the great competition existing with all countries, and the " advanced state of science, the educational wants of the mercantile and maritime classes " are at present far greater than those felt in the 16th and 17th centuries; and that the " City of London has long suffered considerable injury in having been deprived of the " advantages intended to be conferred by the illustrious founder of Gresham College. " 19. That the pecuniary trust is generally unknown. Its revenues are supposed to " consist of the rentals received from the Royal Exchange, with its offices, and the annual " ground rent of 500*l.*, arising from the original site of the college. Its expenditure would " seem to include the cost of rebuilding twice the Royal Exchange, less the sum for " which they were insured; the building of the present Gresham College in Gresham-" street; the salaries of the professors and other officers, exclusive of any charges in respect " of the alms-houses founded by Sir Thomas Gresham. 20. That considering the vast " importance of the trust and its great practical value, it is important to ascertain with " what amount of debt the property is at present charged; the interest paid upon such " debt; the amount annually paid in liquidation of the same; and the annual rental, so " as to indicate at what future time the whole property will be wholly applicable to the " purposes of the trust." Accompanying this historical sketch, we sent this scheme to be engrafted, as it were, upon the other. We did not wish it to interfere in the least degree with what seemed to be the will of Sir Thomas Gresham, but we wish to establish something which should be in harmony with the times in which we live, and be a great aid to the mercantile classes. The scheme is as follows:—" Proposed constitution of the " Mercantile and Maritime College, subject to such modifications as may hereafter appear " desirable: That, having regard to the foregoing statement, it is suggested that the " income arising from the Gresham trust, as well as the property itself, should, together " with a sufficient amount to be subscribed by the merchants and bankers of the City of " London, be devoted to the establishment of a Mercantile and Maritime College, the " management of which should devolve on a committee, composed of the Gresham " committee, and persons elected by the donors and subscribers to the college funds. That " the proposed institution should, amongst its other advantages, afford courses of lectures " on the different branches of sciences, more especially directed to meet the requirements " of the mercantile and maritime classes; and also that there should be attached to the " college a trade museum, constantly replenished and supplied with every commercial " information, besides a collection of statistics of commerce, Parliamentary papers and " returns, a complete commercial library, models, charts, &c.; and to be provided with an " active machinery to promote objects of national and international importance. That " certificates should be granted of attendance at the lectures, which might serve as " recommendations to appointments of trust. That it is intended that such college shall be " self-supporting, the fees to be sufficiently moderate to attract students of every grade. " The object contemplated is entirely practical. It is desired to adapt the original plan " of Sir Thomas Gresham to the extended requirements of the present time; and whilst " the college will furnish complete instruction upon the theory and practice of commerce " and navigation, it will also form a centre of union for the promotion of the mercantile " and maritime interests of the country." Upon the other side is a list of the committee. In connection with that subject, it is very curious to find that we have not in London, at the present moment, a single place in which boys can be thoroughly educated for the pursuits of commerce and the marine. There is no place in which they can be first educated thoroughly, and afterwards properly examined. There are two or three nautical colleges in various parts of the country which are doing their work well. We sent the document which I have read to the Gresham professors, from whom we received a reply, showing, that instead of being antagonistic in the matter, they are perfectly desirous to do all they can to carry out the views of the merchants of London. All they require is, that perfect faith shall be kept with the trust which they are appointed to carry out. I will first read the following letter to them, and then their answer: " Sir, I am directed " by the committee for promoting a Mercantile and Maritime College in the City of London " to transmit to you a statement respecting the Gresham trust, together with a scheme for " the above proposed institution, and to add that the contents of that statement have been " collected with a view of arriving at truthful accuracy. The scheme submitted must " necessarily be immature, since it must depend upon future circumstances how far its " development can be carried out; and the committee will be happy to receive any " communication, or to confer with you and your colleagues on the subject, should you and " they be so disposed. A copy of the statement and the proposed scheme will be forth-" with sent to the Royal Commissioners now inquiring into the state of the corporation " of the City of London, and also to the Gresham committee. I beg to forward to " you another copy of the report of the public meeting." We received this reply from Mr. Palmer, who is one of the professors, the lecturer in law: " Sir,—I have the honour " to inform you that, at a meeting of the Gresham professors, held at their college on the " the 12th instant, the statement and scheme proposed by the committee for the " establishment of a Mercantile and Maritime College in the City of London was read " and considered; and, on the part of the Gresham professors, I am now authorized to " reply to you as follows:—1st. That the idea of devoting the whole income and property

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" of the Gresham Trust to the new project of establishing a Mercantile and Maritime " College in the City of London, is not to be entertained. 2nd. That in any arrangement " suggested by the requirements of the present time, the integrity and the independence of " the Gresham foundation must be preserved. 3rd. That passing over the numerous errors " in the statement and the unjust clamour against Gresham College, the Gresham professors " would hail with satisfaction the establishment of new commercial professorships, with a " museum and library on an independent foundation, or under proper regulations—and, " subject to the consent of the trustees being obtained, would cheerfully lend the aid of " their college to promote so desirable an object. Trusting that, for the present, the senti- " ments of the professors are now sufficiently explained—I am, sir, your obedient servant, " William Palmer, Gresham lecturer in law." The point to which we wish to draw the attention of the Commissioners is this, that though any opposition to an established system may seem to be clamour, the only clamour now raised, is to show that they have there a staff of seven lecturers, and a sum of money equal to 1,200*l.* or 1,300*l.* per annum, to deliver lectures for the benefit of the citizens; and with the exception of the amusement lecture on music, they are scarcely ever able to obtain an audience. The audience, such as it is, is chiefly made up of loiterers; and does not, I imagine, average more than twenty throughout the year. We wrote a similar letter to the Gresham committee, from whom we received this answer. "Sir,—The statement you transmitted me respecting the Gresham " trust, having reference to a proposed scheme for engrafting thereon a Mercantile and " Maritime College, has been submitted to the Gresham committee, who have given the " same their serious consideration, and now desire me to request you to inform the gentlemen " constituting your committee, that, with every desire to make the purposes of Gresham " College as effective as possible for the general good, yet, the trust being constituted for " specific objects, expressly mentioned in the will of Sir Thomas Gresham, they do not " deem it expedient to entertain the proposition you have submitted to them." We also addressed letters to the companies to assist us in the matter. We addressed a letter to the Chancellor of the Exchequer, from whom we received a very courteous, but not very satisfactory reply, in regard to the amount of money realized by the sale of the Excise office. As a proof that the merchants of London are seeking such an institution, I may mention that, in consequence of Mr. Leone Levi, who established a similar institution in Liverpool, having delivered some lectures at King's College, several of the merchants were invited by Dr. Self to attend there and ascertain whether it would be of public importance to the mercantile classes if such a course of lectures were established in connection with that institution. Some of the leading merchants not only attended the lectures, but immediately enrolled themselves as students; and Mr. Levi has now a class of forty, which proves a striking contrast to the small numbers attending the Gresham lectures. There are three sessions in the year, and they pay two guineas each for each session. Several of the large mercantile houses have enrolled some of their principal clerks, and likewise attend many of the lectures themselves. Generally speaking, the only knowledge at present obtained of commercial law and commercial practice, is gained from mere practice in the counting-house, from which youths rise step by step, until they become senior clerks or partners in the house; and then, on the first occasion of any difficulty, they find themselves unable to move without calling in a lawyer. While we have been discussing this question in London, colleges of this character have been established in Sweden, in Austria, and in Belgium. In Sweden it is rather a resuscitation than a new establishment, but in reality they have established colleges of this particular kind. What is particularly interesting to us just now, is another fact. In consequence of a movement that took place in the City some two years ago, for the purpose of effecting certain reforms in the Customs, a committee was appointed; and their labour having ceased, gentlemen have been desirous of presenting a testimonial to their chairman, Mr. Ingram Travers. To the pleasure of everybody taking interest in such matters, instead of receiving a testimonial in the shape of a piece of plate or in money—as a merchant looking at the importance of a higher standard of education in connexion with commerce and commercial law, he has written a long letter to the Testimonial committee, some lines of which bear so pointedly on this subject, that I cannot forbear quoting them, as they cannot fail to be interesting to the Commissioners. Mr. Travers says,—" It has occurred to me to suggest, that the testimonial so generally " tendered by you in commemoration of Customs reform, should be applied to the founda- " tion of an annual series of lectures in the City, on subjects connected with commerce " and commercial law. It has long been a matter of regret that the City of London " should have possessed no established means for the advancement of commercial learning— " in this age, and in this City, surely as important as the learning of our universities— " commerce contains in its history the lives of some of the most useful men who have ever " lived. A whole course of lectures abounding in interest might be given on commercial " biographies alone. How much this kind of instruction is needed, every one must be aware " who has taken part in any question of commercial reform. Lectures upon commercial " subjects annually delivered in London by the most able and distinguished men of the day, " whether men of business, lawyers, or statesmen, could not fail to influence not only the " rising generation of commercial men in this country, but the action of other countries " upon commercial matters. The most grievous evils have followed from insufficient " commercial information. We have had commercial laws, bankruptcy laws, and other " matters, so ill devised as to punish the unfortunate honest trader, and afford a premium

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" to the dishonest. From the same want of general commercial knowledge, we have " periodical outbreaks of speculation, scattering in the wildest schemes the fairly gathered " fruits of years of legitimate trade." Then he says,—" The way is now open for the " advancement of sound commercial knowledge ; and I hope to see, before long, a true " commercial institute established in London, such as Sir Thomas Gresham meant to found " and thought he had founded." Such are the opinions, I believe, of the great mass of the trading and mercantile class in the City of London ; and it is greatly to the honour and high reputation of Sir Thomas Gresham that, 300 years ago, he saw the evil and provided for its extinction—and yet, 300 years later, the merchants of London are only now awakening to the full importance of a thorough system of education as applied to commerce and commercial law. We observe that, simultaneously with the merchants, even the Government itself have discovered the importance of education being directed to a specific and particular object, and consider that it will be important to them in regard to their civil officers, and of advantage to the public interest, to have some sort of examination as a guarantee of the fitness of individuals to perform the duties which shall come before them. This is another branch of the same tree, springing from the same root ; the necessity of gentlemen being trained early for the particular purposes for which they are intended in future life ; and we cannot begin too early with such a system of practical education. I may mention that Mr. Cook is present, who can show the great importance of a nautical education being applied to the youths who enter our Mercantile Marine. Mr. Anderson, who has great experience in mercantile affairs, will also show that this is no evanescent feeling—that it is no mere bubble on the surface of a pool which may be soon dried up—but that it is a principle which has taken possession of the minds of the metropolitan merchants, and will not be permitted to subside. It has been felt that we could not do better than bring this matter before the Commission ; in order that, if they think it a subject of sufficient importance, they may say something respecting it in their report, and so lead to the conversion of what is now a comparatively useless theatre, for the delivery of lectures which few attend and still fewer understand, into a noble institution, by which the merchants of the metropolis and the youths who are entering on the pursuits of commercial life might be greatly benefited. Dr. Waddilove has gone into the question with regard to the legal position of Gresham College and some matters connected with the will of Sir Thomas Gresham, and some matters, tending to show that the trustees have not been so faithful to their trust as they ought to have been—that they seem to have been rather desirous of getting rid of a troublesome duty, than of extending its advantages as widely as possible. This has been partly proved by the applications frequently made to Parliament to get rid of or modify the trust in a variety of ways, which they at last accomplished, in a manner that was certainly most unwise if not at the time illegal. Whenever the question is thoroughly investigated, it will, I fear be proved that, instead of the trustees and professors working harmoniously together for the public good, they have too frequently acted in a spirit of antagonism, caring less for the duties imposed than for the self-interest involved ; and thus reduced one of the finest foundations in the kingdom from a condition of life and usefulness to one where men of genius speak to a few idlers, uttering living thoughts in a dead language, which they address to dead walls.

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ALFRED WADDILOVE, Esq., D.C.L., having been sworn, was examined as follows.

7270. In what profession are you ?—I am a doctor of civil law, practising at Doctor's Commons.

7271. Have you given your attention to the past history and the present condition of Gresham College ?—Yes, I have. I am practising at Doctor's Commons. I practise in the Court of Admiralty ; and in so doing I have had an opportunity of seeing the inconvenience and the serious injury which often result to owners of vessels and the underwriters from the want of education and general intelligence of captains and mates. They are often placed in difficult positions, which require legal knowledge as well as tact and discretion,—such as taking up money on bottomry, selling cargoes for repair, and so on. I have, therefore, thought it right to forward, as far as I can, the objects which the committee, of which I am a member, has in view. In so doing, I very early turned my attention to the Gresham College, with the hope that the fund which had been devoted to instruction by Sir Thomas Gresham might be rendered more applicable to the wants of the present day than it is, and made more generally useful. For that purpose I have looked into the will of Sir Thomas Gresham ; and I have endeavoured to cull from every paper which I could obtain, all the facts which bear upon the nature of the trust. I will not go into the general statement, because Mr. Bennoch has already given you a summary of the will of Sir Thomas Gresham and the foundation of the College ; but, if the Commissioners will allow me, I will endeavour to show them what has been the conduct of the professors and of the trustees since the establishment of the college. Its affairs do not appear to have run very smoothly. Sir Thomas Gresham died on the 21st of November 1579. His will was proved on the 26th of November following. After the death of Lady Gresham in 1595, the trust devolved upon the Mayor and corporation of the City of London and the Mercer's company. The Mayor and corporation were to

appoint four lecturers in divinity, astronomy, geometry, and music. The wardens of the Mercers' company were to appoint three lecturers in law, rhetoric, and physic. In 1597 or 1598 the professors took possession of their apartments, in Sir Thomas Gresham's late mansion-house. The trustees had consulted the Universities of Oxford and Cambridge to guide them in the appointment of fit persons as professors. It appears that three were appointed from each University, and Queen Elizabeth nominated the seventh; her nomination being Dr. Bull, an eminent musician of those days. The first record which I have been able to find, relative to the management of the affairs of the college, is in Evelyn's diary, wherein, under date of the 30th of July 1662, is this entry,—"To London, where there was a "meeting about charitable uses, and particularly to inquire how the City had disposed "of the revenues of Gresham College; and why the salaries of the professors were no "better improved. I was on this commission, with divers bishops and lords of the "council, but little was the progress which we could make." Again, under September the 4th, in the same year, there is another entry,—"Commission for charitable uses. Lord "Mayor and aldermen again summoned, and the improvements of Sir Thomas Gresham's "estate examined. There were present the Bishop of London, the lord chief justice, and "the King's attorney." That was in 1662. A few years after this, the fire of London destroyed the Exchange and other public buildings. Gresham College having escaped destruction, became a rendezvous for the merchants of London, and the Mayor and corporation had their court and held their chamber there, and made other public uses of it; and in the piazza shops were erected. That impeded the ordinary course of the lectures. They were, however, again renewed; but, in 1697, owing to the expense which the Gresham trustees had been put to, they proposed to deduct four shillings in the pound from the stipend of each professor. The professors resisted this reduction; and took counsel's opinion as to how far the trustees were justified in so doing. That I take from a tract in the British Museum, published anonymously, 1707. The account which Maitland, in his "History of London," gives, is, that the trustees having rebuilt the Exchange, and thereby expended so much, and owing so much interest on money borrowed for that purpose, alleged that they could not pay the salaries of the professors, nor keep the college in repair; whereupon the professors, after taking counsel's opinion, filed a bill against the trustees; and to the question put, whether the readers should bring in a bill in chancery for the performance of the will in their own names, and for their salaries only, or whether, in the name of the attorney-general, at their relation, for the payment of their salaries and the other charities in the will. The opinion was, "I conceive it most proper to bring the "bill in the name of the attorney-general, at the relation of the lecturers." So that at that day Gresham College was considered to be a charitable foundation, within the jurisdiction of the Court of Chancery. A bill was filed, but the further proceedings were stayed; the professors being bought off by a promise to apply for an Act of Parliament to enable the rebuilding of Gresham College on a smaller scale, with more commodious lodgings for the professors. The bill was brought in in the year 1701. It was opposed by one of the professors, Dr. Hook, and it did not pass. After his death, they applied again in 1703-4 for a bill. That bill passed the House of Lords, but was lost in the House of Commons; a clause being added, imposing a penalty of 2,000*l.* if the buildings, &c. were not erected within five years. In 1706 an attempt to assess the professors to parochial rates, as holding dictinct houses, being defeated, the parish authorities induced low and disorderly people to attend the lectures, (as Maitland says,) with the object of insulting the professors. Notwithstanding this, they continued to deliver their lectures. It was then said, among other things, that the lecturers ought to deliver their lectures every day throughout the year, and the divinity one on Sundays. The writer of the tract I have named says, that a petition was presented to the Lord Mayor, complaining that the professors read only in term time; and then at such uncertain hours, that those who would attend were prevented thereby. The committee was summoned to institute inquiry, and give redress, if required. Stowe, in his "Survey," says, "Thel ecturers were "appointed to begin their readings in the month of June 1797. Their lectures are read "daily, Sundays excepted, in the term time, by every one, upon his day—in the morning, "between nine and ten, in Latin, and in the afternoon, between two and three, in English; "save that Dr. Bull was dispensed with, to read the music lectures in English only; and "upon two several days, Thursdays and Saturdays, in the afternoon, between three and "four o'clock." That may account for the practice which at present exists with respect to the music lecture, which is now given, not as the other lectures are, in the course of the day, but in the evening. The professors relied upon this statement. They were accused of not giving their lectures daily, and only during term time; and they quoted these words from Stowe, to show that they were justified in declining to give their lectures beyond the strict duration of term time. They also cited, as their authority, Dr. Gwynne, who was the first reader of physic; Sir George Buck; Anthony Mauday, the editor of "Stowe;" Dr. Holdsworth, divinity reader; and other persons. The trustees then, on the 4th October 1706, made an order to the effect that the professors should give their lectures on the days they now do; that is, each person, as Stowe says, taking a day at four terms in every year—the first term to begin the Monday before Michaelmas term of the common law, and to end with that term; the second to begin the Monday before Hilary term, and so on. The third term to begin the Monday se'nnight before Easter day, (that, I suppose, was in order that they should not

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break into Passion week,) and to end with Easter term. The fourth to commence the Monday before Trinity term, and to continue a month, namely, twenty-eight days; the lecture to begin at nine o'clock a.m., and three p.m. precisely. To this the greater part of the professors objected, and drew up a statement which they presented to Sir Thomas Rawlinson, the then Lord Mayor, containing the reasons why they did not conform to this order; they say, "We are, at our being chosen into our respective places, "directed to perform our duty according to the custom and practice of the place." "Secondly, we are able to give unquestionable proof that the custom has been, without any "interruption, to read only in Term time; and since it has been so, we are advised to be "very careful how we charge ourselves or our successors with unnecessary burthens. "Thirdly, we are informed that the ground on which the order to read out of term is "founded, is taken from some articles which were never legally ratified or admitted as "legally ratified, either by the then trustees or professors. We therefore, that our "compliance with this order might not be looked upon as allowing of the authority of "those articles, and so subject us to the rest of them, which, when under consideration "appeared unreasonable both to you and our predecessors, have rejected it." The result of that inquiry was, that the trustees made an order that the professors' salaries should be constantly paid them one year under another, without troubling the committee from time to time for particular orders. And in the year 1719, upon the professors petitioning that the year's arrears then remaining might be discharged, the trustees after some debate came to the resolution, that though the Exchange brought them in debt, yet that should not tend to the prejudice of the professors, but the inconvenience thereof should be on the City and company of Mercers. Wherefore they then ordered the immediate payment of the said arrears; and that the future payments should be made regularly as they became due. Mr. Palmer, the present learned professor of law, published in 1837 two of his lectures; in one of which he states a circumstance which I will refer to, to show the difficulties that have arisen and the disagreements which have taken place between the professors and the trustees. It would seem that the trustees, in order to secure obedience to the rules on the part of the lecturers, required them to enter into a bond, when they were appointed, that they would do so, on condition of some forfeiture if they did not. One of these bonds was sought to be enforced, but Lord Talbot set it aside. Since then the professors have gone on as they now do, giving their lectures merely in term time only, at twelve o'clock in the day in Latin, and at one o'clock in English.

7272. Have you been in the habit of going into the lecture-room occasionally, and seeing what the audience consists of?—No, I have never been inside the building; but I understand that the attendance is very scanty. Ward, who has given the lives of the Professors, brings his history down to 1755; that was thirteen years before the sale of the college. I have endeavoured to show the state of the college, and the way in which the professors performed their duties up to the year 1755. Thirteen years after that, in the year 1768, the college was sold. It was agreed by the Government of the day with the Gresham trustees, that for a perpetual annuity of 500*l.* the buildings and grounds on which Gresham College stood should be conveyed to them, and also that the corporation should give 1,800*l.* towards the pulling-down of Gresham College itself, which I suspect was then considerably out of repair; so that in fact, the City only received 8,200*l.* Supposing the annuity was worth 10,000*l.* they gave back 1,800*l.* of what they received, therefore they only received in fact, about 8,200*l.* An Act of Parliament was passed legalizing the sale, to which it may be important to refer, because that Act totally altered the constitution of the college. Sir Thomas Gresham provided, by his will, that the professors should inhabit the dwelling-house, and that they should not give lectures nor receive their stipend after they were married. I find, in the time of Cromwell, one of those lecturers, Dr. Horton, married while he was a professor—and in order to enable him, notwithstanding, to continue to hold his professorship, he petitioned the Commission of Parliament for Ecclesiastical matters, established during the "Commonwealth,"—and he obtained a dispensation to enable him to do so. Charles the Second, however, revoked the dispensation. I also find that a Mr. Greaves, a professor of geometry, who was one of the lecturers, was removed in 1643, by reason of long absence and neglect of his lectures. The Act of Parliament to which I have referred, is the 8th of George the Third, and the last clause of the Act is this, "And whereas, in and by the said last Will and Testament of the late "Sir Thomas Gresham, the mayor and commonalty and citizens of the City of London, "and the wardens and commonalty of the mystery of Mercers of the City of London, were "directed to permit and suffer the seven persons elected and appointed to read the seven "lectures in the said will, mentioned to have the occupation of all the Mansion-"house Gardens and other appurtenances (now called Gresham College) for them "and every of them there to inhabit, study, and daily to read the said several lectures. "And whereas in and by the said will it is directed that no person chosen to "read any of the said lectures should be suffered to read any of the said "lectures after that he should be married, nor should receive any fee or stipend "appointed for the reading of the said lectures: And whereas, in pursuance of this "Act, the said college will be pulled down and taken away, and the collegiate life "of the said lecturers intended by the said Sir Thomas Gresham, will, by the pulling "down of the said college be put an end to; be it enacted by the authority aforesaid, "That from and after the passing of this Act, it shall and may be lawful to and for the

seven lecturers or their successors, or any of them, to marry, notwithstanding any "restriction contained in the said will; and each and every of the said lecturers and "their successors shall, notwithstanding their being married, be suffered to read "their said several lectures after they shall be married, and shall be entitled to "receive the appointed fee or stipend"—and so on. That Act, therefore, totally subverted the foundation of the college. So the matter rests to this day. It appears that, in consequence of their being deprived of the lodging and the convenience which this house afforded them, their salaries were increased from 50*l.* to 100*l.* a year. One of the professors of that day, Dr. Pemberton, refused to assent to that proposal, and his salary was increased to 150*l.* After that building was pulled down, the lectures were read, I believe, in a small apartment in the Exchange. They were afterwards removed to the City of London school; and since then a building has been erected in Basinghall Street, where they are now given during term time, at twelve o'clock in Latin and at one o'clock in English. After the lectures are delivered each day, and when the term ends, the building is shut up, and no use whatever is made of it. I do not know whether I may call the attention of the Commissioners to the Charitable Trusts Act. In the correspondence which the committee for forming a Mercantile and Maritime college has had with the Gresham trustees, the latter have expressed themselves,—"That, with "every desire to make the purposes of Gresham College as effective as possible for the "general good, yet, the trust being constituted for specific objects, expressly mentioned "in the will of Sir Thomas Gresham, they do not deem it expedient to entertain "the proposition" (that of co-operating with the committee for the formation of a Mercantile and Commercial college submitted to them.) The professors say, "We should "hail with satisfaction the establishment of new commercial professorships, with "a museum and library on an independent foundation or under proper regulations; and, "subject to the consent of the trustees being obtained, would cheerfully lend the aid of "their college to promote so desirable an object, but they do not feel disposed to "depart from what they consider to have been the intention of Sir Thomas Gresham in the "foundation of their professorships." It has occurred to me whether, under the late Charitable Trusts Act, the trustees might not, if anxious to render their lectures more in accordance with the wants of the present day—more useful, in fact, apply to the Charity Commissioners for a scheme. I would venture to suggest that—supposing you should think fit to summon any of those gentlemen before you, or they should offer themselves for examination, it might be desirable to put the question to them, whether they think the Trust comes within the purview and spirit of the Charitable Trusts Act, and whether they contemplate or think it desirable that they should apply to the Commissioners for a scheme for the purpose of making the funds at their command more serviceable for the public purposes.

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MR. CHARLES LUCEY having been sworn, was examined as follows.

Mr. Charles Lucey

7273. You are master of the company of watermen and lightmen?—I am.

7274. How long have you held that situation?—Only a few weeks. I have been on the court for some years.

7275. Are you a freeman of the City of London?—I am a freeman of the watermen's company.

7276. Is there any statement which you are desirous of submitting to the Commission?—The court of the watermen's company has drawn up a statement in consequence of the evidence which has been given before the Commissioners, for the purpose of explaining several things which have been said adverse to the company. If it is the pleasure of the Commissioners, the clerk will read it.

Mr. Henry Humpheries, Clerk of the Company, read as follows:—

"To Her Majesty's Commissioners appointed to inquire into the state of the corporation of London.

"The Court of Master Wardens and Assistants of the Company of Watermen and Lightermen of the river Thames, beg leave to present this statement in consequence of the complaints which have been made by several of the witnesses examined before you, touching the alleged acts of divers members of our body, and the prejudice said to result to the public from the privileges which the company possess.

"Before proceeding, however, to notice that evidence, we think it expedient to call the attention of the Commissioners to the Acts of Parliament by which we are governed, and to some ancient statutes passed having reference to the company. With the exception of the statute by which the company was incorporated, and by which it is now governed (7 & 8 George IV., chapter 75), the only statute affecting the company is the 4th & 5th Anne, mentioned in Mr. Pillow's evidence (3049), intituled 'An Act for the Encouragement and Increase of Seamen, and for the better and speedier manning Her Majesty's Fleet,' which after reciting that, it being highly necessary 'that a convenient number of watermen, bargemen, lightermen, and wherrymen should from time to time be obliged to serve on board Her Majesty's Fleet,' enacts, 'That in case such a number of them as the Lord High Admiral or any three or more of the Commissioners for executing the

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'office of Lord High Admiral of England for the time being shall from time to time give 'notice to the said company of watermen there shall be occasion for to serve Her Majesty, 'her heirs and successors, shall not appear before the rulers of the said watermen's com- 'pany, to be sent on board Her Majesty's Fleet they shall suffer one month's imprisonment, 'and be disabled from rowing or working upon the said river of Thames and of enjoying 'any of the advantages or privileges of the said company for the space of two years.'

"By the 1st section of the statute 7th & 8th George IV., all the ancient statutes relating to the company, except the before-mentioned statute of 4th & 5th Anne, were repeated. The statement contained in that section, with reference to the ancient statutes, perhaps sufficiently shows the object with which they were passed, namely, the public safety; but if any doubt should exist on that subject, a reference to the statutes themselves will put the matter beyond all doubt. It then recites that the purposes of the said Acts would be better effected if the watermen, wherrymen, and lightermen on the river Thames, at and between Windsor and Yantlet Creek, were incorporated, and the several laws respecting them were consolidated and amended.

"It then repeals the ancient statutes therein enumerated, and incorporates the company —declaring of whom it shall consist, and the limits of the Act. In the belief, however, that the Commissioners will abstain from entering upon any matter which is not intimately connected with their present inquiry, the court of the company confine their remarks to matters connected with the corporation of London, and a short statement of their own privileges.

"By the 13th section of the statute, it is enacted that the master of the company and the several wardens (four in number) shall be presented annually to the Court of Mayor and Aldermen of the City of London, and if not approved by them, that others shall be elected in manner therein mentioned until they shall be approved by the Court of Mayor and Aldermen before whom they are required to be sworn before they can act in their respective offices.

"By the 15th section, it is enacted that in case of the death, resignation, or removal from the court of the company, another master or warden shall be elected, who must be presented to and be approved by the Court of Mayor and Aldermen, and be sworn before them in manner before mentioned.

"By the 18th section, it is enacted that whenever a vacancy shall occur in the court, the court shall elect from amongst the freemen of the company such three persons as to them shall seem meet for supplying such vacancy, and the persons so elected shall be presented to the next Court of Mayor and Aldermen, and such court shall elect from the three persons so presented to them such one as they shall most approve of, who shall thereupon become a member of the said court of the said company, and shall be sworn before the said Court of Mayor and Aldermen.

"By section 20, any person so elected master or warden, or a member of the court, is subjected to a pecuniary penalty if he shall neglect or refuse to be presented to the said Court of Mayor and Aldermen, or shall neglect or refuse to execute the office after having been presented to and approved or selected by the said Court of Mayor and Aldermen.

"By the 56th section, the court of the company are empowered from time to time to make rules and bye-laws for the good government of the said company, and for determining the fees which shall be taken on the binding of apprentices and the assignment of them, and the admission of members, and on other occasions for the better maintenance of the company, and the quarterage or other sums to be paid by the freemen, and for regulating the freemen of the said company and their widows, and apprentices, and the boats or other craft to be worked or rowed by them within the limits of the Act, and to annex reasonable penalties and forfeitures for the breach of such rules or byelaws respectively, which rules and byelaws must be approved by the Court of Mayor and Aldermen.

"By the 57th section, the Court of Mayor and Aldermen are also empowered from time to time to make rules and byelaws for the good government and regulation of the freemen of the said company and their widows and apprentices, and the boats, vessels, and other craft to be rowed or worked within the limits of the Act, and to annex reasonable penalties and forfeitures for the breach of such rules and byelaws respectively, which rules and byelaws, by section 106, are declared to extend to the government and regulation of the western barges, ferries and lighters' boats, and vessels of woodmongers and owners of laystalls, chalk hoys, gardeners, fishermen, and ballast-men, and all other lighters' boats and vessels in the said river within the limits of the Act, although otherwise exempted from the provisions of the Act,

"By section 58, all the before-mentioned bye-laws must be allowed by one of the judges of Her Majesty's Superior Courts of Common Law at Westminster.

"By section 61, the Court of Mayor and Aldermen are empowered from time to time to fix the fares of watermen for carrying passengers, which fares must be approved by three at least of Her Majesty's Privy Council.

"The court of the company and the other members of the company are governed by the provisions of the before-mentioned statute, and the rules, byelaws, and list of fares, which have been made in pursuance of the provisions before referred to, viz., by certain rule and byelaws made at Courts of Mayor and Aldermen, holden respectively on the 15th April 1828, the 29th March 1836, and the 29th September 1845; and by certain

rules and byelaws made at the court of the company holden on the 2d April 1828, and a table of fares fixed by a Court of Mayor and Aldermen holden on the 19th September. 1827.

" Having thus stated their connection with the corporation of London, they proceed to a statement of their own privileges. By section 5 of the statute (7th & 8th Geo. IV.) it is declared that the company shall consist of the watermen, wherrymen, and lightermen, whose names had been registered by the overseers and rulers of the said company in pursuance of the said recited Acts, or some of them, previously to the passing of that Act, and who shall be called freemen of the said company, and of such other persons as should be admitted freemen of the said company, as therein-after mentioned.

" By section 26, it is declared that the court of the company shall admit to be freemen of the said company such persons as shall have duly served their apprenticeship, either before or after the passing of that Act, or partly before and partly after the passing of that Act, to watermen, or lightermen, or widows, then or thereafter authorized to take such apprentices, and no other persons, and that such persons, when admitted by the said court and sworn as therein-after mentioned, should become freemen of the said company.

" By section 28, it is declared, that no person shall be admitted a freeman of the said company unless he shall have rowed and worked on the said river as the apprentice of some freeman of the said company, or of the widow of some freeman, for the full space of seven years. And by section 34, it is declared, that no apprentice who shall thereafter be bound, contrary to the true intent and meaning of that Act, shall obtain or be admitted to the freedom of the said company by reason of such apprenticeship.

" The privileges of the company are protected by section 37, which enacts, that if any person, not being a freeman of the said company, or an apprentice to a freeman, or to the widow of a freeman of the said company, (except as therein-after is mentioned,) shall, at any time, act as a waterman or lighterman, or ply, or work, or navigate, or cause to be worked or navigated, any wherry, lighter, or other craft, upon the said river, from or to any place or places, or ship, or vessel, within the limits of that Act, for hire or gain, (except as thereinafter mentioned,) every such person shall forfeit and pay for every such offence any sum not exceeding 10*l.*

" The freemen of the company possess no other privilege, and, therefore, if any of the imputations or charges of malpractices which have been made against the 'Long Shore Men,' with respect to the election of Members of Parliament or City officers, apply to any members of the waterman's company, it is in respect of their being freemen of London, and liverymen of other companies, with which the waterman's company have no connection or concern. The freemen of the waterman's company have no vote in any such elections. It here becomes important to notice the various exceptions referred to in the 37th section. They are as follows. Section 70 saves the rights of the master, wardens, and assistants of the Trinity House, and all the men employed by them. Sections 94-5-6-7 & 8 save the rights of the parties therein mentioned. Section 99 saves the rights and privileges to which the owners of all private ferries are entitled. Section 100 saves the rights of owners of docks and canals with respect to the navigation in the same. Section 101 saves the rights of the owners of western barges, which may be navigated as low as London Bridge. Section 102 saves the rights of all persons keeping lighters, or other large craft, for carrying their own goods, provided the persons working the same be freemen of the company ; and section 104 saves the rights of the owners or lessees of laystalls and chalk hoys and gardeners, and also fishermen and ballast-men, provided such persons do not carry passengers or goods for hire.

" The only complaint, therefore, which can be made against the privileges of the company is, that individuals, who have not served an apprenticeship agreeably to the provisions of the before-mentioned statute, cannot carry on the business of watermen and lightermen for hire and gain, or in other words, cannot obtain their livelihood by that business. That some, and perhaps, indeed, many individuals, who have not been brought up to the business, but who are desirous of entering into it, should complain of the privilege enjoyed by the freemen of the company is not unnatural. Many unqualified persons would doubtless be exceedingly glad to carry on the business of apothecaries, surgeons, or solicitors, without being subjected to the necessary forms and tests preparatory to their admission into such professions; but the public safety requires that they should submit to the laws which have been established for the protection of the public ; and we think the same rule applicable to the business of watermen and lightermen. With respect to the evidence of Mr. Beck, (4104,) in which he states that the laws regulating the company are easily evaded. Firstly, by binding a boy as an apprentice who seldom shows himself on board a barge, and can never be capable of managing one ; and secondly, by purchasing the use of the number and name of a free waterman, or of the widow of a free waterman. We would observe, that a person is never admitted to his freedom without the approval of his master, and a certificate from not less than four freemen of the company, that the party applying for admission has actually rowed and worked upon the river during the period of his apprenticeship, and is qualified to become a freeman of the company ; and that a freeman, or the widow of a freeman, permitting a non-freeman to use his or her name or number, would, for every offence, incur a penalty not exceeding 5*l.* The witness adds, that instances of both evasions are under his daily observation ; but we know of no such instances of evasion, and would not knowingly sanction them. If the privileges of the company should be abolished, and any, or rather indeed, everybody,

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permitted to work and row, and navigate vessels upon the river, the consequences would be most disastrous to those who have occasion to pass or transmit their goods upon the river. Mr. Ashby, who thinks the trade with respect to barges and lighters (being the sort of craft in which he is interested) ought to be entirely free, gives his opinion, (4123) that as to pleasure-boats there ought to be some stringent regulations. We think such regulations equally necessary with respect to barges, lighters, steam-boats, and sailing craft, in the management of which there is greater difficulty and danger. The freemen of the company form a very useful body of men for the conveyance of passengers and goods upon the river, which by reason of the number of steam-boats and other vessels constantly passing thereon, is a work of considerable difficulty and danger; and they also form, in case of need, a body from whom a deficiency in seamen for the Royal navy might speedily be made up; and many commanders of vessels in the Royal navy have borne testimony to the efficient manner in which their services as seamen have been performed. The number of freemen is fully adequate to the work to be performed, and, we believe, that if the trade were completely thrown open, causes of complaint, like that made by Mr. Pratt (2486), would arise, as they do at present,—the Steam Navigation Company requiring their vessels to be unladen and reladen with more haste and expedition than is practicable with safety. With respect to the strike, of which Mr. Pratt, and also Mr. Acland (504) complained, it might, perhaps, be sufficient to observe, that strikes have taken place in various parts of the country amongst workmen who enjoy no class or trade privileges; but as it respects the freemen of the watermen's company, we may observe, that it was limited to a very small number, namely, about sixty, and that there was an ample number of other freemen to supply their place. The whole body of working men being upwards of 5,000, on such occasions it is extremely difficult at the moment to find men to take the place of those who have struck, for fear of personal violence, either immediately or at some distant time.

"The estimation in which the services of free watermen are held, is evidenced by the fact that very many, and, indeed, most of the ships and vessels coming into the river, when the masters of such are not free watermen, receive free watermen on board, to take charge of their vessels, although not compelled so to do; and the General Steam Navigation Company themselves do the same thing from Gravesend to London Bridge. And further, we beg to observe, that most of the river pilots employed by the Trinity House are freemen of the company. We know of no better mode of making men practically acquainted with the various parts of the river, and qualifying them for the various duties which they have to perform, than the apprenticeship which they now serve; and we think that any change in the mode of admission would be a serious injury to the public at large. In reply to the complaint of Mr. Ashby, made in his evidence, (4116,) the company take leave to state the facts of the case. The principal witness, H. E. Roake, who was then in regular work at Kingston, happened to be near, and saw that Mr. Ashby's lug-boat was in trouble for want of proper management. He suggested to those on board the mode of extricating themselves from the difficulty in which they were; when a gentleman standing by said, 'If you are a waterman you had better go on board and prevent the craft being knocked about,' suggesting to the witness that he would be paid for his trouble. He went on board, and got the boat out of her difficulty; but, having been refused any remuneration, he lodged a complaint at Watermen's Hall; and the court of the company thinking it a case which they ought to prosecute, directed a prosecution accordingly, which ended in Mr. Ashby being fined 40*s.* and costs. That penalty Mr. A. informed the magistrate he should call upon the captain, who was a freeman, to repay. Mr. A's statement (4117) that if the captain had been on board, but asleep, the offence would not have been committed, is incorrect; the offence being the permitting, or suffering a person, not being free, to navigate or work his boat. With respect to his complaint, (4113,) that monkey-boats which travel in Paris on the river, require two watermen, although actually moving as one boat, the law applies only to large craft, when travelling below Vauxhall bridge, in obedience to one of the byelaws passed by the Court of Mayor and Aldermen in 1845. We know not whether the Commissioners propose to enter into the question whether the privileges which have so long been enjoyed by the watermen and lightermen of the river Thames should be abrogated or continued; or whether it will be expected of us to bring forward witnesses to support the opinion which we have ventured to express, namely, that such privileges are for the general benefit of the public. If such witnesses are required, we shall have no difficulty in producing them; meantime, we beg to call the attention of the commissioners to the favourable evidence given on that subject by Mr. Kearns, (2337), and Mr. Whistler (2631).

(By the Court) "Henry Humphries, Clerk."

7277. The whole number of persons on the roll of the company amounts to about 7,000?—Yes; near 8,000, and there are also 1,680 apprentices, but, probably, not more than 5,000 or 6,000 are working on the river; the remainder consisting of master lightermen, persons not following the business, and others in the sea service, pensioners, &c.

7278. Has every one of those persons the right, upon taking out his freedom of the company of watermen, to vote at elections in common hall?—No right whatever. A person upon becoming a freeman of the waterman's company obtains no such right, or is he thereby enabled to obtain the freedom of the City of London.

7279. You do not stand on the footing of one of the trading companies?—Not at all.

EDWARD HARRISON, Esq., having been sworn, was examined as follows.

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7280. In what way are you connected with the corporation of the City of London?—I am deputy of Cornhill ward, and therefore one of the corporation.

7281. How long have you been connected with the corporation?—Sixteen years.

7282. Have you filled any corporate offices?—I have filled several in the course of that period. I have been chairman of the Freedoms' committee, who had the prosecution of certain bills for the reform of the constitution of the City. I was chairman of that particular committee when those two applications were made to parliament. I am also to-day attending more particularly as a member of the commission of Sewers, the chairman not being able to attend. I am on the Consolidated committee also, and have been from its commencement one of the deputation; and I am appointed by the corporation as one of the four gentlemen in the Metropolitan Commission of Sewers. I may also say, that I have been, from the commencement of my connection with the corporation up to the present time, upon the Improvements committee.

7283. Are you yourself engaged in trade?—Yes; I am a stationer.

7284. Are there any points to which you wish to call the attention of the Commission?—I desired, as an old member of the corporation, to call the attention of the Commissioners to certain evidence which has been given by gentlemen with reference to the position and character of members of the corporation at the present time, as compared with a former period. That evidence is highly objectionable, I think, and I cannot conceive that it can be at all justified by the facts. I pass over the evidence of Mr. Acland entirely, because he represented himself, and truly, as an agent in matters of this kind; and I have no doubt, therefore, he acts in this case as in all other cases, ably, if he undertakes any particular duty. The evidence of Mr. Travers is of much importance, because, in answer to question 209 (and it is a singular introduction to such opinions as are afterwards given), he states, "I have not much directed my attention to the municipal concerns of the City of London." In 211 he says, "I believe, in common with most of my class, that the corporation of the City of "London is in a very unsatisfactory condition; it is unsatisfactory in its management, and "in my belief is more unsatisfactory in its system, which is obsolete, old, and, I think, "worn out; quite unfit for the requirements of the present day." If he had not introduced those words, "with most of my class," in the early part of that answer, I should not have referred to it all. Mr. Travers, I believe, is the son of the late Mr. Travers, who was so well known as connected with reform measures in the City of London. He, therefore, has a name; and I believe this gentleman is also connected with that body. As he speaks of a class, I presume he must speak of the gentlemen with whom he is associated to promote certain political views.

7285. The Commissioners rather understood Mr. Travers to mean the class in the mercantile and commercial world to which he belonged?—It is rather difficult to understand his meaning. Mr. Travers is a wholesale grocer. Does he mean that he speaks the opinions of the class of wholesale grocers? He is a man of great respectability; therefore an opinion expressed in that way is one which gives pain to gentlemen who have been many years in the corporation, and who desire to promote public improvements in every way in their power. In answer to question 212, he gives other evidence to this extent, "I believe the best way would be to sweep away the corporation and the local government "of the City altogether. That is the conclusion to which I have come." In No. 215, he says, "I would have no municipal body of any sort or kind in the City of London." The next evidence to which I would beg respectfully to call your attention is in No 1181. The evidence of that witness is to this effect; speaking of the corporation, he says, "they "have never led, and it has been with great difficulty that they have been dragged at the "tail of popular opinion." Then he speaks of some date at which they refused to take up the question of establishing docks on the side of the river; and he concludes in this way—"from that day we may consider the great downfall of the corporation to have commenced; and now the merchants spurn them, I believe, as something loathsome." This is the evidence of a gentleman who has been very much respected as one of our body. The next question that I will call your attention to is 1216. The answer to that question is, "I do "not believe it is in the power of human ingenuity to propose a plan which would give "to the corporation of the present City of London a power to conduct its affairs so as to "conduce to the advantage of the whole metropolis." The next question to which I beg your attention is 2146. Mr. Samuel Morley, in answer to that question, says, "I have no "idea that the citizens of London look at the thing with any other feelings than those of "repugnance." Evidence of this character, coming from highly respectable gentlemen, is exceedingly painful to the feelings of members who are acting upon the corporation, and I do hope, in some respects at any rate, for the public good. The other parts of the evidence to which I wish to call the attention of the Commissioners, are with reference to the sewers of London. In No. 234, Mr. Travers says, the management of the sewers is very unsatisfactory. In 722, Mr. Dillon says, "I think it desirable that the sewerage of the metropolis should be placed under a single authority." In 723 he repeats the same opinion, adding the words "lighting and paving" to it. Mr. Thomson Hankey, jun., in 1726, gives his opinion that the sewerage and drainage are particularly interesting to the whole metropolis, and should be regulated as a whole. The only observation which I will make upon that is, that upon the other side, in No. 1718, he states, "I think certainly that part

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" of the duties should be taken away ; but the improvements, the street lighting, paving, " sewerage and cleansing, should be with the City commissioners." Those two observations, therefore, I think decidedly answer each other, and I may pass them over. In other parts of the evidence it is said, that we do not promote public measures as we ought to do, and that it is with great difficulty we are " dragged at the tail of public opinion." I make no further observation upon that subject, except that I will draw your attention to what we have done in order to show that such remarks are not justified by the fact. I will refer again to the two Acts of Parliament, by which we desired to increase the constituency. The corporation were sincere in those endeavours, but they were not successful. That is not a matter for which we can be at all censured, since the result rested with the the House of Commons. In the next place, with regard to the sewers ; before we had any pressure from without, we were very anxious to improve the sewerage of the City of London, and to obtain very largely increased powers for regulating slaughter-houses, the supply of water, and every other matter of that description. We applied to parliament. We communicated with the government, and ultimately succeeded in obtaining powers larger than had been given to any body of commissioners at that time. There were powers for regulating the consumption of smoke given to the City of London, I apprehend as an experiment to see whether any general principles could be applied to the consumption of smoke from furnaces beyond the limits of the City. We have tried the experiment. We worked it favourably for twelve months, and since that period, the same power has been given to the metropolis generally, which was given to us in the first instance, to see if the thing could be done effectually. Still there were some other powers required. And in 1851, finding that the provisions of the former Act did not work well, we obtained further powers from Parliament, which they most readily consented to, and gave us every provision that we then thought necessary for the improved working of everything connected with sewerage and sanitary matters in the City of London. We proceeded in that way, with a view to promote the public good, without being goaded on, as one of the witnesses intimated, by anybody. The Commissioners have had evidence that the commissioners of sewers have set on foot a treaty for the purchase of a very large plot of ground, which I believe is about being completed this day, for the purpose of a burial ground. There are many powers which that body has which are not granted to the metropolitan commissioners of sewers. The metropolitan commission is a sewerage commission almost exclusively, whereas our powers are very much larger than theirs. In reference to the sewerage of the City, I may say that we have now completed it. There is not a court, a street, nor a lane in the City of London, in which there is not a proper drainage. There is such a perfect system of sewerage as to enable every house to be drained. I believe the rate for the present year will not exceed a penny in the pound. We have ordered a rate to that amount to be made, and I believe with the balance in hand that will be quite sufficient to provide for the whole sewerage of the City of London. It has been suggested that there can be no unity of action between the metropolitan commissioners and the City commissioners when great public works are under construction. I may say, in answer to that, from my own experience, having been on both boards ever since the metropolitan commission has been appointed, there never has been the slightest inconvenience whatever. Our officers confer together. There is a very large and very important scheme now under consideration for the drainage of the entire northern side of the metropolis. We met the commissioners. Our officers met ; and nothing can be more useful for the public good, I apprehend, than the co-operation of the two bodies in reference to that very great question. And the reason why I think it would hardly be consistent to adopt the principle of having one board for the sewerage of the metropolis, including the City, is this : having completed our sewerage, it would be really a hardship to call upon us, rated as we are very highly, to contribute towards similar works in other districts, they not having completed their works or brought them to the state of perfection which we have. As an act of justice to the citizens, I think that is a strong point for consideration, before this Commission can contemplate for a moment connecting them for any metropolitan purposes with the sewerage. I do not desire to draw any comparison as to the per centage of the two establishments for carrying out their works, but I will state in reference to the City of London, that the whole of our expenses in the works executed by the commission are under seven per cent. upon the amount rated. I have had some information given me, and I think that is an extraordinarily small amount, compared with the amount which other commissions have spent in a similar way.

7286. Upon how many years expenditure do you make the calculation ?—You may take it as an average, the result will be the same. I take it as the whole expense for last year.

7287. Are you comparing an expenditure of precisely the same character ? Is not the expenditure which has been going on in other places upon larger works, whereas yours is more a detailed sewerage ?—They are not of a similar character, but the dissimilarity is in favour of the corporation, inasmuch as, in our expenditure, a large salary to our officer of health, and to the inspectors connected with that department, are included in the seven per cent. of expenditure.

7288. Are the sewerage works which you are comparing in different districts of the same character ?—Quite so. We are obliged to increase our establishment of inspectors very much. We have power to deal with the internal drainage of houses. We are

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having plans taken of the internal drainage of every house in the City of London as rapidly as it can be done. It is a work of immense magnitude, and yet that expense comes within the seven per cent. Our consolidated rate for the year was 71,888*l.*; the sewers rate, 13,758*l.*; making together 85,646*l.* The expenditure on works being 78,129*l.*, the entire cost was under seven per cent, including all our sanitary staff. I apprehend, comparing it with others, that will be found a remarkably small expenditure, looking at the magnitude of the works executed under the Commission of the City of London. At the same time I believe the work to have been done most admirably. We cannot be perfect, but we are approaching perfection as rapidly as we can. It would be almost unjust to unite us with the metropolitan commission, because we should be called upon to pay for works in other districts, similar to those we have completed in our own. The whole of the rates upon property in the City of London at the present time amounts to 3*s.* 4*d.* in the pound. That includes the consolidated rate, the police rate, the sewers rate, and taking the City of London union, it amounts altogether to 3*s.* 4*d.* in the pound.

7289. The poor rates would vary in each parish, would not they?—I have obtained the information from the board of guardians. I have the rental and I have the expenditure.

7290. There are three City unions?—I have not had an opportunity of getting the account from the three, but I have taken the largest one.

7291. Do you know whether the poor rate varies much in the different unions?—It does vary. In the City of London union, there are some parishes where we have no poor's rate, and in others we have very heavy rates indeed. As they all vary, I take the average expenditure and the average poundage. Those sums being put together, it will be found that the expenses in the City of London, all money raised by taxes, taking the poor's rate as I have been able to obtain it, amount to 3*s.* 4*d.* in the pound; similar rates in Marylebone come to 3*s.* 6*d.*, and in St. Pancras, to 3*s.* 9*d.*

7292. Do you take the police rate in Marylebone?—I take all the rates they are called upon to pay in one particular year, which is the year 1853.

7293. Do you include the county rate in Marylebone?—No. I have no personal experience as to the amount, but I went to the remembrancer who has the information, and he gave me those returns from the actual receipts in the two parishes. I am prepared under these circumstances to show that we have so well managed our affairs in the City of London, that we pay less than they do in those immense districts. I hope that I have now shown that we have done our duty to the public in reference to sewerage, and have done everything we can in a sanitary point of view to improve the sanitary state of the City of London. We have managed it, I believe, more economically than any other board has managed similar works, and I believe to the entire satisfaction of the citizens of London, and that without any kind of inconvenience in the construction of any large works for the general drainage of the metropolis. I should now wish to say a word upon the common hall elections. I have had some experience in these elections, and I believe the evidence at present, so far as I have read it, does not go quite to the length that it should have gone in informing the minds of the Commissioners as to the amount of bribery and treating and improper conduct as connected with those elections. I would rather not mention names, but I am prepared to say this, that transactions are entered into between parties in the confidence of candidates and other parties who are agents for voters, absolutely to buy votes by the hundred. Their names are handed in, and the nature of the contract is, if every one of those men does not vote for you, you shall not pay me.

7294. Are you able to make this statement from your personal knowledge?—I am. There were four gentlemen, of whom I was one, who were the confidential friends of a candidate in an election; and I had to draw upon his bankers for such money as, in the department which I undertook, I was obliged to pay; and I did draw for a very large sum,—such buying of votes was not in my department, but a paper containing the names of those men came through my hands, and I handed it to the party who then made a contract respecting those votes. There is another mode by which we have to pay for getting a hall, as they call it. You pay a certain sum of money to have so many in the hall. I was naturally anxious to know how they got into the hall—they ought to pass through the respective wickets. I was called on to pay at the rate of 5*l.* a hundred, to one of those persons for letting what I presumed to be non-voters pass through a particular wicket. That requires an alteration; and the corporation have twice tried to alter it, but the opponents were too strong for us on both occasions. On one occasion in 1849, the committee on Standing Orders in the House of Commons decided that we could not proceed unless we struck out those clauses, because we had not given sufficient notice, under the Standing Orders of the House of Commons, to those companies. We obtained our Act in August 1849, without any provision to modify the system of those common halls. On the other occasion the committee of the House of Commons, on the opposition of the livery companies, declared the preamble not proved, and threw out the bill altogether. I am mentioning this to show that we desire to do what is right and good for the public, and that we do not deserve to be told that we are unwilling even to be dragged at the tail of public opinion. We are desirous to carry out great improvements as economically as we possibly can. I do not like to say anything about the improvements which have been going on in connexion with the corporation, because the chairman of the committee

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will be before the Commissioners, and he will do it more ably than I can. With reference to the evidence you have before you, the corporation would appear to prefer to appoint an incompetent man rather than a competent one, upon a committee. The very reverse is the course of the corporation. From my experience, I can state distinctly, that the very reverse of that proposition is the course taken in reference to appointments on committees. I can illustrate that better by referring to the chairman of the Improvement committee at the present day. Mr. Hall has been many years connected with it; he has been chairman of it for some years; and he has actually been, out of his course, put on that committee, and upon the commission of sewers, because he knows the nature of the business to be transacted. I know many similar instances. My friend Mr. Lambert Jones was another instance of it. The corporation kept him in the chair from the commencement of the great improvements at London Bridge, till almost the termination of them, because he was so useful and understood every department of business; and yet how can a gentleman who has been connected with the corporation say, that a knowledge of the subject seems almost to amount to a reason why a gentleman is not to be put upon the committee. I cannot hear it with patience, and I hope it will not weigh upon you when you come to estimate the value of the public works which have been performed lately by the corporation.

7295. Do you think that the committees of the common council are too numerous?—I do not know that there would be any advantage in a reduction of the number as regards the working of the corporation. It might be desirable in saving the time of some of the members. Yesterday, for instance, we met upon one question. If that question had been before a committee which had a dozen questions before it, probably we should have disposed of them all on one single day, instead of the single question upon which we were called together. I do not wish in anything I have said to be supposed to express an opinion that the corporation, as it at present exists, is not susceptible of considerable improvement, because, I think, there may be and will probably be suggestions for making alterations in a variety of respects, but as they are constituted they have done their best to promote purposes of public usefulness.

7296. Are there any other points to which you desire to call our attention?—I am one of the Consolidated committee, and have been from the commencement. I have been with the chairman upon all deputations to the government.

7297. Do you think that the number of members placed upon those committees is inconveniently large for the transaction of business or not?—I think the business could be as well transacted with a smaller number certainly. We do not very often meet the whole committee.

7298. Does it happen that members of a committee come in and vote upon important subjects at the close of the inquiry without having regularly attended the whole of the proceedings?—I should say that that circumstance may have arisen.

7299. Would not it be more satisfactory to yourself, for instance, to be able to devote your whole attention to one committee instead of having to devote it to the proceedings of three?—I cannot say that it would. I devote a good deal of time and of attention to public interests. I am so circumstanced as to be able to do so.

7300. Do several committees often meet on the same day?—Sometimes there are three or four on the same day.

7301. Does it often happen in your own experience, that the three committees of which you are a member meet upon the same day and at the same hour?—Not often, but it will at times so happen.

7302. Do not you find that inconvenient?—I am not able to attend to all of course.

7303. Do you think there would be inconvenience found if the rule were adopted that a member should not be put upon more than one important committee at the same time?—We could not lay down such a rule under the present arrangements of the corporation, for this reason,—they appoint one member from each ward, in my own ward we have six representatives in the court, and that will give more than one committee for each member.

7304. Are you acquainted with the proceedings of the Navigation committee?—I have been on the Navigation committee for four years.

7305. Have you been in the habit of attending it?—When I was a member of the committee I used to attend pretty regularly.

7306. Do you believe that the business of that committee is transacted in a manner which is beneficial to the public?—Quite the reverse, but it only arises from the litigation that is going on upon the question; they have no power to deal with the river as they desire to do.

7307. Otherwise you think that their arrangement of the conservancy is satisfactory?—I believe perfectly so. When I was on the committee four years ago I do not recollect ever having heard a complaint. The mode of proceeding is to sit and hear both sides before we determine a question as to an embankment, for instance. Those are very common questions. If an application is made to embank, the committee will not entertain the question unless they have in writing the consent of the persons who occupy the property on either side. The committee then goes down to view, and it hears all the parties. Some members of the committee are more particularly connected with the navigation, and understand the subject practically. I of course do not, but still I feel that

a committee so constituted is quite competent; they have hitherto performed the duty most satisfactorily, and I believe they will continue to do so.

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T. H. HALL, Esquire, having been sworn, was examined as follows.

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7308. You are a member of the common council?—I am.

7309. You are chairman of the Improvement committee, are you not?—I have been so for some years.

7310. What are the functions of that committee?—Carrying out improvements in the City which have been entrusted to them by the corporation by Act, as well as those which relate to districts outside the metropolis which they have been empowered by the government to carry out.

7311. What have you to do with regard to those improvements which are carried on outside the City of London?—There is one instance of the kind, the Clerkenwell improvement.

7312. Will you proceed to make any statement which you desire to lay before the Commission?—I have felt it to be my duty to come before the Commissioners that they may have an opportunity of questioning me, as one of the body which has been very much maligned during the inquiry which has been going on. If there is anything in connection with the body of the corporation which you think you ought to question, it is our duty to put ourselves before you, that you may see whether the statements made by our officers are borne out by the testimony of the members. I have felt that, or I would not have placed myself in the situation which I am now in. I have represented the ward with which I am now connected for twenty-five years. My father and myself have been resident in it for ninety years, and having taken a very large interest in corporate matters, I thought it right to place myself before you.

7313. Are you engaged in trade?—I am a wholesale hat manufacturer.

7314. You are chairman of the Improvement committee?—I am.

7315. How long have you been in the chair?—I think I have been there six years. I was for ten years a member of the London Bridge Approaches committee, acting with Mr. Richard Lambert Jones, and at his retirement from the chair I was placed in it. The election is annual; but I have been placed in the chair each year for the last six years.

7316. What is the mode of transacting the business in this committee?—We meet very constantly; but I believe as to the number of meetings the town clerk has given evidence, and it will not be necessary for me to repeat it. We meet very constantly, and have very important business. The committee conduct, as if they were a jury, the examinations of the parties who have claims upon them, leaving the value of the freehold or the leasehold property to their able adviser, Mr. Bunning, who tells them the amount which he conceives they ought to pay. The committee, who are men of business, almost every one of them being connected with one special jury system, sit, often to the number of eighteen or twenty, to listen to the various cases. Every particular is taken down. There is sure to be present a person who has been connected with the neighbourhood, or who knows something of it, so that no claimant can come before them without his claim being sifted to the utmost. There are never less than from fifteen to twenty persons devoting their time to purposes connected with the public interests.

7317. The Improvement committee do not decide upon the great improvements or alterations which are to be made, do they; they only carry out the detail of those operations when they have been decided on?—A committee like this has a reference to it upon the subject of every improvement which is suggested. Such a line having been marked out, they place it before their officer; they desire him to lay down the best line in the direction which has been contemplated, pointing out where it should deviate, or where it should be altered. Upon his report to them, and thus having obtained the best advice they can from a man competent to give it, they report to the court, and then the subject is discussed as any matter would be discussed in the House of Commons. There are a variety of interests urging improvements in their own neighbourhood, and the whole subject is canvassed in every way and settled, and then an Act of Parliament is applied for, which enables them to carry it out.

7318. In the case of any great improvement, such as those which took place in the approaches to London Bridge, the suggestion comes from the Improvement committee, the plan is discussed by the Court of Common Council, and if approved by them, the scheme goes to Parliament for obtaining an Act?—Yes; and the Act, having been obtained, is referred to that committee to carry it out, and to treat with all the claimants under it. The committee issue notices, treat with claimants, and either settle the claims, or carry them to a jury.

7318 A. Who is your adviser upon the committee in the arrangement of an extensive scheme of that description; is it the City architect?—I think you must have ascertained in the evidence which has been given you that a variety of gentlemen raise projects of their own. By a notice of motion they bring them before the Court of Common Council.

7319. Do those plans generally originate with your committee?—No; there are always suggestions made in the court either by a petition from the locality, or in some

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other way; and a discussion takes place in the court before it is referred to any committee to consider.

7320. Of course it is necessary, in a question of importance of this description, to take professional advice. Before your committee expresses a formal opinion upon any great scheme of that kind, what is the professional advice by which you would be principally guided; would it be that of the City architect?—Assuredly. First of all there must be a suggestion, which is particular; it must have a view, and it must state the direction in which the parties who bring it before the court desire it to pass. Then, having got the reference, it is sent to the surveyor; he points out deviations or objections to the line proposed, and he suggests the line which he thinks best. Then the report goes up, and is discussed by the Court of Common Council.

7321. By the surveyor do you mean the City architect?—Yes. In reference to the manner in which the committee conduct their affairs I could almost wish, instead of having explanations of the conduct of the business, it were possible that you could have a view of them while the business was being conducted; and your estimate of it, it strikes me, would be very different to that which persons knowing little of it endeavour to imprint upon your minds.

7322. Is the amount of the business large?—Very large. This committee have had to deal with claims to the extent of 1,200,000*l.*, which they have settled for a much smaller sum.

7323. Are there any architects or builders upon your committee?—There may be one or two, but if you were to ask me whether I desire it; I would say that the corporation wish that all the members should be disinterested; that they should as little as possible have an interest in any building scheme or anything to interfere with the discharge of their public duties. The jealousy of the corporation as to any of their body moving in a direction to obtain a personal advantage is very great.

7324. The practice of the committee is to decide upon all the details themselves, and not to trust to the discretion of the officers?—Assuredly, with an excellent adviser by their side whose advice is taken, and, generally speaking, such as the committee would adopt. He is not asked as to a question of mere expediency—a committee of thirteen or fourteen men of business who know something of the world will know what is expedient as well as any officer can tell them. If it is necessary to ask the solicitor who sits by our side—is that agreement the same as a lease, and are we bound to look at it as a lease?—no member of the board will dispute that the solicitor can answer that question in the best way. We get his answer, and treat with the party, either as a tenant who may have had the promise of a lease; or if he has a lease, that lease is referred to a competent person to value. I should say that the earnestness with which the committee examine all claims and sift them in every way is very great; persons have a right to go to a jury, but if every case were driven to a jury an enormous expense would be incurred. A committee sitting with thirteen or fourteen of those claims before them in a day might commit the corporation to an expenditure of 1,000*l.* or 2,000*l.* by carelessness in such matters. I will refer the commission to the large amount of settlements we have made, among which there has been scarcely a claim carried to a jury.

7325. The general principle of the corporation is that all the details of the executive business should be transacted by committees, and that the officers should merely advise and carry into execution the decision of the committees, is that the case?—It is. Mr. Richardson, on behalf of the comptroller, informed you that as soon as the committee had settled the whole claim it was referred to him formally to carry out that which the committee had done. The number of questions respecting improvements which are constantly arising in the corporation is very great—there are numbers of them at this moment. Cannon Street is now approaching completion, and I would say that the corporation will have devoted 500,000*l.* of their money to that improvement. There are questions arising as to Tower Street, Leadenhall Street, and the small improvement in Dowgate Street; and the improvement in Newgate Street is one which has been going on economically. The corporation have not carried that out by a public Act; but, as the leases fall in, the corporation, being connected with those leases, have refused to grant fresh ones—but they have granted building leases, so as to avoid the large sum which would otherwise have to be paid to claimants. The committee report annually to the corporation the whole of the business which they have transacted; and after having carried out the Act of Parliament thoroughly, they report the result of it, that they may judge whether it has been carried out at the value which had originally been fixed, giving the corporation an opportunity of testing that. The corporation are constantly devoting a portion of their property to improvements. They are now carrying out, without an Act of Parliament, the improvement opposite Billiter Lane in Fenchurch Street, for the purpose of making a better avenue to the Blackwall Railway. That is done by the corporation, with their own property, by an arrangement with the Blackwall Railway managers. I would ask the attention of the Commissioners to the evidence of Mr. Bennoch at 1182. He speaks of the corporation having been goaded into improvements, when I think, some time before he was a member, they brought in a bill and devoted their money to that very purpose. Drawing your attention to the subject of New Cannon Street, he says, it is one of the last streets which ought to have been constructed. That is a very strong opinion for a gentleman not a professional person to offer. "It is a great improve-

"ment no doubt," he says, "but it is burrowing behind other streets." Can you imagine in the City of London any improvement which can be carried out which must not burrow as it were behind some street or other. It was done on purpose to relieve Cheapside. He appears to have considered it as being done to relieve Ludgate Hill, There are two large avenues leading into Cheapside, Newgate Street and Ludgate Hill—one winding round St. Paul's Church-yard and the other leading through Newgate-street, converging in a very narrow place, the Poultry. The corporation thought it would be desirable to cut a line east and west that should divide a portion of that traffic—a large number of omnibuses, it is quite clear, will be drawn off from Cheapside to the new street—the object was, where so much was demanded, to take that which needed to be effected first. The corporation have now before them a project for a new street from Cannon Street West to Earl Street. Carriages coming from the South Western Railway passing over Blackfriars Bridge would then be able to come up to the east end of the City without passing round Ludgate Hill. It is believed that that would be a very great relief to that part of the City. In 5265, the question is put to Mr. Bunning whether the improvements in Cannon Street will not considerably increase the value of the property belonging to the City. It appeared to me that that question did not receive quite a sufficient answer. I say at once that they will not improve the value of the property belonging to the corporation to the extent of 1*s.* The corporation receive no advantage from the improvement; they devote their money to it without receiving any pecuniary advantage. In reference to questions 5268, 5269, and 5270, I will only make the observation that where every street must be cut through at the expense of many thousands of pounds, what improvement shall really be made, of course must depend upon the means there are for making improvements. I should state that there is a report before the corporation, now for their approval, with respect to continuing the new line of street to Earl Street at an expenditure of 195,000*l.* If the corporation, when that shall be discussed, approve of it, there must be means adopted for raising the money, and there must be an Act of Parliament applied for. With respect to Clerkenwell, the Commissioners are aware that the Old Improvement Commissioners, who had expended the funds which had been entrusted to them, besought the corporation to take that improvement up; it was a long time before we felt we ought to do so, but still there was a street which we had expended 50,000*l.* upon, and which was of no use till the other was completed. The corporation therefore took a great deal of trouble to carry out a work which was not within the City—they conducted the matter as they would conduct their own affairs, and agreed to receive 88,000*l.*, and to charge their own estate for three years longer with 11,500*l.* per annum. That is a contribution which we made to carry out improvements for the rest of the metropolis in a district which is not within our own boundaries.

7326. All this time you were receiving the proceeds of the coal duty; which was paid, not only by the inhabitants of the City proper, but by the inhabitants of the metropolis and the adjoining districts?—The corporation have a prescriptive right to the 4*d.* duty. This 11,500*l.* was given out of their general estate.

7327. The corporation do not make much distinction between the proceeds of the 4*d.* duty upon coals and their general estate, do they; they consider they have the same claim to the whole?—Clearly; but they have charged the 4*d.* duty with the large improvement in Cannon Street.

7328. Do not you think it reasonable and equitable on the part of the City that, as long as they are in possession of a fund like the 4*d.* duty upon coals, derived from payments made, not only by the inhabitants of the City of London proper, but of the whole of the metropolis, they should in their expenditure consider the interests of those who contribute to this duty, even if they reside out of the precincts of the City?—I do, most heartily; and I believe it is one of those things seldom granted to a corporation that you will trust them to carry on business not within their own boundaries. The corporation readily give their own time, and that without any payment, for the purpose of carrying out such works. When we were before Sir Charles Wood, the Chancellor of the Exchequer, the member for Middlesex was present, the magistrates for Middlesex were present, and all parties urged the corporation to undertake it. I have liberty from the corporation to say that there is a contemplated improvement for raising the valley of Holborn; that matter is now before the common council upon a report, the amount required being 333,000*l.* I would say that something on that subject must be positively arranged. Before that street can be carried out, it is absolutely necessary for the public good that it should be decided whether Holborn is to remain a valley, as it now is, or whether it shall be raised, for the benefit of all parties. How so large a sum for that improvement, and 195,000*l.* for another purpose, is to be raised I know not. The corporation are ready to take any step to assist in carrying out those great improvements which is in their power. A fire took place three or four years back at Holborn Hill. The corporation immediately bought the property sooner than see it rebuilt, that it might not offer an obstacle to the pulling down of the old houses which are near it, and that there might not be a new one to buy at treble the amount. In all such cases there is somebody or other connected with the corporation who is able to point out the course which ought to be taken, and it is constantly done. The corporation cannot venture to let the ground in Clerkenwell along that line till they know whether they have the government's sanction to improve Holborn valley. Should new houses be built upon it to the extent of

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thousands no improvement can be possibly carried out. I myself say that the object must be met, and met by the government as well as by the corporation, in some shape or other. Mr. Bennoch, in 2051, says that money has been charged for lodging-houses, but not a brick laid. The fact is, the money charged is for the purpose of the purchase of freehold ground, —bricks are not laid for that purpose. That only shows, when persons know nothing of what they are talking about, how easy it is to make representations of that kind, which are forthwith published in all the newspapers.

7329. What Mr. Bennoch says, in question 2052, is this,—"They intended, I believe, in "connexion with the improvement of Farringdon Street, when they had built the houses "for the labouring poor, to build baths and wash-houses; but the proposed scheme of a "new central railway coming into that position is, I think, a fair excuse for the delay of "those works?"—It is all very well to appear to give credit to the corporation, and then at the latter end of the statement to throw a slur upon them. He says, "The purpose "professedly was, that of building lodging-houses for the labouring poor. The "foundations of those houses, however, are not laid, though it appears here in the account "of payments." The only money which we have charged has been for purchasing the ground, and not for the erection of the houses, as Mr. Bennoch implies. I would say that the improvements which are at present pressed upon the corporation are—Holborn Hill, Earl Street—a very large one, by parties carrying on business in Lower Thames Street, near the Custom House, who are urging that there should be another way made into East Cheap, and that part of Lower Thames Street should be widened. The property there is of immense value. The subject is now before our architect; the amount required will be very large. The widening of Tower Street also has been very long in agitation; and, by an improvement we are now able to effect, the east end of Thames Street will be thrown open. There is a petition before the corporation for an improvement in Lime Street. Mark Lane improvement and Dowgate Street improvement are being carried on. At Fenchurch Street the corporation are pulling down their own houses, losing the rack rent and letting them upon ground rents. Upper Thames Street is being constantly widened, whenever an opportunity offers. Newgate Street, on the north side, is being widened. With respect to the eastern end of Newgate Street, abutting upon the Post-office, many interviews have been held with the government, to know whether there is a probability of their extending the Post-office. Putting all the amounts together, there are projects involving an expenditure of above two millions of money now being pressed upon the corporation for streets only. In addition to that, there appears to be a large sum wanted to widen London Bridge, or make some improvement there. There is a question how to sustain Blackfriars Bridge. If that cannot be sustained, if the engineer cannot hold it up, a very large expense will be required for a new bridge. Every one is trying, as it were, to get the corporation to receive less and to expend more.

7330. You have stated that there are a great number of schemes urged upon the corporation of extensive improvements in the City of London. Who is it who takes a general view of the state of the City of London, compares the relative importance and urgency of those various schemes, with reference to the probable cost of them, and decides which of them shall be referred?—If there is a scheme fairly proposed, it is always sent to a committee; and then we have the best advice upon the subject that we can obtain.

7331. Who is it who considers the whole case of the City of London, the various projects that are proposed for improving it, and then decides which of all those schemes shall be adopted?—The corporation, after having a report of the surveyor and considered it, determines whether it has the means of carrying it out, as well as whether it will be proper to do so.

7332. Weighing not only the value of the scheme itself, but comparing it with the relative value of other schemes?—The commissioners have seen Mr. Norris and Mr. Bennoch who have been witnesses before you; and you must be quite sure if they had a scheme to urge, they have the ability to urge it upon the common council.

7333. Who decides between the relative importance of all these schemes which are perpetually being urged upon the corporation?—There is no more an improver-general in the corporation than there is at the West end. Schemes are considered as they arise.

7334. Do not you consider that there ought to be a competent authority to whom the corporation, having those large sums of money to expend, and the important duty of improving the City of London to discharge, should have recourse, with a view of obtaining a deliberate and well-weighed opinion what is the scheme which they should prefer among all those which are put before them?—I consider that there are few persons, in consequence of their intimacy with improvements, to whom the corporation could better refer upon such a subject than Mr. Bunning, the City architect.

7335. Does the corporation, in point of fact, refer all those schemes to the City architect to be reported on, and to advise them which, out of them all, is the one he should recommend them to carry into effect?—They invariably refer every improvement which is suggested to him, after they have determined to entertain it.

7336. Does the city architect report merely upon those schemes separately, upon their separate and individual merits, or does he take a general view of the improvements suggested for the whole City of London,—having reference to the money at the disposal of the City of London for those improvements,—and then report what scheme, in his opinion should have the priority and be carried into effect?—I think the Commissioners

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will gather the answer from this:—In reporting upon the Holborn Bridge improvement, he says: "I deem it right, while these extensive improvements are in contemplation in "this locality, to call your attention to the desirableness of forming a new street from the "south east corner of Victoria Street to Long Lane, and also for the continuation of Cow "Cross Street southward into King Street, Snow Hill. The first-named new street "would afford greatly increased facilities of access to Smithfield, the site proposed by the "Markets Improvement committee for dead meat and poultry markets." The corporation have not yet adopted that; but when urged, as the Commissioners urge me to say, whether an enlarged view is taken, I feel that I am not doing justice to the architect if I do not show how his report does draw the attention of the corporation to the subject.

7337. Do your committee think it their duty to take a general view of the state of the City of London, when money is to be spent for those improvements, and consider all the plans which are laid before them for improvements; and then, upon a general view, state which they think should be preferred in point of time or importance?—We invariably say which we think ought to be done first. I thought I had explained myself very fully. It must be brought before the corporation before they will refer it to the committee. Having been brought before the corporation, if they refer it to the committee that committee report what they think to be desirable—then the corporation consider whether they will adopt the report or take some other in preference to it, first having before them the most desirable.

7338. Do your committee make any annual report to the common council, stating the progress which has been made in the improvements already ordered, and any suggestions as to the future course which the corporation ought to adopt in the matter of City improvements?—The corporation are jealous, and very properly so, as to their committees suggesting things that they have no authority to do. The corporation do not empower the committee to travel about the City, and tell the corporation what they ought to do. The larger body refers particular suggestions to the smaller body, and not the smaller body to the larger one. I observe the Commissioners have examined several of the witnesses with respect to Southwark Bridge. The corporation act as cautiously as they can upon these subjects. They have passed a resolution, "That the report of "the Bridge House committee be referred back to the committee, to ascertain by "professional inquiry the state of Southwark Bridge, with reference to its strength "and durability, and its sufficiency to bear the traffic likely to come upon it, and "to report thereon to the court." It appears to be thought that we ought not to make a question between 250,000*l.* and 300,000*l.* The corporation think before they go into any question as to how much it will cost, they ought to understand the state in which the bridge is. As it will involve a large outlay of money, they have looked at it a little while before they undertake anything. They are now taking means to obtain an account as to what state the bridge is in, and then will come the question of value. In 4396, a question was put to Mr. Edward Wilson,—"Do you think that any "gentleman who has not turned his attention to such subjects could judge very well of "the effect of an embankment on the river Thames?" No such question can arise in the Navigation committee. The corporation, under the advice of Mr. Walker and Captain Bullock, have fixed a line that the committee has not power to deviate from. When you ask whether any person upon that committee can do so and so, the answer is that they have not the power to do it. It has been decided by the best advice which the corporation can procure what shall be done, and the object of the Navigation committee is to carry that out. No merchant or dock director who could be added to that committee could ever be competent to answer the question. The committee must be bound to the line which has been approved by Mr. Walker; it would never do for individuals to be judging for themselves on such a subject.

7339. Do you think the present management of the conservancy could be improved?—I was chairman of the Navigation committee upon the occasion when the corporation agreed, if it were the wish of the government, that there should be a fixed committee, consisting of something like 18, supposing the Lord Mayor would be one, some of the aldermen and some of the commoners others, so that you would be sure of having an efficient committee of eight or nine attending. They agreed to that; and it was part of the plan. The committee of the House of Commons however, rather wished it to be changeable. As evidence that the corporation wish for an improvement,—when the bill was brought in for a large embankment at Battersea and Vauxhall, the corporation said in a moment, we agree to that; it is carrying out our own views; it is Mr. Walker's line with the slightest possible deviation; we should be glad to see bills for all parts of the river that would enable the plan to be carried out.

7340. Do you think the present system of managing the conservancy of the river is susceptible of improvement?—It is a very difficult question. There is scarcely an institution in the world which is not susceptible of improvement; but if you mean that they are incompetent or cannot do their duties, I at once decidedly negative it. If you have interested parties, whether from the docks or from among the merchants, it will not be done eventually as successfully, and so much with the approbation of the public, as it is now. I ventured, before Lord Auckland, to say that I believed if there were a board appointed such as we desired, there would not be an appeal from its decisions; and I thought there never would be a reversal if there were an appeal.

7341. Is it your opinion that it would not be easy to make any substantial improve-

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ment in the present management of the conservancy?—My firm belief is that the corporation, if they had powers which were undisputed, with a power of appeal, would appoint a body to perform the duties; and you would not have complaints, or at least complaints upon which there would be a reversal of their decision. That is the result of my own experience. The present body are independent; they give their decisions firmly, and I believe they would be generally sanctioned. As Mr. Norris said, there is the greatest fear of having private interests on the committee; if anything would be injurious, certainly that would be injurious above everything else. Mr. Clement George, in speaking of the rates, says, the corporation have a 4*d.* and a 1*d.* rate. I see he went away under that impression. That is quite a mistake; we have no property in the 1*d.* rate; it was given up. I admit that in Marylebone a great deal of improvement has not been carried out; that is one of the matters which must rest with the government, or with Parliament, to bring forward; the corporation are not answerable for that. Mr. George says that the corporation are an irresponsible body. I do not think it is correct to say that of a body which is elected annually. In the case of the vestry, of which he is a member, only one-third part is elected annually. He spoke also in favour of local management; the corporation assuredly join him in that. It should be borne in mind that the City of London, with its large rental, pay 9*d.* to metropolitan improvements beyond their own 4*d.* There is a constant complaint of how much is paid towards the purposes of the City, but not a word about what the City pay on the other side. I think it must be the general impression upon the minds of the Commissioners that the business of the City of London does not seem to have been injured by the corporation. It is constantly rising and extending. While they speak of us as small traders, the City of London is rising in character to a very great extent. The small traders are being carried into the suburbs, and you find that the City is really the warehouse for the whole of the metropolis, and its business is becoming almost wholly wholesale. There is no doubt that you have warehousemen now whose business monthly must be equal to that which was carried on by the merchants who are spoken of in former days in the course of a year. I was on the committee that was nominated upon the suggestion of Mr. Williams in 1834, and I worked with him during the whole time that that committee sat as long as he remained in the corporation. He says the committee was appointed most honourably and most uprightly, and they constantly worked together. Does it appear to the Commissioners that a body can be bad who granted to a gentleman who required it, and was known to be a reformer, a committee which he says decidedly was all that it ought to be? Can he get such a thing elsewhere? He spoke of the Mansion House as the corporation's great feasting place. I deny it. The corporation of London give that house as the residence of the chief magistrate; they never intrude themselves upon it; he generally invites the members of the corporation once during his year, as the Speakers may be said to invite members of Parliament; they are no more feasting at the Mansion House than it may be said the House of Commons are at the Speaker's house. That he does invite large bodies of men, merchants, such as Mr. Hankey and others, to the Mansion House very constantly, and occasionally asks the chairmen of the committees, is true; but that the invitation is universal to the corporation is not the fact. I think Mr. Williams, who has been at the Mansion House as a member of Parliament, knows that it was not what he ought to say. In 2819 Mr. Williams says that the 8*d.* duty is expended for City improvements up to this time. That is not the fact. We have it in evidence that we have paid over an enormous sum to the Board of Works, and that we have been doing so for a considerable time. The evidence of Mr. Travers has been remarked upon before. I have taken down several of his answers for the purpose of noticing them. I was connected for many years with the father of Mr. Travers, and acted together with him a long time during the Reform agitation in the City. I am very sorry to see that Mr. Travers should have made such assertions as he has done. I think one particular assertion which he has made is an error. He is asked if he knows what the ordinary business of the common council is; he says, "I cannot give a guess at it. I do not know what they do." He says he is on the Court of the Fishmongers' Company. I have no doubt in a small way they have some of the duties which the corporation have in a large way; they have small debts to manage, and so on; but I believe likewise that they have some pay for doing it. I fancy Mr. Travers must be as well aware of the value of the business as any one can be. Mr. Hankey called your attention to the question of London Bridge. I am afraid that the corporation can hardly be considered answerable for it. The evil is the increasing traffic, and they want the means for doing all the good which it might be desirable to do. Mr. Pulling, in 954, says the officers are very numerous; in 955 he says there are an immense number of officers; and in 979 there are too many officers, too large a staff. I believe Mr. Pulling is really a victim to our desire to decrease the number. He was a candidate for the office of pleader. I had an interview with him myself, being acquainted with his family, and I stated that if it were possible to do without we desired to do without any addition to the number. The corporation did decide not to fill up the office, or, I am informed by those who took an active part, that Mr. Pulling would have been almost certain to have obtained it. I think he should have hardly said what he did, seeing that he was himself urging the corporation to suffer him to fill one of the offices, and has lost the opportunity of serving the corporation by our desire to reform it. In one of his answers, Mr. Bennoch speaks of the desire of the committees rather to take the most inefficient of the body for the office of chairman. I was one who joined in

the report to the corporation in 1835 for a reduction of the amount allowed to the committees. The General Purposes committee was one; their allowance was reduced from 500*l.* to 200*l.* I was one of the members of the committee, and in my third year. A party said to me, "If you will join and enforce this reform you will surely never be elected." I said, that does not signify. I only wish to show you that the corporation do not act as Mr. Bennoch said; for I actually was unanimously elected to the chair—having, two months before they elected me, cut off from the committee's allowance 300*l.* out of 500*l.*, leaving them only 200*l.*

7342. Do you think that the discontinuance of the allowances to the committees would produce any bad effects?—The corporation, in the report to which I was a party, resolved that there should be a certain amount continued to each committee, the purpose of its continuance being, if possible, to secure the attendances of the members so as to make the committee useful.

7343. Do you believe that there would be any difficulty in securing the attendance of members upon an important committee without allowances of this description?—I feel that it is one of those things which gives an opportunity for cavil. It is clearly not the money which is the object, because I have repeatedly gone to a committee of this description instead of going to the board of a life office, where I should receive a considerable remuneration. Again, as a special juror, the day I was sixty, I had my name taken off the list, that I might not be called from attending corporate matters to get a guinea. It is generally the case that, where you once feel an anxiety or a desire to render yourself useful, you are willing to do it, even at some sacrifice.

7344. Do not you think that the lax attendance upon the committees may be partly attributed to the numbers which are upon those different committees. If there were only a few persons upon a committee, and it was understood that no one would be placed upon it without a kind of engagement that he would attend to the business, would not the members of the committee feel it their duty to attend regularly, even if there were no allowance of this description?—Having signed my name to a report, in which I urged that some small allowance should be continued to a committee, and given my reasons for that opinion, I still remain of the same mind, that it would not be right to say that a corporate body should meet, and should neither be allowed line money nor any amount at all. Mr. Bower gave a very good reason for it. I have kept the Improvement committee from one o'clock to seven o'clock constantly at work—almost all those gentlemen live out of town—I do not suppose that twenty or thirty out of the whole 200 common councilmen sleep in the City. Where are they to go at seven o'clock to dinner? I cannot be brought to say that the corporation ought to have no return at all for services performed.

7345. Is this allowance money spent in that needful refreshment which, in a case such as you describe, gentlemen having met together for the discharge of business, must require, or is it spent rather in a sort of good fellowship meeting of a festive nature at the end of the labours of the committee?—There have been various reasons given—each one must account for his own. I can only say as chairman of our committee, we have no such festive meeting. Once in a year we dine at Blackwall, in the summer; but the money is really given for the purpose of procuring refreshment, and it has sometimes not been decided that there shall be any till the business is seen to drag on to so late an hour as to require it.

7346. Do not you think that the necessity may depend very much upon the present mode of constituting the committees. If, on the appointment of a committee gentlemen were chosen as they are now in the House of Commons, from their willingness to undertake the particular business for which the committee is appointed, would not that alter the case?—I think if they had a comfortable place like there is in the House of Commons, to which they could withdraw a few at a time, coming back again to business, it is very possible that they might sit for hours, and not require a dinner afterwards. In answer to question 2029, Mr. Bennoch paid a compliment to the corporation. He is asked the question, "You mean, having such patronage, "it would not be necessary for them when they wished to pay a compliment to any one, "to vote him a sum of money, but they would give him an office?" He says, "I think "so. So general has the tendency become to elect relations of members of the common "council to offices of that kind, that last year the sons of three members of the "common council became candidates for one office. The more independent part of "the common council considered this to be offensive and unwise; and they moved and "passed a resolution, which is now one of the byelaws of the court, that the son of a "common councilman shall not be eligible to be elected, so long as his father continues in the corporation." I put that notice of motion on the paper, and it was carried. Mr. Bennoch very fairly bears evidence to what is the real desire of the corporation. I think, however, it would show the working of the corporation more than any other thing, if the commissioners were to hear how that was carried. I brought forward the motion, and stated that I would not make a reference to former occasions, but I thought it would be an improvement if they got rid of the practice. There was no observation of mine that would be at all offensive to any body. Various members spoke upon the subject, and I will read you what Mr. Bennoch himself said upon it. Mr. Bennoch said that "The motion was nothing less than a substantial vote of censure

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" upon the court itself, and he ridiculed the project of keeping it in a state of positive " purity by such means. Why a man who discharged his obligations as a member of the " court with unquestionable skill and integrity should be prevented from allowing his son " to be a candidate for an office, he could not at all comprehend. Why should it happen, " if a son was more competent to perform all the duties of the office than any other " likely to present himself, should he be shut out from the chance of election?" Mr. Bennoch therefore was the gentleman who opposed the motion which I brought forward, for the very purpose of which he now expresses his approbation, but for which he appears then to have thought there was no necessity.

Adjourned to to-morrow at twelve o'clock.

Thomas Dakin, Esq.
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Thursday, 2nd February 1854.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P. IN THE CHAIR.

THOMAS DAKIN, Esq, having been sworn was examined as follows.

7347. What is your connection with the corporation of London?—I have been a member of the corporation of London between ten and eleven years.

7348. Are you a trader in the City?—I am.

7349. What description of trade do you carry on?—I am a chemist and druggist.

7350. Do you reside in the City of London?—I do not.

7351. You are a common councilman?—I am.

7352. Is there any part of the business of the corporation with which you have been particularly connected?—Somewhat to my surprise I was one day summoned by the corporation to attend here without any intimation being given as to what I was expected to prove. The corporation have sent summonses to many of its members. I do not object to it, because I have taken an active part in the corporation business, and may therefore be fairly presumed to be able to give some information to the Commissioners, but my attention has not been directed to any particular points, nor I believe has the attention of any of the other witnesses. I was present during the whole of yesterday and heard the course of the examination, and I saw the inconvenience which has sometimes arisen from there not being organization among the witnesses. I am prepared to give information as to any points which I may be asked about.

7353. Are there any committees of the common council in whose proceedings you have particularly taken a part?—Some evidence was brought before the committee yesterday in regard to the Gresham trust and Gresham college. I have served upon the Gresham committee and they did me the honour of electing me chairman of the City side of that committee. That is a point upon which I shall be very happy to give any information to the Commissioners. There seemed to be on the part of the witnesses yesterday, Mr. Bennoch, and Dr. Waddilove, a desire to know the amount of the property of the Gresham trust, and how it was expended. I therefore went down to the Guildhall this morning, with a view of obtaining that information, which is printed upon the papers of the common council under date the 30th of June 1853. If my friend Mr. Bennoch had known the course of business and attended to it, he would have found that information, which he said he had a difficulty in obtaining, upon the printed papers of the common council which are sent round to every member. In those papers will be found a brief statement of the receipts and expenditure of the City's moiety of the estate of Sir Thomas Gresham, for the year ending the 10th of October 1852. It appears that in that year there was a transfer of the loan which is made upon the security of the Gresham trust, to the amount of 85,000*l.* Taking that away on both sides, the accounts of receipts and expenditure seem very nearly to balance each other. The charge is a balance in hand of 578*l.* 6*s.* 11*d.*, rents received 5,033*l.* 12*s.* 1*d.*, income-duty retained on loans 95*l.* 5*s.* 11*d.* That is the moiety of the estate of Sir Thomas Gresham, received by the City. The disbursements are salaries which were allotted to the professors 663*l.* 12*s.* 5*d.*; allowance to poor prisoners, 55*l.* Allowances of clothing &c. to poor almsmen, and repairs to almshouses, 284*l.* 12*s.* 5*d.*; rates, taxes, &c. in respect to site of Royal Exchange, 425*l.* 17*s.* 9*d.*; salaries to clerk of committee, exchange keepers and constables, 337*l.* 17*s.*; law expenses, 14*l.* 12*s.* 8*d.*; incidental expenses, 71*l.* 13*s.* 9*d.*; interest on money advanced, 56*l.* 17*s.* 5*d.*; interest on loans raised, 3,267*l.* 14*s.* 1*d.* I wish to call the attention of the Commissioners to the fact that the City of London, acting as joint trustees under the will of Sir Thomas Gresham, have advanced from time to time very large sums of money over and above the amount which they have received as trustees. After the fire of London there was a debt of 20,000*l.*, which has been written off from the accounts of the City, which, with the accumulated interest from the year 1706, would make 120,000*l.*, which the corporation have advanced out of their own funds in sustentation of the trust under Sir Thomas Gresham's will. That amount has been entirely written off. Besides that, the City have made a loan of 25,000*l.* to the trust, over and above the 85,000*l.* which they have borrowed on the security of their corporate seal, and for which they are responsible.

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7354. Do you mean that the debt at present of the Gresham trust is 110,000*l.*?—85,000*l.* in bonds, and the loan which I have spoken of, of 25,000*l.* I adduce this to show that, as trustees under Sir Thomas Gresham's will, the City have advanced out of their own funds, from time to time, very large sums to carry out the objects which he had in view.

7355. Do you consider the Gresham trust to be in a solvent state?—No. I am now speaking of the moiety belonging to the City. The other moiety which is administered by the Mercers' Company is similarly indebted to the private funds of that company for efficiently carrying out the trust, the payment of salaries to the lecturers, and so on. But for the private advances of the Mercers' Company and the City, the trust of Sir Thomas Gresham's will would not have been carried out.

7356. You mean that the Gresham trust, after paying the interest of its debt, has not sufficient reserve to carry on the necessary expenditure without having recourse to the funds of the City, and the Mercers' Company?—That is the condition of the trust. Dr. Waddilove stated that the Exchange brought the trustees into debt, and that at one time they had a difficulty of paying the salaries of the professors, but that after the lapse of one or two years they had paid them out of their own funds. That state of things exists to the present time. I am very anxious to say that there is a strong feeling in the City which corresponds very much with the representations made yesterday to the Commissioners, with regard to the necessity of adapting in some way the present Gresham college to the wants of the community. It is undoubtedly a fact that the college is for all purposes of public instruction almost a dead letter.

7357. Has the Gresham trust at this moment any surplus revenue whatever to devote to the purposes of education after the payment of the debt?—None whatever. On the contrary; the trusts of the will being fulfilled, the salaries to the lecturers paid, the allowance for almsmen, and the necessary expenditure for the custody and repair of the Royal Exchange provided for, in addition to the interest on the money advanced, they not only have no surplus, but they must draw upon their own funds.

7358. Even for the payment of the professors, and the other expenses which are now incurred with the professed object of the communication of information to the inhabitants of the City, what surplus funds have they which can be devoted to that object after the payment of the debt?—They have not any.

7359. The trust in short is really insolvent?—That is rather a strong description to give to it, because the difference is so very small between the charge and the amount.

7360. If the trust were left to itself, and the City of London and the Mercers' Company out of their own funds did not come to its assistance, could the Gresham trust continue its expenditure for educational purposes, even to the degree, and upon the scale which it has hitherto done?—I think not.

7361. What is the amount of the charities under the Gresham trust?—284*l.* 12*s.* 5*d.*, for almsmen, and 55*l.*, a payment to poor prisoners. Speaking on behalf of the City and the citizens generally, any help which the Commission may be able to give towards altering the state of things in regard to Sir Thomas Gresham's will would be considered as a very great boon. I likewise heard some evidence yesterday with regard to the City improvements. It appeared to me that several questions which came from the Commissioners with regard to the mode in which suggestions for City improvements emanated, and the authority on which they are afterwards carried out, were not quite understood. Suggestions for improvements come, I think, from the best source from which they can come, viz.: the inhabitants of the City, who have an opportunity of witnessing the interruption to the traffic, and who feel the hardship of being subjected to those interruptions. From my experience, I have found that those wants and those necessities have constantly found a voice in the court, and that they have been talked about from time to time. I may mention, for instance, the narrow thoroughfare of Watling-street. It was constantly urged upon the court by the representatives of that district, that Watling-street was inconveniently narrow; that it was a great drawback to that particular locality, and consequently, it had a claim upon any help which the City might give from its resources. That it might be reported for two or three years; other matters would spring up with regard to widening Tower-street; those would take the same shape, and would be referred to the Improvements committee. The Improvements committee, in 1846, caused one of Wylde's maps of London to be marked with all those improvements which were called for by the wishes of the inhabitants, and referred that map and those suggestions to the consideration of the Improvements committee. The course then taken is, that the Improvements committee refers the question to the City architect. He looks at it, and gives his judgment as to the priority in which those improvements might reasonably be taken, and as to the amount of the expenditure which would be incurred by their being executed; and then the matter, so considered by the Improvements committee and so reported upon by the architect, is, in the course of business, brought back to the Court of Common Council. Then, if they entertained any one of the plans, they would refer it to another committee, called the Coal, Corn, and Finance committee; or they might empower the Improvements committee itself to consider how the necessary funds could be obtained from the City resources for the purpose of carrying out the improvement. If that plan became so far matured, the remembrancer would have instructions to draw a Bill and submit it to the Legislature. It appears to me, that that is a convenient course of following

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up improvements. If it occurred that some general action, with regard to the metropolis which I thought the question yesterday pointed at, was necessary, you have the machinery here by which consultation or communication could be had with any other body of gentlemen acting for any other part of the metropolis, so as to preserve some degree of unity of action and uniformity of result.

7362. Is the course which you have been describing the one which was taken on some particular occasion, or is it the usual course?—The usual course.

7363. Is there any annual report made by the City architect as to the state of the improvements which have been going on or are contemplated?—Such report is presented from time to time, and the Improvements committee itself, when any plan of improvement has been entrusted to it to carry out, makes a detailed report of the cost, not only generally, but of each individual property,—how the property has been assessed, whether by arbitration, by agreement, or by jury.

7364. Are the common council and the members of the court regularly and accurately informed of the course adopted in regard to improvements in the City of London?—I think so. I think the course I have detailed shows that they are.

7365. Are those reports published?—They are printed in a blue book. I may say, that we are always very anxious to obtain the utmost publicity that we can. That is one of the very elements of our usefulness; and our over-eagerness to obtain that object, has, in some instances, subjected us to suspicion, which, I think, is not warranted by the facts of the case. As regards the conduct of the corporation, in respect to any trusts of which they are possessed, that which I have detailed in respect to the Gresham trust is carried out. I may mention, for example, the navigation trust, upon which the corporation has advanced from time to time large sums of money. Instead of its being as charged that the corporation, in its character of conservators of the river Thames, has made use of that office for the sake of adding to its own resources, the direct contrary has been the result.

7366. Do you know the position in which the City architect stands to the corporation?—I think I do.

7367. Do you think the corporation would be bound, in the event of the erection of any great public building in the City being contemplated or considered necessary, to resort exclusively to the advice of the City architect?—I do not think by any means they are bound to that. If, for example, another calamity should befal the Royal Exchange, it is very likely they might have recourse to competition. I speak upon this subject with diffidence, because the results of competition in that very matter of the Royal Exchange were not of that kind to lead us to any favourable conclusion. If I recollect right, the erection of that building was submitted to public competition, the cost to be incurred being set down in the specifications sent out, and also particulars with regard to the amount of rental which would be necessary to enable the Gresham trustees to carry out their trust. In that case, those two particulars being specified, it went to competition, and I believe out of the large number of plans which were sent in, there was scarcely found one which either did not exceed the amount which was at the disposal of the trustees, or which did not fail in producing the amount of rental which was necessary to sustain the trusts of the Gresham will. Afterwards, three celebrated architects were called in to give their advice. They were asked if they would conpete, and they declined, and ultimately the plan was adopted of Mr. Tite, which cannot be said to have been the result of competition. Competition in that case, instead of leading directly to the object which the trustees had in view, rather embarrassed their proceedings.

7368. It does not necessarily follow that you should resort to public and open competition as the alternative to confining yourself to the advice of a single architect upon a point of that kind?—Possibly not. I have stated generally that the trusts of the corporation are usually a source of heavy expense to them from their private sources, and not a source of aid to them. I may mention the operations of the Navigation committee in the conservancy of the river, as an instance of that. I find that the Navigation committee has advanced from time to time 40,000*l.*, and that the debt under bonds, though charged upon the tolls of the navigation, is an amount of 135,000*l.*, which the City is considered to be security for.

7369. If that be so, I suppose if the conservancy of the Thames were altogether separated from the jurisdiction of the City of London, no pecuniary injury would be done to the City?—I consider not.

7370. On the contrary, it would be a pecuniary benefit to them?—It would relieve them from the charges to which their funds are now liable. I do not mention this with a view of showing that they are impatient under the charge, or unwilling to discharge the duties assigned to them. A statement has been made before this Commission that the officers of the corporation as a body are very greatly overpaid. I wish to say, as far as my capability of judgment goes, knowing both what they receive and the services which are rendered, that the sums which they receive are not at all large in comparison with the sums which they would receive in the open market of labour or the professional arena, considering the talents which they bring to bear upon the duties which they perform, and the amount of duties which they are called on to perform. I will take for example the City solicitor, whom I have the honour of knowing very well. I know the weighty

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duties which he has to perform, and I consider that in the case of that gentleman, instead of being an overpaid officer, he is underpaid. His salary and emoluments have been stated to the Commission at 1,750*l.* a-year. It has only been within the last few years, I think not more than four or five years, that an addition of some 600*l.* or 700*l.* has been made to his salary. Therefore, before that, he was an officer with something like 1,000*l.* or 1,200*l.* a-year; and it was with the greatest difficulty that the Court of Common Council could be induced to consider the question with a view to that increase. I have reason to know that the City solicitor considers now the citizens and the corporation, whenever they are either in good humour or in good funds, owe him several thousand pounds, which he is fairly entitled to. I may say that before any addition is made to the salary of any officer, a most rigorous investigation is made as to the amount of his emoluments. In that case, I know the books of the City solicitor were carefully gone through. We have in the Court of Common Council a body of men who are always arrayed on the side of economy, and retrenchment, and reform, who look very carefully after those things. They are generally put upon the committee, and they look minutely into the question of the amount received and the duties performed, and it is with the greatest difficulty that any addition to such salaries is made. The same is the case with the City architect. Before the increase of his emolument he was dissatisfied. He expressed himself that he considered the best part of his life was occupied in the service of the City; that he was doing an amount of professional service, for which he received a very incompetent emolument; that he could not hope for many years to do it; and that it was not such as would enable him to have that fair amount of retiring property which every man in the highest walks of his profession has a right to expect.

7371. It has been given in evidence that, with regard to some of the most lucrative situations connected with the corporation which are filled by popular election, individuals have thought it worth while to spend large sums of money in attaining those offices; would not that show, in regard to those offices, that there is a feeling that they are of value?—That I think particularly applies to the office of chamberlain. In the bridge-master's office, which is the only other one, I should think they must look rather to the honour than the profit of it. Unless the holder enjoys the office for a number of years, the expense he must go to is more than the amount of the emolument which he receives.

7372. You have stated that you do not think the officers of the City, considered as a whole, are overpaid?—I do not.

7373. Do you think the offices are more numerous than are required?—I think in the case of many of the older offices, which I do not see in active operation, they might with great judgment be abolished. I allude to the office of bridge-master. I think that is an office almost obsolete, and there are some others of that class; but with respect to those officers who have to conduct the active business of the corporation, I do not believe they are overpaid, nor are there too many of them. Where there are large revenues to deal with, it is of the greatest importance to have men of the highest character and talent, and I do not believe it is a wise economy to seek to underpay them. With respect to the architect of the City, I may mention a fact which is within my own knowledge, that that gentleman was only known to the corporation by his competition in the case of the erection of the City of London School; he was quite a stranger to them. He gained that employment by public competition; he executed it within his estimates. That brought him so favourably under the notice of the corporation that when, some time after, the office of City architect became vacant, though he was unknown before that, and had no private interest or influence to push him forward, he was elected to the office he now holds. With regard generally to the election of officers, I must say that, in the main, the efficient discharge of the duties is alone looked to, and not any undue partiality.

7374. Are there any other observations which you desire to make?—I do not know whether the Commission will allow me to make a few remarks upon the charges which have been made against the corporation. I allude principally to those assertions which have been made in the evidence that the members of the corporation, as it now exists, belong to the class of shop-keepers, and the more specific statement of Mr. Travers, that they are the small class of shop-keepers. Though, perhaps Mr Travers might have such traders as I am in view, considering my own ward and the wards in my neighbourhood, I maintain that that is not a fair or correct representation of the present state of the City.

7375. What is your own ward?—Candlewick. I should have taken no exception if Mr. Travers had described the present municipality of the City of London as I find Mr. Macaulay in his history describes it. He says, "The City is no longer regarded by "the wealthiest traders with that attachment that every man naturally feels for his "home; it is no longer associated in their minds with domestic affections and endearments, "the fireside, the nursery, the social table, the quiet bed are not there—Lombard-street "and Threadneedle-street are merely places where men toil and accumulate." That I think is a fair description; he then goes on to state, speaking of the municipality, that "its honours and duties are abandoned to men who, though useful and highly respectable, "seldom belong to the princely commercial houses of which the names are renowned "throughout the world." I take it that that is a fair description. I should, therefore,

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demur to the description of Mr. Travers that we are small shop-keepers. I may mention, as a matter of fact within my own knowledge, that the wards of the City adjoining mine do not correspond with his description,—Bridge ward returns eight members ; of those eight six are wholesale dealers exclusively. In Dowgate ward, which adjoins Bridge ward, the whole six are wholesale dealers and some of them in a very large way of business, and might be described, as Mr. Travers describes himself, as wholesale grocers. In Billingsgate ward the whole eight are of that class. In Walbrook, Mr. Travers's own ward, it so happens that the whole six of them are wholesale men, and two of them might be appropriately described, as he describes himself, as wholesale grocers; one of them, Mr. Rowley, is of the firm of Rowley, Davis, and Co., who are wholesale tea dealers, another of them, Mr. Conder, is a large colonial dealer, and the four others are also wholesale men. I think, therefore, it is rather unpardonable that Mr. Travers, in coming to give evidence before this Commission, should not have taken the trouble to make himself somewhat acquainted with the matter which he had to speak about. In my own ward we return six members, and I am the only one who can be at all designated as a retail dealer, but that would not be a fair description of my position. I think the distinctions of retail and wholesale are very fast wearing away. Almost all of those who might be called retail dealers in the principal streets of the City would not be fairly described in that way. My principal business is that of a wholesale and export dealer; also I have large mercantile transactions with China and the East Indies.

7376. You yourself do not reside in the City of London, do you?—No. I believe this class of distinction is unfairly taken. My principal occupation is not of a retail character, that is done for me. I have another establishment, close by, where I have a large wholesale business, and I may say perhaps that the fact of having a shop, which is my case, does not prevent my being invited by large bodies to take part in large commercial transactions. I think it is only fair to say that I am chairman of two companies carrying on business under special Acts of Parliament. I am a director of a dock company which is now a' out to establish docks twice the size of the London Docks, and I am a director of one of the London insurance companies. I feel, therefore, that I may be allowed to represent my class, and disabuse your minds of that impression which has been sought to be created—that we are not men who fairly represent the trading interests of the City of London.

7377. What has been stated to the Commissioners is that the great merchants and bankers of London for the most part keep aloof from the business of the corporation. As a matter of fact that is true, is not it?—I think there are men in very large trade who are connected now with the corporation of London. They are not men perhaps whose names are eminent to the world, such men I do not think take any part in the public business of the City. A class of business has sprung up within the last quarter of a century which may be termed that of public companies. These are banks, insurance companies, dock companies, mining companies, and others. Those gentlemen whom I have particularly in view, some of whom perhaps, though they stand more highly, are not better known, and do not obtain the large income which some of the other men do. Consequently in many cases those gentlemen who describe themselves as South American merchants and West India merchants, though they have not time to attend to the affairs of the municipality, we find have time to attend to those other affairs where there is a payment connected with them. I may mention that Mr. Powles, who is a South American merchant, though he has not time to attend to the affairs of the municipality of the City where he carries on his business, has time to give to public companies of various kinds, dock companies and mining companies, but there is this distinction, that for such occupations he gets paid.

7378. Persons take that as a part of their profitable business?—Certainly. But I would venture to ask the Commissioners whether it necessarily casts any reflection upon that class of the community, who, perhaps equally respectable and equally competent to give their judgment upon important matters, devote their time to avocations for which they receive no remuneration of any kind except the satisfaction of being put in a position to discharge public duties, and availing themselves of an avenue to distinction which the others do not want, they being men who have their names distinguished by their grandfathers or their fathers before them having pursued the path which some of us are now taking.

7379. You say you do not live in the City?—I do not.

7380. Can you give a guess what proportion of the common council may be supposed to reside in the City?—I should think of the 200 there are not above twenty-five who live in the City.

7381. I suppose you think, if it could be effected, what would be desirable would be that all the mercantile classes, not excluding either large general merchants or retail shopkeepers who may be men of character and intelligence, should co-operate in the management of the municipal affairs of a City like that of London?—I think it is most devoutly to be wished, but I am very much afraid that, alter the constitution as you will, it will be a matter of very difficult attainment, from the principle which I have ventured to sketch out.

7382. You think, in the present condition of the trade of the country and the City, however desirable it may be in theory it would be difficult in practice to bring about?—

Yes; it would be very difficult to bring in those gentlemen who are engaged in business as first-class merchants and bankers in the City, but if the position of an alderman or common councilman be estimated by the duties to be performed it must be one of the greatest honour and importance.

7383. You are of opinion that if a first-class merchant were, from a sense of duty, to show himself disposed to take his share of the business and functions of the corporation, there would be no jealousy and no indisposition on the part of the traders of London to elect him to that office?—Certainly not; my own impression is quite opposed to the opinion which has been given by my friend Mr. Bennoch. I believe that the more distinguished a man is, either in position or from talent, and the more aptitude he shows for public business the warmer is the welcome which he gets in the corporation of London. I can speak most distinctly upon that point that the amount of regard a man has, the influence he has, and the position in which he is placed altogether depend upon his character and talent, and the desire he has to make them available to the use of the corporation.

7384. Do you believe there to be no jealousy between the different classes of traders in the City of London? Do you think the retail trader would not be jealous of the wholesale trader having a fair share in the government of the City, and *vice versâ*?—Certainly not. I think the wholesale and the retail business run so much one into the other that no broad line of distinction can be drawn.

7385. Still there is a class of gentlemen in London, large general merchants and bankers, who are altogether removed from retail dealing; is not that so?—No doubt about it. A good deal of observation, I think, was made in the evidence with regard to the disposition of the corporation to meet the wants and requirements of the public in regard to Southwark Bridge. Having been appointed one of the deputation to confer with the directors of Southwark Bridge, I am able to state to the Commissioners the position in which that question stands. There is every disposition on the part of the corporation of the City of London to give, either in street accommodation or in communication by means of bridges, all the help they can to the citizens. Although, as in the case of the Gresham trust and the Navigation trust, the Bridge House property is already occupied and pledged to a considerable extent, so that I do not think any part of that fund could be brought into operation for the purpose of purchasing Southwark Bridge, yet, from what I know of the feeling and mind of the corporation of London, if the owners of the bridge had any disposition to meet the corporation in an equitable spirit, the corporation would make an effort to find from their own funds some reasonable amount, in conjunction probably with the Government, to make the bridge available for the public. The committee to which I belonged had instructions to open a communication with the directors of Southwark Bridge, with a view of seeing what value they fixed upon their property. They had before stated that 300,000*l.* was the sum they expected to get; but from information communicated to the Court of Common Council, it was stated that they had moderated their demands, and we should very likely find them disposed to take a smaller sum than that for it. A deputation of four gentlemen waited upon them with a view of seeing whether they were disposed to meet the corporation in their views as to price. We were furnished with the report of the select committee of the House of Commons in 1836, which gave us a precise account of the net amount of profits which the Bridge Company received from their undertaking, and though we should not ask them to deal with us upon the question of profits purely, yet that we thought might fairly be taken as an element of the consideration. We found that, in the year 1848, the entire net proceeds of the bridge were 1,875*l.* per annum. Acting as trustees for others, it did appear to the deputation that the directors of Southwark Bridge might reasonably have moderated their demand of 300,000*l.*, for the property which was only yielding a profit of 1,875*l.* per annum. The deputation expressed that to the Southwark Bridge directors; but instead of meeting any feeling of that kind, they stated that they were quite aware that the public must have the bridge, that the state of the traffic over London Bridge was such that it was absolutely necessary that the bridge should be bought; and they said further: "We will not promise you that the proprietors will take that sum, but if you do "not agree to this now, the probability is when you come again you will have to pay a "much larger sum." In the face of a treaty of that kind, I think it was not fair of Mr. Thomson Hankey to state that the City showed an incompetency to provide for the wants of the public by raising a question of whether they would pay 300,000*l.* or 350,000*l.* for Southwark Bridge. The corporation, on the contrary, have shown every desire as far as they could to provide for the wants of the public, and in that particular are not chargeable with a dereliction of duty. I may mention that, in addition to the sum which the bridge would be purchased for, we ascertained from our own officer that in all probability the sum of 150,000*l.* might be required to make the approaches to the bridge what it would be necessary they should be to meet the exigencies of the public traffic. I have before me a report of the Royal Entertainment committee. The Commissioners have asked several of the witnesses the cost of the ordinary banquets and feastings in the corporation; and as I happened to be chairman of that committee, and took an active part in moving it originally, from what I thought to be a sense of public duty, which has been fulfilled by its results, I think the Commissioners might choose to see this report. I merely put in that document as an evidence of the care which is taken

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with regard to getting up entertainments of that kind. Considering the position of the City, and the occasions which give rise to them, it is done with all due economy, and it is made, as far as we can judge, to subserve important public purposes. It is rather with that view that I would invite the attention of the Commissioners to it, for I see in the evidence it has been proposed by some of the witnesses to sweep away the municipality altogether, and by one witness, I think, it was proposed to make the expenditure of the municipality bear that relation to the State which it would do if it were under the federal government of America. I have rather a strong view upon that point, and, indeed, I expressed those views when I moved for the committee and for the grant of 5,000 guineas which was afforded by the City for the purpose of giving this entertainment. I have a strong impression that in a city like London, which has been so long associated with the functions of the Government and with the monarchy, it may be a useful function to continue to it, that it should afford a means of access of the highest personage in the State occasionally, and the ministers and the nobles of the country constantly, that they may there meet the middle classes of society, and that that may probably have a tendency to strengthen the Government and to strengthen the fabric of society at large. That is the view which I strongly took of it when I moved for the committee. There is a letter in that report which I would venture to refer to, which shows that, as far as regards her Majesty, it was very acceptable to her to receive that loyal welcome which she had at that time from her subjects. It is from Lord John Russell, directed to the Right Honourable the Lord Mayor: "My Lord,—I have received Her Majesty's command to "express to the corporation of the City of London, through your Lordship, Her Majesty's "cordial thanks for the manner in which the corporation received Her Majesty yesterday "evening, and for the splendid entertainment in the Guildhall. The hearty, kind, and "enthusiastic greetings which accompanied the progress of Her Majesty through the City, "both in going and returning, have afforded her the highest gratification. The Queen "and the Prince Albert were deeply affected by these spontaneous marks of attachment; "their only anxiety has been lest any accident should have occurred from the pressure "of the crowd. The Queen has been pleased to direct that the dignity of a baronet "should be conferred upon your Lordship as a proof of her satisfaction, and an enduring "testimony of her regard for the citizens of London." I think that is a matter which has a tendency to strengthen the general links of society. In cases which occurred not long before, when the whole fabric of society was threatened by an outbreak of the Chartists, the citizens generally, as a wall of defence, stood round the monarchy and the institutions of the country. I think it may be considered useful to continue some such functions as are now enjoyed by the City of London. Another good effect of that expenditure of the municipality is, that the French municipality responded to an invitation which they in common with all connected with the Exhibition of all Nations received. They invited the municipality of London through its members back to Paris, and a very friendly interchange of civilities took place, and even during the last year some record of that has been transmitted to the chamber of London, duly emblazoned, to keep alive the memory of that fact. I think that may possibly, in the view which I have ventured to throw out, be an example of useful expenditure of a limited sum of money by a municipality like that of London, not only in regard to our own institutions, but as encouraging a friendly feeling on the part of a neighbouring nation. Looking to the expenditure of the banquets, according to a report in 3d July 1817, to the allied sovereigns and the Duke of Wellington, I found it involved the sum of 25,000*l.*—that is about one-third of a century ago. We profess to be improving, and we have improved. A good deal of the obloquy and the disfavour which has been by common consent thrown upon the corporation does not properly belong to it on account of its own proceedings, but on account perhaps of some misdoings of some former time. I may mention that these entertainments entailed an expense of 25,083*l.* 14*s.* 0*d.*; at this entertainment, on the contrary, we had 5,000 guineas voted for the expense, and we returned into the chamber a balance of between 100*l.* and 200*l.* The committee of which I was chairman had no personal expenditure whatever.

7386. Were the two entertainments of the same character?—No. In the former case they were dinners. I venture to draw the attention of the Commissioners to this. In the year following the report of 1817, there is a report of the Finance committee of the corporation on the corporation difficulties. Of course the propriety of any expenditure of that kind may be fairly measured by the condition in which the exchequer may be. If by prudent management and good conduct the financial condition of the corporation is prosperous, you may, perhaps, have a right to adopt a plan of that kind; and that I take to be the present condition of the corporation of London. Upon that occasion, I find, on the 2nd of February 1818, there is a report on the financial difficulties of the corporation. It is stated that there is a debt due to the Bridge House fund of 33,000*l.* There is 25,000*l.* in the 3 per cent. consols due likewise. There is due to the Norwich bank 10,000*l.*; to Sir Richard Carr Glyn 5,000*l.* Mr. Chamberlain's interest 1,508*l.* Claim of Mr. Remembrancer, one of their own officers, 17,000*l.*; and another, Mr. Solicitor, 6,000*l.*; showing a debt of 92,508*l.*, which, from the nature of the items, I should say, was of a pressing nature; the committee recommending at that time that a county rate should be assessed upon the inhabitants of the City to relieve them. The condition of things is now very different, and which I think justified a limited and careful expenditure of that kind for

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the public objects which I have named. I have only further to say, that I have been ten years connected with the corporation. I have taken a very active part in most of its proceedings. I have the means of knowing what has been going on; and I can state most confidently, that the charges which I am happy to say are now dropped of personal corruption and jobbery, or any means of enriching individuals, are utterly untrue. If I had been inclined, or it had been necessary for me to obtain a single shilling in any way, directly or indirectly, I can only say, I never have received it; and under the arrangements and the constitution of the corporation I never could receive any such sum.

7387. The Commissioners understand that it is the practice of the committees of the common council to conduct, to a considerable extent, the details of the business which is referred to them?—That is so.

7388. They exercise not merely a general control, but a very minute control over the officers who are attached to each committee?—They have no general control over the officers; the general control of the officers is with the Court. The assistance of the officers of the corporation is required by each committee according to the business which is laid before it.

7389. Do you think it desirable that the committees should enter so much into detail, as it appears practically they do. Would the business be equally well done if more discretion were left to the officers?—I think it would be a very dangerous principle to lay down. However respectable and talented the officers of a corporation may be, it is of the very essence of a proper municipal institution that all the principles, and to some extent the details, should be carefully overlooked by the members themselves.

BENJAMIN BOWER, Esquire, was further examined as follows.

Benjamin Bower, Esq.

7390. Is there any point in the evidence which you gave on a former day to which you are desirous of calling our attention?—I should wish to correct one statement. I stated that Mr. Bennoch had accused the corporation of being men of no mark, and generally retail dealers. I find, on examining the evidence, that it is not Mr. Bennoch who made the statement, but it is made in No. 146 by Mr. Acland, and in 216 by Mr. Travers. It is a circumstance which will be in your minds that that has been an accusation against the corporation, and I gave an opinion in opposition to it.

JOHN SIMON, Esquire, having been sworn, was examined as follows.

John Simon, Esq.

7391. What is your connection with the corporation of the City of London?—I am officer of health to the City of London.

7392. When were you appointed to that situation?—In 1848.

7393. What is the salary attached to that office?—800*l.* a year; to which it was raised a year ago from 500*l.*, its previous amount.

7394. Are there any other emoluments?—None.

7395. What are your duties?—I have to advise generally on all sanitary proceedings; to be cognisant of all important facts relating to public health within the jurisdiction; and to superintend from day to day that systematic visitation of the dwellings of the poorer classes, which, during the last few years, has been organized within the City for sanitary purposes,

7396. I suppose you act immediately under the commission of sewers?—I do. I attend its meetings and those of its committees as often as may be necessary.

7397. Are there any statements which you desire to make to the Commissioners?—Perhaps the Commissioners would like to know something of the detail of the work; much of it being, I believe, peculiar to the City. I said that I have to advise the commission generally on its sanitary proceedings, that is to say, sometimes on the smallest details of sanitary work, sometimes on much larger subjects. Here (*handing in the same*) are two of the more extensive reports which I had occasion to present during last year; one is the annual report of the year; the other is a report suggesting principles for the provision of a cemetery, and generally for the organization of their proposed system of extra-mural interment. With respect to the details of work from week to week, they are of this kind. The commission of sewers has six inspectors of nuisances, who fulfil a double function; acting partly for sanitary purposes, under my direction, with the title of *Inspectors of Nuisances*; partly under direction of my colleague (the engineer to the commission) Mr. Haywood, as *Inspectors of Lamps and Pavements*. It may be reckoned that somewhat less than half their time is due to the former office; in which they act systematically under my superintendence, for the purposes of sanitary inspection. I am expected to turn their industry to the most useful account. Having myself acquired, by frequent personal examination, an intimate knowledge of the several districts of the City, as to their sanitary defects and requirements; and knowing also from week to week what deaths of all kinds are occurring in each part of the City, and what particular prevalence of fever there may be here or there, in its poorer districts. I prepare for the inspectors every week a list of places to be inspected by them in a very circumstantial

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manner. The information which I direct them to seek refers of course to the various details of sanitary condition—to questions of lodgment, ventilation, cleanliness, drainage, water-supply, privy accommodation, removal of dust, paving of yards and cellars, existence of nuisances and the like; and I have constructed tabular forms for the inspectors (*producing the same*) which enable them to record this information most compendiously. The weekly returns resulting from this inquiry constantly bring under my notice a very large number of cases requiring immediate correction; cases very often of mal-condition dangerous to life. In respect of all such instances where the lawful powers of the commission can be usefully exerted, I always at the next ensuing court recommend the requisite orders to be issued, having first, whenever I deem it necessary, myself made visits of verification or inquiry; and it is a matter of routine at every meeting of the commission to proceed, on these recommendations, to issue a considerable number of orders for sanitary improvement. Take for instance this week:—anticipating that I might have to give evidence upon the point, I summed up, at the meeting of the court last Tuesday, the number of houses in respect of which I then had to recommend orders for sanitary work; and I counted 95 such houses upon my list. That was one week's work. I need hardly say that it is a matter of great importance to the poorer classes, that their dwellings should be inspected periodically for the enforcement of cleanly and wholesome conditions. A further part of my weekly routine is to receive from the inspectors an account of the progress made towards compliance with orders previously issued. For in the case of each order, a fixed time is allowed for fulfilment; on the expiration of that time, I receive information whether the work be done or not done; and in the latter case, I again bring the matter before the court, with a view to such further proceedings as the circumstances may require.

7398. When those orders are enforced on a private house, how is the expense paid?—By the landlord. Under the Sewers Act, the commission is empowered to call upon landlords to amend their property in respect of all the particulars to which I have adverted.

7399. Is that a general Act?—A local Act and one of vast utility.

7400. Is that peculiar to the City?—Yes. The City Sewers Act of 1848, passed at the same time as the Public Health Act; and the powers of the commission were afterwards much increased for sanitary purposes by a second Act, passed in 1851.

7401. Is there a similar Act for any other part of the metropolis?—No.

7402. Have you found it necessary in many cases to resort to extreme measures?—Not very often.

7403. Is the house property of the City chiefly in the hands of men of substance?—The poorer house property of the City is very often in the hands of wealthy people, who have only the most general notion of its whereabouts, have perhaps never visited the place from which they receive rent, and in short know their property only through their agents. Instances have come to my knowledge of the very worst description of property being thus held ignorantly and carelessly by wealthy persons. But for the most part such owners are unknown to us; and often for years we can get at no representative of the property, other than the agent or collector who receives the weekly rent for some anonymous employer.

7404. But they are well able to incur the expense to which they are put?—I believe so. In further reference to the duties of my office, I may mention that I compile the mortuary records of the City into a shape suitable for statistical inferences. My weekly list of sanitary recommendations is always accompanied by a tabular statement of the past week's mortality; wherein I distinguish the several causes of death, and the ages at which it has occurred. From the material of the weekly tables, I construct every year the more comprehensive tables which exist as an appendix at the end of my annual reports, and which form the basis of such general conclusions on the health of the City as I lay annually before the court.

7405. You are not the superintendent registrar of either of the unions?—I am not. The registrar general is kind enough to lend me the detailed reports of the several local registrars. I am then enabled to make all requisite corrections for the mortality of hospitals and workhouses, and to compile the result in a convenient and accurate form.

7406. Do you consider that the sanitary inspection of the City is in an efficient state?—Very much so. An improvement has been lately made in it by the appointment of additional inspectors.

7407. As compared with the rest of the metropolis, how would you describe it? Do you consider it more efficient?—Simply to this extent; the City enjoys, I believe, a very efficient sanitary supervision; and the rest of the metropolis has none. I do not know any better way in which that issue can be tried than the following:—Let any one in the confidence of your Commission walk the City boundary from Temple Bar to Aldgate, with the City on his right hand and the county on his left; let him look into each court, as he goes along, and record the result; let him observe whether the paving, whether the scavenage, whether the house-drainage, whether the water-supply to houses, whether the gas-lighting, whether the general freedom from nuisance, be better cared for in the poor neighbourhoods on his right hand, (which lie within the City,) or on his left hand, where he may test the efficiency of several other jurisdictions. I believe that, in nine cases out

of ten, his record would show a marked difference in favour of the City courts; and in the tenth case, if it were exceptional and did not show the same superiority, I will venture to say that the commissioners of sewers would be able to find in their minutes a very good reason for it; probably that they had endeavoured to improve the place but had been defeated on some technical ground. There is paving universally in the courts of the City, which is an important contribution to the hindrance of disease; they are scavenged daily; their details of house-drainage and water-supply have been much amended, and are still in daily progress of improvement; they are systematically visited by officers, whose special business is to report on unclean conditions of highways or houses, and all nuisances whatsoever. It may be true that the sanitary improvement of the City is far from complete; and indeed there are many sanitary evils which tend to relapse from week to week—often from the slovenly habits of the poor; but as regards a comparison of its poorer districts with similar localities in the adjoining jurisdictions, I believe that the City would show evidences of sanitary supervision that could not be traced in other parts of the metropolis.

7408. Are you at all hampered for the want of funds in the execution of your duty, or do you find that the funds at the disposal of the commission are sufficient to enable you to do in general what you consider desirable?—The commissioners spend their funds very liberally for public purposes; but I confess I wish that there were money to spend in pulling down houses, and making open spaces. From the way in which the City has grown up, there are many parts where the residences of the poor are so enclosed by taller houses as to be unfit for habitation. More or less this may be the case in every considerable urban area, especially in old towns; but it is peculiarly the case in the City.

7409. Do you think that the City is worse off in those respects than other parts of the metropolis?—I suppose, speaking generally, that the buildings of the metropolis are more or less densely packed in various districts, in proportion as the ground on which they stand has been long covered with houses or otherwise. And in the City proper there is a special cause for houses having been cramned together, in the fact of its having been originally surrounded with walls. The population also is very dense; the most crowded part of the metropolis being the area of the East London Union.

7410. During the last half century, the population of the City proper has remained rather stationary, has not it, rather diminishing than increasing?—I think the population of the entire City has increased about 5,000 within the last ten years; it is now 130,000, at the previous census it was about 125,000.

7411. Had not it been 130,000 in a previous year?—That census, I believe, related to a somewhat different area. The recent increase has taken place almost exclusively in the East London Union, a part without the original City proper, including the districts of Cripplegate, and Bishopsgate.

7412. The number of houses used for the purpose of counting-houses, and for purposes of business, probably somewhat increases every year, does not it?—I am not well informed upon that subject.

7413. The increase of the population has probably taken place principally among the poorer classes?—Undoubtedly; and perhaps to a more considerable extent than the census would suggest; for their increase has been partially masked by that comparative depopulation of certain parts of the City, which arises in the conversion of dwellings into offices and warehouses. The number of houses having been considerably reduced, the additional population must be taken chiefly to represent an increased crowding of the poor houses.

7414. When it happens in the course of a City improvement that a number of poorer houses are taken down, and the poor people are turned out of their lodgings, have any steps ever been taken to provide accommodation anywhere else?—Not within my knowledge. Within the time I have been connected with the City, there has been no extensive disturbance of the poorer dwellings. Some courts have been destroyed in the construction of New Cannon Street, but I do not believe that a very large poor population has been removed by that proceeding. The City has had it in contemplation to build lodging-houses for the labouring classes; and I believe that a considerable sum of money was destined for this purpose, in connexion with the plan for re-constructing Smithfield as a central market. Nothing to my knowledge has yet been done in the matter; but I have heard that the intention is not abandoned.

7415. Upon what scale is it proposed that the operation shall be conducted?—I have not been consulted about the plan, and I know nothing of its proposed details.

7416. Is there anything else which you desire to state?—Nothing else.

THOMAS DAKIN, Esq. was further examined as follows:

7417. You have been a member of the common council?—Yes.

7418. Have you ever been connected with the management of the Irish estates?—Yes, I have. I have been a member of the Irish society, and in that capacity I was elected deputy governor of that society, and served the office.

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7419. When was that?—Three years ago.

7420. How long did you hold the office?—It is an annual office; by the charter the members are appointed for two years, and then go off in rotation.

7421. Will you have the goodness to describe to us what is the constitution of the Irish society, and its connection with the corporation of the City of London?—The origin of the Irish society was that, in the reign of James the First, the province of Ulster was forfeited to the Crown, and they were anxious to settle it, as it was then termed, with Protestants from England and Scotland. It was offered to the citizens of London on condition of their erecting certain fortresses, and taking possession of the country with a view to cultivating and settling it, and peopling it, and defending it against any attack; and there were also certain terms of payment to the monarch. The twelve companies of London advanced certain sums of money to the then government, in consequence of which they had this particular portion of the province of Ulster parcelled out among them. The companies of London at that time were synonymous almost with the corporation of London, because they were closely connected. In the process of time, however, a separation between the companies of London and the corporation of London took place, and then the property so held was divided among the companies in proportion to the amount which they had originally subscribed for the settlement and occupation of the estates.

7422. Was any money advanced originally by the corporation of the City of London distinct from any of the companies?—I am not aware that there was. At that time, when a division took place, a certain portion of the property was considered as an indivisible portion, and was left under the control of the Irish society.

7423. As the joint property of all those companies?—No. I think as far as the general property could be divided, each company had its separate portion allocated to itself. This portion which could not be divided, which consisted of the townlands of Derby and Coleraine, and the fisheries of the rivers Bann and Lough Foyle, which are very productive, was retained by the Irish society as an indivisible portion of the general property, and it has been so managed by the Irish society.

7424. Of whom are those townlands and fisheries considered to be the joint property?—They are considered to be the property of the Irish society itself.

7425. Is the Irish society part of the corporation of the City of London?—Yes, it is. It is elected from their body.

7426. In respect to their joint property, the Irish society do not act as trustees but as proprietors?—They act as proprietors, having solely in view public objects.

7427. And they are a body emanating from the corporation of the City of London?—They are.

7428. They are elected by the common council, are not they?—They are. But they claim to be altogether distinct from the corporation, and that the corporation has no power over them. I remember, during the year I held the office of deputy governor, that question was raised as to what power the corporation of London had over the Irish society. The question was referred to the law officers of the corporation, and they decided that, according to the charter, the corporation had no other than a visitorial power over the Irish society: that is, if they could be impeached of any breach of trust then the corporation of London in the character of visitor might step in and inquire into their management of their funds, but in no other way could the corporation interfere with the Irish society.

7429. What becomes of the funds of the Irish society?—The funds of the Irish society are mainly returned to Ireland in the shape of charitable benefactions,—the support of schools and charities, and bridges generally. The funds are returned by the Irish society in that shape.

7430. What becomes of any surplus after those expenses have been provided for?—During the time that I was connected with the Irish society, they were in debt; they had had a very expensive litigation. The Skinners' Company had an action against the Irish society for some portion of this which was termed indivisible property. This action had been carried from one court to another, and ultimately to the House of Lords, and in the course of that litigation a very large debt was incurred by the Irish society.

7431. Do you mean that there has never been any surplus upon this estate which is managed directly by the Irish society, so as to raise the question how it should be applied?—Not within my experience.

7432. Do you know whose property it would be as a matter of law?—I take it it would be in the disposition of the Irish society as now constituted under their charters.

7433. Do you mean that they have power to do what they like with it?—If they did anything contrary to the trust, they might be called to account for it.

7434. As I understand you, this is a valuable property managed by trustees. Do you mean that the whole income derived from this property is absorbed in the management, and that there is no surplus, and never has been?—The entire cost of the management of the Irish society is restricted to the sum of 600*l.* a year. The expenses in London are 600*l.* a year; besides that, they have a secretary to whom they pay 500*l.* a year, and a messenger and clerk.

7435. It appears that the receipts for the year 1852, including a balance of 1,556*l.* from the previous year, are 12,775*l.* The governor's salary I see is charged upon that

amount, but the main expenditure seems to be for schools?—Schools and charitable purposes.

7436. There does not appear upon that account to be any surplus after those expenses have been defrayed?—I take it when the debt is paid off there will be a surplus.

7437. Would the Irish society apply the revenue to the benefit of the estate?—I take it that would be their course of action. They would apply it in improvements or in some other way for the benefit of the property.

7438. You do not consider it as the income of the Irish society, to be applied as they think fit?—Certainly not. They have a strong sense that they are acting as trustees under the strict regulations of the charter. The way in which the question as to the jurisdiction of the corporation was raised was, it was considered very undesirable that the members should be placed upon it for two years only, and it was thought that that term might be extended with advantage. Directly a member acquired a knowledge of the property and the particulars connected with it, he was removed. The question was raised in the Court of Common Council whether they had the power of interfering with the mode of management, so as to increase the duration of time of the members sitting upon it. It was referred to the law officers of the corporation to consider that question, and they decided that they had no power to deal with the constitution or management of the Irish society, excepting, in the capacity of visitors, that if any wrong were done they might step in and enquire into it.

7439. Has the Irish society any jurisdiction or control with regard to any matters in the boroughs of Coleraine and Londonderry?—Not except as owners of property there. They contribute a certain portion to the expense of the town council of Londonderry. Generally, when any necessities arise in that part of Ireland, the first persons applied to are the Irish society. I remember when I was one of the society the question arose as to the erection of a college for the education of the youth of that neighbourhood. The Irish society were applied to, and manifested a desire to give a large donation, and to give a yearly sum for the support of it.

7440. That is, just as an application would be made to any great landowner?—Yes.

7441. They have no peculiar power or jurisdiction given to them to interfere in municipal matters?—Not in the slightest degree.

7442. It is stated in a former report that, by letters patent of Charles II., of the 10th April 1662, power is given to the common council of Londonderry "to make byelaws for "the government of the estate, so as such laws be certified to the society in London within "four months after the making of them, and approved and confirmed by the said society, "within six months after delivery of the certificates," is that the practice now?—There may be that power; but, in my experience, it is one which has never been exercised. I do not remember that any byelaws have been submitted by the corporation of Londonderry for the approval of the society in London.

7443. Are they ever sent over, according to your experience?—In my experience nothing of the kind has happened. I know there is a payment made to the municipal authorities of Londonderry by the Irish society. When they required a supply of water to the city they applied to the Irish society and were assisted.

7444. In short, by your account, the Irish society would seem to have no beneficial interest in this estate?—None whatever.

7445. I find in the account of the Irish society which has been furnished to us, printed by the order of the court, an entry under October, 1736. "The society wrote a letter to "the corporation of Londonderry, whereby they required that the corporation should send "the society forthwith a transcript or transcripts of all their byelaws, statutes, ordinances, "and constitutions which had not theretofore been certified under their common seal, to the "end that they might receive the allowance or disapprobation of the society, as the charter "directed, and until that was done the society declared that they should be considered "invalid and of no use, force, or effect, and that no person or persons should be obliged or "ought to pay any obedience or conformity to them, or submit to any pains or penalties to "be inflicted by virtue or under colour of them." That seems to show that there is something in the charter requiring that the bye laws of the corporation of Londonderry should be confirmed by the Irish society?—Nothing occurred under that power while I was a member of the society.

7446. Are you aware whether any proposition has ever been considered for the sale of the property of the Irish society?—No proposition of that kind has come under my knowledge.

7447. It has never been considered by persons who have been concerned in the management of those estates, whether, on the whole, it would be more beneficial that the trusts should be put an end to, and that the property should be sold?—That is one of the last things which I think would enter into the conception of the Irish Society as it is constituted. They regard with some feelings of pride their management of that branch of their duty; as they consider it is a very creditable example that, in a country generally troubled and in a state of disorganization, that part which is under the Irish society and the companies of London presents a marked contrast to the state of that which is all around. I have witnessed that myself. When you get without the jurisdiction of the Irish society and the companies of London you find the condition of the property immediately adjoining presents a remarkable contrast. The one is well tilled, and presents

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a cheerful and flourishing aspect, the other presents an aspect totally the reverse, indicating poverty and neglect.

7448. Have you yourself ever been on the estates of the Irish society in the north of Ireland?—I have.

7449. You can bear witness to the contrast exhibited between the state of that property and the state of the neighbouring property?—I can.

7450. The difference being always in favour of the districts managed by the Irish society?—And the estates of the companies.

7451. Is there a distinct management of the estates of the companies and of that part of the property which is under the Irish society?—Yes.

7452. Supposing the Irish society were to neglect their duty as public officers, to whom would they be amenable?—I believe to the corporation of London; the corporation have a visitorial power.

7453. Does the corporation of London discharge that duty efficiently?—I believe they have considered hitherto that no case has arisen in which they have been called on to exercise it.

7454. Do they inspect or examine, or in any way exercise a control over the proceedings of the Irish society?—To this extent; that the Irish society do, in effect, submit to the corporation of London a paper shewing the receipts and expenditure of the society; that is presented annually to the Court of Common Counil.

7355. Do you consider that these estates are economically administered?—I think they are.

7456. You think there has been no disposition to multiply needless offices in the management of the estates?—Certainly not.

7457. Nor to give excessive salaries?—I think not.

7458. Do you know whether the corporation watch those points at all?—I think they do. I think that their members. being constantly moving through the society, all come to have a general knowledge of the trust and the estates; and, consequently, when a man has once been upon the Irish society he always retains some feelings of interest connected with it. I, for one, always look with great interest upon it.

7459. In whom are the appointments connected with the management of this property vested?—In the common council.

7460. The common council at large?—Yes; they annually appoint the governor; they also appoint the members; the members recommend the deputy governor, and the Court of Common Council appoints.

7461. Who appoints to the places connected with the management of the property in Ireland?—The Irish society.

7462. It is stated in the report, that the corporation itself has a small share, on account of their having taken up the share belonging to the Coopers' company, who did not pay their instalment?—I know there is a small share which has been subdivided among the companies and the corporation of London.

7463. I suppose the total amount of the separate estates of the companies would be greater than the estates of the Irish society?—No doubt of it.

7464. Considerably greater?—I think so. I have no precise knowledge on the subject, but I have no doubt of it.

7465. The companies manage their separate estates in the north of Ireland just as they manage any other portion of their property?—Yes; and in the same way as the Irish society manage the indivisible portion. They have a resident agent and officers.

7466. Is the Irish society entirely composed of members of the corporation?—Yes.

7467. Is that by charter?—I believe it is in accordance with the charter.

7468. A person who is not a member of the corporation is ineligible?—I believe, up to a certain period, it was considered necessary that members of the corporation entering the Irish society should be members of one of the twelve principal companies; but in the progress of time, as I stated before, the connexion between the companies and the corporation became less immediate, and there was some difficulty found in framing the Irish society in accordance with that regulation,—and then it was found that the Irish society might be constituted from members of the corporation, irrespective of their being connected with any of the companies.

7469. One witness expressed a wish that persons who are members of the companies and not members of the corporation, should be eligible for election to the Irish society. Is that a point which has ever come under your consideration?—No. I have never heard such an opinion mooted.

7470. Is there any opinion that the companies are not adequately represented in the Irish society?—Not that I am aware of; they have each their own portion, which they received in consequence of the amounts they contributed. I remember the litigation between the Skinners' company and the Irish society in regard to what is termed the indivisible portion, and that litigation went on to a considerable extent.

7471. If there were any available surplus, would not it be divided among the companies?—I think not. It would be employed, I think, in the improvement of the property.

7472. Supposing the Irish society were to say "We will put an end to all the charities, "and will not make this expenditure for the benefit of the property which now goes on, "but we will seek to create a fund to that amount,"—that fund would be the property of the twelve companies?—I am not able to speak to that.

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7473. I understand you to say that the Irish society have the management of the indivisible portion of the property of the companies, which can only be managed as a whole?—Yes.

7474. Then it would seem to follow that the produce of that indivisible portion, as soon as it was realised, would be divisible among the twelve companies?—That would entirely depend upon the arrangement that was entered into by the companies with the corporation at the time the division was carried out.

7475. Do you consider that the corporation has any interest in the rents received by the Irish society?—Not at all.

7476. They have never, under any circumstances, considered themselves entitled to any surplus which might accrue?—Not in any instance.

7477. Have they ever interfered in the detailed management of the property?—Not in the slightest degree. As I have mentioned, it was considered very desirable that, by their interference, the duration of the members serving on the Irish society should be increased. It was felt that if the period of four years were allotted to each, the constitution of the society might be made more efficient. Directly a member acquires some knowledge of the property he has to manage, he goes off and makes way for a new member. On that occasion the question was mooted in the common council, what power the common council had over the Irish society. The question was referred to the law officers of the corporation, who decided that the corporation had no power over the Irish society to alter their arrangements, but they must act under the charter, except they could be impeached in some way of a breach of trust, and then the corporation would have a visitorial power over them. They are completely distinct, and the corporation have no connection with the Irish society, except in that limited sense.

7478. The present state of things is, that certain estates in the north of Ireland belong to the Irish society; the Irish society are elected by the corporation; the persons elected manage those estates; and, under the present mode of management, there is no surplus income, but the whole of it is expended for the benefit of the property?—That is so.

7479. How are the accounts of the Irish society audited?—In the constitution of the Irish society there is a sub-committee; the sub-committee audits the accounts, and looks to that particular department of the society. It is always considered that the deputy-governor for the year takes under his special control the financial statement. I know they are very careful in auditing the accounts. I have done it myself for a year, and I know the care and precision with which it is done. The statement of accounts so audited is printed, and sent annually to the members of the corporation of London, to the twelve companies of London, to peers and members of parliament connected with the government and with Ireland, and is also inserted in the newspapers published in the county of Derry.

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HENRY BLAKE, ESQUIRE, having been sworn, was examined as follows

7480. How long have you been connected with the corporation of the City of London?—Upwards of eight years.

7481. You are a common councilman, I presume?—I am.

7482. I believe you are chairman of the Freedoms' committee?—Yes.

7483. How long have you filled that situation?—Not more than twelve months. Perhaps you will allow me to state the circumstances under which I became a member of the Freedoms' committee. In 1851, I made a motion in the Court of Common Council, to refer it to the Freedoms' committee to consider what amendment, if any, could be made in an Act of Parliament for the reform of the corporation which had passed in 1849, the efficacy of which had been considerably impaired by the alterations which had been made in it in its progress through the House of Lords, thereby disappointing very materially the expectations which had been formed by the framers of it. I was successful in passing that resolution, that it should be so referred to a committee; and the bill of 1852 grew out of that reference. In consequence of my having so succeeded, the zeal that I manifested upon that occasion induced the Court of Common Council at once to place me upon the Freedoms' committee, though I am not a member representing the ward in which I reside. I was placed upon it as an extra member. I mention that fact in order to answer certain portions of the evidence which have been given before the Commission, to the effect that if any member of the court manifests any unusual zeal upon a question, or appears to take a more than usual interest in any particular topic, he is thereby debarred from the opportunity of exhibiting that zeal in committees, or bringing his ability to bear upon that particular question. When placed upon the committee, my sentiments were pretty well known with regard to the inexpediency of pressing upon non-freemen the obligation to take up their freedom; and yet, notwithstanding, such were the liberal sentiments generally entertained by the members who constitute that committee, that they unanimously placed me in the chair. My principal object in attending here, which I have done at the request of the town clerk at a very brief notice, is to contradict the impression conveyed in the evidence that an undue severity has been exercised on the part of the committee in enforcing upon non-freemen the taking up of their freedom within the City of London. That allegation is emphatically contradicted in the statement which was read by the recorder before this Commission; but as this was only put forward by the authority of the

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officers, I felt it my duty, as representing the Freedoms' committee, to come here and tender my evidence in support of that contradictory statement. I can most truly say, that but one motive influenced the members in the performance of their duty, which was to carry out the order in as merciful a spirit as it was possible for them to do. Their duties were very much narrowed; inasmuch as a very large number of persons claimed to be excused from the operation of the law, either on the ground of privilege or as being wholesale dealers; and also a large number of persons applied *ad misericordiam*, pleading that they were not in a condition to take up their freedom. In the one instance, we were obliged to acquiesce in the reason urged; and in the other, we readily abandoned our efforts to enforce it. I wish to allude to the evidence given by Mr. Acland, in questions 80 and 90. He gives a table, which is a very correct one, no doubt, of fines for admission to freedom, showing that to 1834, when the fines were about 30*l.*, there were 1,000 persons annually admitted. After that time, when the reduction was made to a much lower rate, the admissions gradually decreased, averaging for thirteen years 877, and afterwards a still lower amount. It must be quite in the knowledge of the Commissioners that the Reform Act of 1834, which gave the parliamentary franchise to householders of the City of London, to a great extent removed a very large temptation from persons to take up their freedom, unless they were coerced into so doing. Of course, as there were a large number of persons, and there are a large number of persons indisposed at all times to serve the seriously responsible office of sheriff, and also a large number who desire to avoid the responsibilities and duties of members of the corporation altogether, that operated as a strong reason why they should not take up their freedom, unless coerced into so doing. Therefore, the decline in the number may be readily accounted for, without supposing it to arise from the causes which Mr. Acland imputes to the public generally; namely, a reluctance to associate with the class of persons who constituted the corporation at that time. In answer to another question, Mr. Acland alludes to disputes, which he says existed between the aldermen and common council, in respect to the enforcement of freedom, and which he states were put an end to by the bill of 1852. So far from there being any dispute, the contrariety of instructions which he supposes to have existed between the two courts, did not exist. The orders given originally by the Court of Aldermen had been given in consequence of the occasionally altered policy of the Court of Common Council. After the rejection of the bill of 1852 by the House of Commons, it was resolved to enforce the law against non-freemen trading within the City. The letter to which allusion is made in Mr. Acland's evidence, was written to the Freedoms' committee. The Freedoms' committee addressed a report to the Court of Common Council, asking for further instructions upon the subject. Those instructions were a reference of their report back to them, with an order to carry into execution the instructions they had received on the 10th of June preceding, which was to compel non-freemen to take up their freedom. From that moment there was no conflict, nor anything in issue between the two courts whatever. The chamberlain obeyed the order, and the result, I believe, you are perfectly well acquainted with. I should say, moreover, that I think that the feeling with which the Court of Common Council acted upon that occasion has been very much misrepresented, and very much misunderstood. There being a section of that court which may have entertained the opinion that there was no necessity for any reform, they allied themselves with a large portion of the members who desired to have a very extensive reform, and by that means they succeeded in their particular object of defeating, in fact, any reform. In respect to the answer to question 388, given by Mr. Acland, I may say that considerable pain has been felt by many members of the corporation at the tone in which the evidence has been given by that gentleman, and others who have followed him. They, being conscious of their own sincerity in the performance of their respective duties, have been pained to find, not that they have been misunderstood, but, I must almost say, wilfully misrepresented. The answer here is, as to members of corporations, under the Municipal Corporation Act—or rather the aldermen. Mr. Acland is asked, "Are they re-eligible?" He says, "They "are. I do not think in the case of the City of London, that would meet what are the "views of the most thinking men in the City; namely, that the corporation should be of "such a character as that the higher classes of the commercial population of London "should be induced to join it." In answer to that, I will refer you to a paragraph in the report of the Commissioners of 1836. That report appears to me to have taken the clearest and most correct view of the feelings of the merchants, and of the higher classes of our City in the present day, which I have been able to meet with; and, if you will allow me, I will read it. They say, "The aldermen chosen are often those who have "acquired the good opinion of the electors as common councilmen. But they do "not appear to be in general taken from the higher classes of the merchants or bankers of "the City. There is a disinclination to serve in civic offices, which appears to be a very "prevalent feeling in these classes, and which has latterly much increased. Various causes "of this feeling were suggested to us. The office renders the holder liable to serve in the "expensive offices of Lord Mayor and sheriff; but this is not sufficient to account for the "circumstance, for the reluctance seems to be felt most strongly by the highest class; and "the expenses have of late years diminished, while the reluctance has increased. Another "cause suggested was the unpopularity of the Court of Aldermen, which is supposed to be "traceable to the secrecy of a part of their proceedings. There is, however, no more

" secrecy observed now than in former times. But, on the other hand, it is said that the " public dislike to secrecy has much increased of late, and that therefore the court, " though itself not changed, stands in a new relation to the public. But, as far as we " can perceive, the reluctance is seldom found to exist among those who have already " engaged in other municipal functions. The highest class of common councilmen, for " instance, seldom show an unwillingness to become aldermen, though they would be " particularly alive to the feelings pointed out. Another cause has occurred to us, which " we think may have had some effect, and which can scarcely be traced to any peculiarity " in the civic institutions. For a long time, from a point perhaps earlier than the " revolution, the importance of the monied interest, with relation to what are considered the " highest classes in the country, has been increasing. The distinction between the richest " class of merchants and bankers, on the one hand, and the aristocracy and highest " commonalty of the country, on the other, has continually become less definite. As the " upper stations in society have become more accessible to the highest class of traders, " these latter appear to have become anxious to establish a distinction between themselves " and the lower mercantile or trading classes. Many symptoms of this growing feeling " might be pointed out. One very striking change which has taken place, as late as the " last generation, is in the choice of residences, either in town or country, made by " wealthy merchants. Thus the civic honours may have been looked upon as badges " implying that the person bearing them belonged rather to the class from which he was " endeavouring to escape, than to that into which he was seeking entrance." That so entirely embodies my view of what the feeling is which influences the higher classes of merchants in avoiding corporation offices, that I could not have put it in more appropriate language.

7484. Still it is the case, is not it, that in London the highest class of merchants avoid corporation offices more than they do at Liverpool, for instance?—I have not a doubt of it. I believe the labours of an alderman or common councilman in London are infinitely more onerous than in Liverpool.

7485. That disposition to disconnect themselves with trade, which the extract which you have just read would ascribe to the merchants at the top of their profession does not seem to operate in Liverpool in the same way that it does in London?—In London, I apprehend, there are far greater inducements to men to keep aloof from the corporation than in the instance which has been mentioned. Parliament is open to men in such a position; and the higher walks of science and art offer temptations which there are not in provincial towns.

7486. Is there any other point to which you are desirous of calling the attention of the Commissioners?—The evidence of Mr. Travers has been already animadverted on by a previous witness. I feel myself that it was a most unfair thing on the part of any gentleman situated as Mr. Travers is, to have spoken in the way he did of the corporation, when he practically, and at once confessed, in his answer to an early question,—" Have you " directed your attention much to the municipal concerns of the City of London,"—that he had not.

7487. Have you been a member of the Irish society?—I have.

7488, Did you hear the evidence of the gentleman who preceded you as to the Irish society?—I did.

7489. Is there anything which you wish to add to what he stated?—I differ from him to this extent. I think, after all, the obligations of the trust are performed by the Irish society, if there were any residue, the companies who originally contributed would be entitled to it. As the trust was originally constituted, it was for the purpose of a settlement of the North of Ireland by Protestants. So long as any funds could be fairly and legitimately applied to that purpose, the companies would have no claim upon any amount which might be in the hands of the Irish society; but, if there were a residue, I apprehend they would have a claim.

7490. You think it would be the companies, and not the corporation, who would have a claim upon the funds at the disposal of the Irish society?—I cannot conceive that the corporation can have any claim. The corporation originally negociated for the loan of the money; and they raised it through the companies. They were merely the medium by which the money was conveyed. The lots were drawn in the City of London by the several companies, and they received their share according to the lot they drew.

7491. Do you concur with the last witness that the affairs of the Irish society are efficiently and economically managed?—Yes. The surveyor in Ireland, who is a very intelligent man, is paid a very small amount. He receives only 100*l.* a year.

7492. Have any representations ever been made from time to time from parties in Ireland interested in the good management of this trust?—As respects their own personal and private interests, constantly.

7493. Not of a public nature?—Not of a public nature. I believe the only communications have been appeals for contributions towards public institutions, and so forth. Recently, a large sum of money was spent for the purpose of erecting a college. An application was made to the Irish society to contribute to so desirable an object, and a large portion of land was given for that purpose.

7494. In your view of the case, you think if there were surplus income, the companies would have a fair claim to it; but, supposing there to be no surplus income, and supposing

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it not to be available for the companies, have the corporation of London any interest in their connection with the management of the property?—I believe, excepting the small share which has been mentioned, the corporation have not the slightest interest in it.

7495. Under present circumstances, do you understand that the corporation stand in the situation of performing a public duty gratuitously, deriving no advantage whatever from it?—That is my sincere belief.

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WARREN STORMES HALE, Esq. having been sworn, was examined as follows.

7496. How long have you been connected with the corporation of London?—Twenty-eight years.

7497. Are you a trader?—I am a wholesale manufacturer of stearine and composite candles, and an importer of Indian produce.

7498. Do you reside in the City?—My place of business is in the City. I reside at Hampstead.

7499. Have you taken an active part in the business of the corporation?—During the whole period I have taken a very active part.

7500. Are you on any important committee at present?—I am on two committees, by virtue of being deputy of the ward; and on two by an act of the common council,—those are the City of London school and the Orphan school.

7501, Do not you find some inconvenience in being on so many committees at the same time?—It requires a consumption of time, which I have given to it.

7502. You have probably your own private affairs, to which it is necessary to devote some portion of your time?—Yes; but I look upon this rather as recreation.

7503. Do you think it desirable that gentlemen should be called on to act at the same time upon so many committees?—It is so arranged by the corporation, that there are seldom two committees sitting at the same period. The principal committees have certain days of meeting, and in that arrangement they do not allow one committee to interfere with the sitting of another.

7504. Do you mean that you are able to give your constant attendance to those four committees?—I do not attend constantly to each of them. I give a very frequent attendance. The meetings of the school committees I have invariably attended.

7505. A sufficient attendance to enable you to be satisfied with the part you are taking in the business?—To have a thorough knowledge of the business, and at the same time, I think, to be useful.

7506. Are you chairman of either of those committees?—I have been chairman of the City of London School committee from its appointment in 1834 to the present time. I was unanimously re-elected yesterday. I have been chairman of the Orphan School committee from its appointment, which was two years back.

7507. Are there any statements which you wish to make to the Commission?—The corporation have been left as trustees for various bequests. I am here to state that they have discharged their duty with fidelity and judgment. The first matter I wish to refer to is the interest they have taken on the subject of education. In the year 1828, a member of the corporation of the name of Peacock, took a strong interest in converting a useless institution to that which promised to be practically useful, it was called the London Workhouse. That was an institution established in the reign of Charles II., for the reception and employment of destitute persons frequenting the City. That continued up to the year 1829. An Act was then obtained for the abolition of it, in consequence of its being rendered useless through the alteration of the poor laws, and there was an expense attending it. They had power to tax the inhabitants of the City; but at the same time the institution was useless. The poor law had made a great alteration in the provisions for the poor, and the effect was this, that though there was a treasurer, a matron, and some servants, there was probably not an inmate for months together. Parties had left lands and tenements towards the support of it. Those rents were received, and a rate was also made upon the inhabitants. The gentleman I have named paid great attention to the subject; and he endeavoured to obtain the proceeds of the lands for the purpose of their being appropriated to the establishment of a corporation school. The provisions of that Act were intended to be of a liberal character, for it was to be open to all classes without religious distinction; but in the House of Lords a clause was inserted that the principles of the school should be according to the articles and doctrines of the Church of England. The Lord Mayor, the aldermen, and sixty members of the Court of Common Council, were to be governors or managers of it; at the same time, any person paying 20*l.* became a life governor. The corporation subscribed 2,000*l.* towards it; but, from its being made of so restrictive a character, and the corporation not standing well in the estimation of the public, there were but few persons who subscribed their 20*l.* The consequence was, that though various attempts were made to sustain it, it remained useless. In 1825 the corporation of London appeared before the Commissioners, under Lord Brougham's Act, appointed to inquire into the various charities of England. The sum of 19*l.* 10*s.* had been left by a gentleman of the name of Carpenter, who had been town clerk in the reign of Henry VI., for the purpose of boarding, clothing, and educating four boys; 4*l.* for each boy, and 3*l.* 10*s.* to the corporation for the management of the fund. Great research has been made for the will, but it has never been found. The will for the personal property has been found by my friend

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Mr. Brewer, but not the will devising the freehold property. I think there were three or four houses in the City of London and five acres of ground in the neighbourhood of Tottenham Court Road. It comprises part of the eastern side of the Tottenham Court Road, with Alfred Place, the Crescent, and so on, which has been let upon building-leases, at a rental of about 900*l.* a-year. The corporation thought there was not a sufficient sum of money expended, and a scheme was adopted to send four boys to Tonbridge school, at a cost of 80*l.* a-year each for boarding and education, and 20*l.* a-year for clothing, so that there was something like 400*l.* a-year expended. The Lord Mayor had the nomination of those boys as vacancies occurred. I happened to be upon the City Lands committee in 1832; the bills came before me. I noticed the expense, and it occurred to me that a much more useful mode of spending the money could be proposed; and at the same time I thought the corporation ought to spend the whole of the proceeds of the property. I made a suggestion to the corporation, which they adopted, and a Bill was brought into Parliament, first to establish a school and to perpetuate it for ever, and next to do away with that which had been a market, which was useless, but which I suggested for the site of the school, called Honey Lane Market. The site I should say at present is worth 1,000*l.* a-year, but it was not useful to the public at that time. The Bill was to provide that the school was to be open to all denominations; the authorized version of the Scriptures was to be taught in the school, and prayers were to be read morning and evening. There was another provision with respect to the mode of electing the masters. We have been charged with improperly providing for our sons, and so on, which I deny. To prevent the possibility of such a thing as that, it was suggested that for the election of the first and second masters, there should be three professors of King's College and three professors of the London University, who should meet together and select three of the best qualified candidates for the office of first master, and three of the best qualified candidates for the office of second master, the common council selecting one out of each three. There is a guarantee to the public by that means that we shall not be able improperly to elect those who are related to us; but that we shall have well qualified persons to discharge those important duties. That Bill was opposed in the House of Lords. The corporation proposed that they shall expend the whole sum of 900*l.* a-year, and found some scholarships in memory of John Carpenter; and at the same time that they should take the produce of the lands which had belonged to the London Workhouse, amounting to about 300*l.* a-year, which had been lying useless, and that it should become part of the endowment as well. In the House of Lords the opposition was mainly against the appropriation of 300*l.* a-year. The Bishop of London, after various interviews, stated that he would not oppose the Bill; but in committee the late Lord Shaftesbury very strongly opposed it. I had an interview with Lord Brougham, who was then Lord Chancellor, and he very considerately and kindly lent his assistance. The Bill passed appropriating the 900*l.* a-year, but not the 300*l.*, and the school has been established. Of the success of that school you heard the other day from our much respected master, Dr. Mortimer, a gentleman who has not his superior in the kingdom, either for judgment, respectability, or the power of communicating information to his pupils, nor in the talent which he possesses of enlisting the best feelings of the masters to engage actively in the service of the institution. The building for the school was erected at an expense to the corporation of 20,000*l.*, independently of the ground. It has now been in use for some years. In 1834 the Bill passed, and the school was opened in 1837. From that period to the present we have had but one course of success. At first we were not quite so well off for masters as we are at the present time. All the officers of the corporation are subject to annual election. Gentlemen of standing at the Universities thought, probably, they might be dismissed at the expiration of twelve months, and they hesitated to offer themselves; but I can state now, that whenever there may happen to be a vacancy, there will be gentlemen of the first attainments offering themselves as masters. Yesterday we proceeded to elect a second classical master at 250*l.* a-year, and we elected a first-class man in classics, and second in mathematics of the University of Oxford. I think the public feel much indebted to the corporation for the establishment of that school; it is a great accommodation to that class of persons who object to boarding schools, and it affords a great accommodation to those who have not the means of sending members of their families to boarding schools. In consequence of omitting the 300*l.* a-year, it had been lying useless from that period till 1848. The corporation were desirous that persons should become freemen. Compulsory measures were adopted; and it occurred to me that if the public were aware that the money was applied to a useful purpose, they might be induced to take out their freedom instead of being compelled. It occurred to me that if we could take that 300*l.* a-year, with the fines for the sheriffs and the fines for the parties taking up their freedoms, which I calculated would be about 1,000*l.* a-year, the corporation might be induced to provide a school for the orphan children of freemen. It was suggested to them. I gave notice of the motion. It was discussed and agreed to, and I was requested to furnish them with an estimate of the probable expenditure upon such an institution. My calculation was that there should be provision for 100 children, and I asked them for the sum of 2,500*l.* a-year. I thought that the funds suggested would amount to about 1,000*l.* a-year, and I asked the corporation to supply the rest out of their own funds. They agreed to it. It was

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necessary to have a Bill to repeal the Act of 1829. The corporation applied to Parliament for a Bill. I then waited upon the Bishop of London again. He most kindly and considerately looked into the case, and said he should not oppose the Bill. It met with a different reception from the former one. It passed the House of Lords readily. In the House of Commons it experienced some opposition. I am sure the orphan children of London are very much indebted to the chairman of the present Commission for the very able speech that he made in defence of the Bill, which passed the House almost without opposition. A division was demanded, but only seven walked out of the House against it. The Bill received the royal assent shortly afterwards. I am happy to say that the corporation have appointed a committee to carry the provisions of the Act into effect; that committee did me the honour of appointing me chairman. I think the expense of the building will be from 18,000*l.* to 19,000*l.*, when fit for occupation. It is for the accommodation of 100 children, 70 boys and 30 girls. The rules of the school are the same as those of the other. The authorized version of the Scriptures is to be used and taught; a form of prayer is to be read morning and evening, and the children are to be taken to church. We have elected a portion of the number, and we shall shortly open the school. We did not elect the 100 at once, feeling that probably we might not get the proper objects to occupy the school.

7508. Is attendance at the Church of England compulsory?—It is not; there have been certain rules and regulations made, a copy of which I beg to lay before the Commissioners (*producing the same*).

7509. Is the master chosen?—Yes; we have chosen the master who was a master in the City of London school. The head master of King's College, the head master of the City of London school, and the head master of the London University were to select three of the best qualified candidates for the office of master of this orphan school. One of the gentlemen happened to be a master in the City of London school, at a salary of 250*l.* a year; in this school he will have a salary of 300*l.* a year with a residence and some other benefits. I trust so far as the corporation is concerned they have done their duty with fidelity, and I hope with judgment. There is another matter which I wish to mention respecting some alms-houses. In the year 1834, at the time of the passing of the Reform Bill, one gentleman thought that it would be much better to erect a substantial commemoration of the passing of the Bill than to have a mere illumination. He suggested that, instead of an illumination, Reform alms-houses should be erected. He made an appeal to the public. The corporation subscribed 1,500*l.* to that object. The public did not respond to it to the extent that the individual anticipated; but the projectors proceeded to purchase a piece of ground and to erect sixteen cottages or alms-houses, with two sets of apartments in each cottage; there were to be an equal number of widows and married couples, sixteen of each It was found that merely giving them shelter was not the benefit that it was thought it would be. Not having funds sufficient to carry the object any further, and the buildings not being well and substantially erected, they applied to the corporation to take the matter off their hands. The corporation after some hesitation and discussion did so. They took upon themselves all their liabilities, substantially repaired the cottages that were erected, and they have added eight more to them; and they are now occupied by twenty widows and twenty married couples; each married couple is allowed 25*l.* per annum, and the widows 15*l.* per annum, and each party two tons of coals per annum. It has entailed upon the corporation an expense of something like 900*l.* to 1,000*l.* a year.

7510. Who appoints to the situations which are vacant in those almshouses?—The corporation.

7511. Do you mean the common council?—That matter is under the management of the Coal, Corn, and Finance committee, and they appoint.

7512. How does the Coal, Corn, and Finance committee make the appointment?—That committee is composed of a member from each ward. They draw lots, in the first instance, as to the priority of appointment to the almshouses. Supposing, for instance, Coleman Street ward drew No. 1, they would have the first appointment.

7513. The representative of that ward would individually name the occupants of the almshouses?—Yes. Of course he would not do so without consulting his colleagues; he being supposed to represent the interest of the ward rather than his own feelings.

7514. I suppose he named just the person whom he thought proper?—Yes; but the party must have been a housekeeper in the City, and be not less than sixty years of age. As vacancies occur they go through the list of the wards and appoint in turn again.

7515. I believe the corporation have some ecclesiastical patronage, have not they?—They have.

7516. Do you know what is the nature and the amount of it?—They are proprietors of the advowsons of St. Peter's Cornhill, and St. James' Duke's Place, and alternately of St. Margaret Pattens, at the bottom of Rood Lane.

7517. In what way are the appointments made?—By the common council.

7518. By election?—Yes; two appointments have taken place since I have been connected with the corporation. The living of St. Margaret Pattens may be worth about 300*l.*; there was a very severe contest, but the Rev. Mr. Newbery was the successful candidate, and a very worthy man he is. The value of the other at St. James' Duke's Place, is very small, about 60*l.* a year. A gentleman was appointed, and the corporation have increased the amount paid to him to 200*l.* a year out of their own funds.

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7519. Is there any other point to which you wish to refer?—I will take the opportunity of stating that I feel it an honour to be a citizen of London. I have a list here of those who have done themselves honour by founding schools. The secretary of the City of London school, Mr. Brewer, is now about publishing a work in which he will show that the citizens of London have done more throughout the country for the promotion of education than almost any other class of persons.

Mr. Stephen William Leach was further examined as follows.

Mr. Stephen William Leach.

7520. When you gave your evidence on the former occasion you were asked respecting the foundations of Waterloo Bridge. You expressed an opinion that the foundations of Waterloo Bridge were not quite secure. Will you state the grounds upon which you expressed that opinion?—My opinion is mainly formed upon this circumstance. Several communications have taken place on the part of the Waterloo Bridge company to the Navigation committee upon the subject of the removal of the shoals in the neighbourhood of the bridge. Two or three times dredgers have been employed, not by the corporation but by private parties, and representations have been made to the corporation by the Bridge company that they might possibly endanger the foundations of the bridge if they were not stopped from working. I have memoranda of the proceedings which have taken place before the Navigation committee, which show that the same thing has occurred over and over again. Complaints have been made of the piles which surround the bridge, and I believe the company themselves are not very sanguine as to the security of the bridge. I am of the same opinion as I was when I gave my previous answer, but I am certainly not aware of any settlement having occurred at Waterloo Bridge as has been the case at Westminster and at Blackfriars Bridges. I am clearly of opinion, however, that the foundations of Waterloo Bridge are not so strong, but that a settlement may be apprehended on account of the alterations which are going forward from day to day in the bed of the river.

Mr. George Powell, having been sworn, was examined as follows.

Mr. George Powell.

7521. You are the surveyor of Waterloo Bridge?—I am. I have held the appointment since the opening of the bridge in 1817. I witnessed the laying of the first stone, and the progress of the work almost daily up to its completion in 1817 when it was opened.

7522. Have you been the surveyor of the bridge since that time?—I have.

7523. Are you acquainted with the state of the foundations of the Bridge?—Perfectly.

7524. Has your attention been directed to the statements of Mr. Leach upon the subject?—It has, and I wrote a letter to Mr Leach upon the subject. I received Mr. Leach's answer. He stated that the fears entertained by the company from the cutting off and removal of the piles alone formed a sufficient ground for the opinion which he expressed to the Commission. In answer to that I may state that the company have never by implication objected to the removal of a pile or the cutting off of one—on the contrary, all that they have objected to has been the expense, and nothing more; but upon an application being made to me by Mr. Sanders, the water bailiff, I immediately directed an answer to be returned, which being very short, with the leave of the Commission, I will read Mr. Sanders states in his letter to me that complaints have been made of the piles, which have been exposed and rendered dangerous to the navigation. His letter is dated the 12th of July 1833. I received it on the following day, when I directed the secretary to write this answer: "Sir, In reply to your letter of the 12th instant addressed to "Mr. Powell, I am directed to inform you that the Waterloo Bridge company have no "objection to the Thames Navigation committee cutting off the sheeting piles of the piers, "or to the removal of any other piles that may be considered necessary." Upon that the Navigation committee employed Messrs. Joliffe and Banks to remove those piles complained of, and they paid Messrs. Joliffe and Banks for the work, and the company was never called upon to contribute 6*d.* towards the expense.

7525. Are you of opinion that the foundations of Waterloo Bridge are in a secure state?—They are as sound as the rock of Gibraltar, and nothing but the injudicious interference of the Thames Navigation committee can by possibility shake them. Mr. Leach has stated that there were private parties taking ballast. On the contrary, we had an application from the Thames Navigation committee to allow them to do so. I, in company with Sir John Rennie and Mr. Plews, pointed out how the work was to be done. Instead of carrying it out as we directed, they set a powerful dredging steam engine to excavate, and it was not till I called the attention of the City authorities and of the

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contractors to the fact, and Mr. English found, close to the piers, excavations from twelve to eighteen feet deep. They themselves filled up those excavations, and restored the bed of the river to its present state at their or the City's expense; and there it now remains, perfect. From the day the bridge was opened up to the present time none of the foundations of the bridge have shown the slightest appearance of defect or settlement, and it will remain an ornament to the metropolis for ages after the Thames Navigation committee and all their officers are forgotten.

7526. You are of opinion that the result of those operations has not been to affect the security of the bridge?—Not the least. But they might have endangered the bridge if they had gone on, and you would not sit very quietly here if you were aware that excavators were employed cutting under the foundations, particularly upon a tidal river. With respect to the removal of shoals I will venture the opinion that the Thames Navigation committee know nothing about it—they cut through the middle of a shoal. Any one acquainted with the operation of currents in tidal rivers knows that which they so cut away in such manner must fill up again.

7527. Was there any previous communication made by the Thames Navigation committee to any one connected with Waterloo Bridge before those operations were commenced —Yes; and we gave permission to them to cut a channel of about four feet in an invert manner, but instead of that there was no superintendence over the operations of the parties. They obtained a valuable material, and as long as they could obtain it they kept working away, as long as they obtained ballast that was valuable for concrete and for other building purposes.

7528. Was this done by the Thames Navigation committee or by the Trinity House? —It was done by the Thames Navigation committee.

Mr. Stephen William Leach.

Mr. Stephen William Leach was further examined, as follows.

7529. You have heard the evidence of Mr. Powell. Is there anything which you wish to say in reply to it?—I wish to correct the statement of Mr. Powell, that dredges were employed by the Navigation committee. They were not employed by the Navigation committee.

7530. By whom were they employed?—By the private parties to whom they belonged. The private parties to whom they belonged obtained licenses from the corporation to work in the river.

7531. Are private parties allowed to do what they please with the bed of the river without some control?—No They have to apply for a licence to the Lord Mayor before they can take ballast from the river. When they have obtained that licence, they can only work according to the conditions set out upon it.

7532. Are those conditions precise; and is there any person watching to see that those conditions are complied with?—The conditions are very precise; and there is an officer appointed to see that they are carried out.

7533. Was that so in the instance referred to?—I have no doubt of it.

7534. You have heard what Mr. Powell has stated as to the danger which the bridge was subjected to from the nature of those operations. He has also stated that the persons dredging the river there, to a certain extent, acknowledged that they had done what they ought not, by putting things back again in their former state. Do you know if that was so?—Yes. I am perfectly acquainted with that.

7535. Does not that seem to imply that there had been an abuse of the power given them?—I think not. It was an excavation of the channel on the south side of the river, I believe, with the concurrence of Sir John Rennie, one of the directors of the company. It was thought, that the operation would divert the strength of the current, and would tend to expose the bridge to less danger. It was for that purpose that, with the concurrence of Sir John Rennie, as I understood, the channel was excavated upon that side. It is possible that a greater depth was made than was prudent to be made, and the parties who made the excavation were called on to stop it up. They did so, rather than incur any further liability.

7536. Were they called upon to stop it up by the Navigation committee before any representations were made by persons connected with Waterloo Bridge?—No. It was by the Waterloo Bridge company that they were called on.

7537. Do you believe that the error which they committed would have been discovered and corrected but for the interference of the Waterloo Bridge company?—As far as the river was concerned, it was doing no damage to the river. The duty of the Navigation committee is to take care of that. But immediately they received the intimation of the Bridge company, the parties desisted.

Mr. Edward Leigh, having been sworn, was examined as follows. *Mr. Edward Leigh.*

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7538. In what profession are you engaged?—None whatever. I am a private gentleman, living at Lewisham.

7539. I believe you are desirous of making some statement to this Commission?—I am. And, with the view of being correct in dates, I have put it in a concise form on paper. As a private gentleman, living at Lewisham, within the jurisdiction of the Central Criminal Court, I am desirous of offering some suggestions, and of expressing my opinion as to the appointment of tradesmen and practising lawyers to be magistrates, elected by a small knot of freemen, without any reference to their intellectual or moral qualifications, is very pernicious. I think the system pursued is capable of great improvement. I would relieve the recorder from the incubus of the Lord Mayor and aldermen, whose interference has a tendency to disturb the calm deliberations that a judicial mind should invariably possess. As an instance of the unseemly custom of appointing practising lawyers to be magistrates, I refer to a case reported in the *Times* of the 6th of June 1851. —"Mansion House.—G. D. Mayne was brought before Mr. Alderman Wire (sitting as "police judge in the case), in custody of Daniel Forrester, charged with having unlawfully "attempted to obtain from the Monarch Life and Fire Assurance Company, the sum of "118*l.*, with the view to cheat and defraud the said company. Mr. Alderman Wire asked "the prisoner if he had anything to say, giving him the usual caution. Prisoner, "acknowledging his guilt, threw himself on the mercy of the office. Mr. Alderman Wire "committed the prisoner for trial at the Old Bailey." Now, it must be observed here, that Mr. Alderman Wire, who acted as judge in this case, was at the same time the solicitor to the Monarch Life and Fire Assurance Company; thus the judge to try the delinquent who attempted to defraud the company, and the solicitor to the prosecutors, was one and the same person. He was the gentleman also to instruct counsel for further prosecution, and then the alderman who might sit next the recorder and assist to try him before a jury of his country. I may mention, that the partner of Mr. Alderman Wire, Mr. Child, was the solicitor who appeared at the Mansion House to prosecute the case before the alderman.

7540. Did Mr. Alderman Wire himself sit upon that case?—He committed him; but I am not in a position to say with certainty whether or not he sat as the alderman on rota when the prisoner was tried.

Mr. Henry De Jersey, having been sworn, was examined as follows. *Mr. H. De Jersey.*

7541. How long have you been connected with the corporation?—About fourteen years.

7542. Are you engaged in trade?—I am a solicitor.

7543. Do you reside in the City of London?—I resided in the City of London for thirteen years. I now reside out of it. My offices are in the City.

7544. Are you a member of the common council?—I am.

7545. Are there any points to which you wish to call our attention?—I was desirous of coming here to give any information in my power upon any points which the Commissioners may think fit to ask me about; and also to make some observations with regard to the evidence of one or two witnesses.

7546. Will you proceed to make any statement which you are desirous of making?—I refer first to the evidence of Mr. Bennoch in question 1156. The question is, "What "was the nature of the point upon which the prosecution turned? The answer was, "The point at issue was whether they conducted their business by retail or by wholesale. "The corporation attempted to prove that a wholesale dealer who divided perhaps a dozen "stockings into three sales, which is sometimes done in high priced articles, was really "carrying on a retail transaction; or if he cut ten yards from a piece of silk to oblige a "particular customer, that again was a retail transaction. They employed spies, for the "purpose of ascertaining the fact." He was then asked, "Were those questions raised "for the purpose of seeing whether they could oblige you to take up your freedom as "retail dealers?" The answer is, "Expressly with the determination that they would "thus be able to find a volume of evidence sufficiently strong to convict us of trading by "retail, and thereby oblige us to become free of the City, the object being to get the money." I, as a member of the corporation, give a most explicit denial to that statement. The object was simply to increase the number of the constituency. When the Bill was passing through Parliament, it was opposed, and, I believe, was thrown out, upon the ground that there was no application from those who were interested as freemen of the City of London, or householders to obtain the Bill. I allude to the case in which the Court came to the resolution in consequence of the Bill being thrown out, that individuals, who were traders in London, should be summoned to take up their freedom. The answer given by Mr. Bennoch is this: "That it was a resolution of the Court of Common Council, "which may be characterized as an insane resolution in my opinion. Even gentlemen "who had been in the habit of considering this an essential element of corporation reform,

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" joined with a great number of others to compel those men to take up their freedom, " under, as they say, the persuasion that such a proceeding would draw the attention of " the Government, and bring about a reformation which they were unable to effect of " themselves; that, in fact, they would drag the corporation through the dirt for the " purpose of having it made respectable." My answer to that is, the resolution was come to by a majority of the members of the Court of Common Council, many of them men who had been engaged in endeavouring to carry out questions of reform, and had been working in the corporation for a number of years, and they came to that resolution, with a sincere desire of increasing the representation of the City of London. In a following paragraph of the answer, he says, "We have been engaged in preparing bills for "Parliament to effect reform, but always when it came to the point we have been defeated, " either by a combination of our own officers, or by a combination of the companies." I think I may say, from my experience, that I do not think such a thing could by possibility exist as that we should be defeated by a combination of our own officers. In a subsequent answer, Mr. Bennoch spoke respecting the sale of the site of the Excise office by the Government. I believe the fact to be that when it was sold to the corporation it was a spot of ground covered with old buildings of a decayed character. The Government, when they purchased it, laid out about 120,000*l.* or 130,000*l* and then it was sold with those buildings in addition.

7547. Do you know what the actual area of the ground was?—I do not. The next point to which I wish to allude is I think in the same answer. He is speaking of the management of the market, and he says, " I believe the market will not be finished for " less than 400,000*l.* or 500,000*l.*" I may say I am a member of the Markets Improvement committee. We are daily proceeding with it. Every work which it is necessary to do is open to public tender; it is done at the smallest possible cost, and in every case the tender is given out to individuals who are prepared to do it in the best possible way, at the least possible cost. I am quite sure, whatever may be the amount which may be spent on it, not one farthing will be spent which is not for the benefit of the public at large. The Commissioners asked the question, " Does it appear to you that it was " necessary to take so much land for a cattle market." I may say that subsequently to the corporation having purchased all that they thought was necessary, and perhaps rather more, they had an interview with Lord Palmerston, and his Lordship recommended strongly that the corporation should purchase some more land. We endeavoured to do so, but we could not succeed. In his answer to the following question, " Will not a " portion of this land be devoted to other purposes than a cattle market?" He says, " I " believe it will be. It will be re-sold on building leases, so as to get the land into a " proper shape to accommodate the market itself." That is not so; I believe not one inch of land will be sold on building leases. One border of the land it was intended to build on, simply to protect the property, but there was no idea of letting it out on building leases. In another place, speaking of the improvements which have been carried out by the corporation, Mr. Bennoch says, " The greatest improvement was that of " London Bridge, but they were goaded into it by several members of their own body " before they gave their consent, and even now, there are other bridge proposals into " which they are being goaded in the same manner, being very unwilling to give a " cordial support to any plan of the kind." I believe that is systematically incorrect. When any new bridge has been proposed, it has been discussed in the Court of Common Council, and I think as much intelligence and discretion has been manifested upon that subject as on any other that has come before the Court of Common Council. Mr. Bennoch himself proposed some plan for a bridge, but when his gradients and his statements came to be tested in the Court of Common Council it was found that they were very inaccurate. He says in the following sentence, "The only street which I " remember to have been voluntarily made by the City of London is the new one from " the end of London Bridge up to St. Paul's Church-yard, called new Cannon-street, " which is one of the last streets that ought to have been constructed." I think it must appear to the Commissioners that that is not so. I have always been an advocate for carrying out the plan of Mr. Bunning to continue Cheapside through Paternoster-row, to join the intended Government plan in Carey-street. No doubt that would be a most perfect and excellent plan, but at the same time, it must be considered that we have already Newgate-street and Fleet-street, and that if Paternoster-row were opened in the same manner, the result would be that the traffic of three large areas would be thrown into the small channel of the Poultry, which is even now inconveniently crowded. It appeared to me, therefore, that Cannon-street was one of the best improvements that could be brought to bear for the purpose of taking off the traffic which comes from the docks and other places, consisting of heavy waggons, and such like. To prevent its being thrown upon Ludgate-hill, a small street has been projected connecting Cannon-street with Blackfriar's Bridge, the object of which would be to take a great portion of the traffic away from that street down to Blackfriars Bridge, which is a large means of communication with the City, instead of its coming round and blocking up Ludgate-hill. The next question to which Mr. Bennoch refers is the appointment of the chairmen of committees. I have been on the principal committees of the corporation. I was five years on the City Lands committee; four years on the Bridge House committee; I have been on the

Navigation committee and on the City School committee, and I may say that the conclusion which Mr. Bennoch has come to with regard to the appointment of chairman is, according to my view, most incorrect in every sense of the word.

7548. Do you think there might be any improvement in the system of the committees?—I have no doubt about it. With respect to the reduction of the committees, I have myself moved, in the Court of Common Council, a reduction of the number of the committees. I think they may be reduced, not to any considerable extent, but to some extent. I think to reduce them to a considerable extent would be exceedingly injurious. It is desirable that the members of the corporation should know as much as possible all that is going on, and if you put a man upon one committee only, you only give him the means of obtaining information as to the business transacted by that committee, and shut him out from all the rest, whereas, by his being a member of two or three committees, he acquires a knowledge of all the business which is before the corporation, and that is the great check to jobbing and corruption in my opinion.

7549. How often do the committees meet generally?—When I was on the City Lands committee it was suggested that I should be chairman; however, Mr. Ashurt was elected chairman, though I practically attended as such, because he was unable to attend. I dare say I attended during the year nearly seventy meetings.

7550. How often does each committee generally meet?—They have regular monthly meetings, besides extra meetings and the meetings of sub-committees.

7551. Do you mean that most of the committee can get through their business, meeting as seldom as once a month?—Certainly not, if that was the only occasion of their meeting.

7552. How often do they meet?—Their monthly meetings are called grand committees, that is for the benefit of the public who are called there for the purposes of business. They some times meet two or three times a week.

7553. How long do they generally sit?—I have gone to a committee at twelve and left it at five.

7554. Is not it very difficult for a man who desires to do his duty upon several of those committees, who may perhaps have private business, to do so satisfactorily?—I think not. I think a man who becomes one of a public body ought to endeavour to perform his duty zealously. When I say that I have attended committees from twelve to five in the afternoon, that is not the common attendance necessary upon every committee. In some cases the business is done in an hour.

7555. Does your experience induce you to think well of the system of allowances given to the committees?—If you were to ask me if I were to support it, if it was introduced for the first time, I should perhaps not be willing to do so, but I think in the working of it it has been practically beneficial. Mr. Bennoch, speaking of the Navigation committee, says: "In connexion with the Navigation committee, to which reference has been made "to-day, I need hardly say that gentlemen are placed upon the Navigation committee "who have really scarcely anything else to do." I am a member of the Navigation committee, and I certainly would beg leave to give that the most explicit denial. It is true that there are men in the corporation who have little or nothing to do, and so far they have a greater opportunity of giving their services to the corporation. Again, in the evidence of another witness, two parties are named who are said to be the only parties acquainted with navigation. I think every man of business who joins a committee of that description, can bring an amount of intelligence and information to bear upon the subject of the committee to which he is appointed. I feel no difficulty in the Navigation committee, though I am not particularly acquainted with the subject of shoals and so on. It is highly beneficial that these matters should not be left to the care or guidance of a mere officer, but that there should be a controlling body, who shall hear the necessity of any step, and the remedy to be applied in every case and exercise an efficient control. Mr. Bennoch, in a subsequent answer, says, "With regard to the "committees, when any gentleman shows himself particularly *au fait* upon a certain "point, the chances are that he will be tabooed and excluded from the committee, because "they fancy he has some private interest or some private motive. They are very liable to "attribute motives to people who take an independent course; therefore, they think it "would be improper to have him upon that committee, because he might turn it to his "private ends; and they would rather appoint a man who was incompetent, than one "who should thoroughly understand the question." I again explicitly give that a denial. My experience in the corporation with regard to the committees is, that such a circumstance I never saw or heard of; and that with regard to appointments on committees, that is not the course of proceeding. I have adopted quite as independent a course in the common council as Mr. Bennoch, if not more so, during the period I have been there; and I am sure I have never been excluded from a committee upon that ground. I believe the committees are appointed in the fairest way; they are generally appointed as ward committees. It is true you may not invariably get the particular men upon the committees who may be considered desirable; but if it be thought important that any particular gentleman should be appointed, who could bring to bear upon the question a large amount of information, I have no hesitation in saying that it would be

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done, and has been done in numerous instances. Mr. Bennoch, in another place, speaks of Blackfriars Bridge. He says, "We have two conflicting jurisdictions—the Bridge "House Committee, to keep up the bridge and fill up the bed of the river, and the Navigation "Committee to take away that which had been put in for the purpose of sustaining the "structure." He subsequently refers to an accident which took place in the neighbourhood of the bridge. It was fully proved that that accident did not occur in consequence of anything which had been done to the bridge. I should say, that the fact with respect to Blackfriars was this:—At the period in question, when one of the piers of the bridge was found to be sinking, it was ascertained that the bed of the river, which originally formed a natural protection to the bridge, had been washed away, and laid almost flat. The piles supporting the bridge, therefore, were left without any support outside. Accordingly, they bulged out, and then the bridge naturally sunk. When that was brought before the committee, they, acting under the advice of Mr. Walker, whom they had consulted, gave orders that the piles should be brought back as nearly as possible to their original position, and then that a large quantity of material should be thrown into the river, which would restore its natural support.

7556. There is no City engineer, properly so called, is there?—There is not.

7557. Upon questions of engineering importance and difficulty you consult some eminent engineer?—Always.

7558. You have no special engineer whom you consult?—Certainly not. We consult Mr. Leach upon all matters connected with the Navigation Committee. Mr. Walker also has been very generally employed; and so has Sir John Rennie. On the subject of the sewers, some of the witnesses have given evidence on which I will make no other remark than saying, that having lived thirteen years in the City of London, I believe the system which is adopted there is productive of the greatest practical good. I believe that a municipal institution like that of sewerage should be brought home as closely as possible to men's doors. I live now in the outskirts of London, in the neighbourhood of Brixton; and I am painfully conscious of the difference between the two; and I should very gladly again live in the City, so far as the advantages of sewerage and police are concerned. I have now an application unattended to, which I made nine months ago to the General Board of Sewers, upon a matter which then required immediate attention. In the City I have only to walk to Guildhall, and I find immediate attention to any thing that I may require. With respect to the Irish society, Mr. Bennoch complains that not being a member of that society, he has no power to get at the particulars of their accounts. I am rather surprised at that answer, inasmuch as a printed statement of the receipts and expenditure of the Irish society is sent round every year to every member of the common council. Speaking of the chamberlain's office, in a subsequent part of the evidence, he says, "Those directions have been given so that the expense of his office is fixed at "2372*l.* 10*s.* That is an exceedingly unwise resolution, because the chief clerk of the "chamberlain has, within the last few days, resigned his office;" and he comes to this conclusion, that because we have fixed the expense of the office of chamberlain at 2372*l.* 10*s.*, whenever a vacancy occurs, an incompetent person might be appointed as clerk, and we should still have to give him 800*l.* a year. That is not so. Mr. Bennoch knows that whenever a vacancy occurs, it is always referred to a committee, who report upon it. So, in this case that has been done, and a gentleman has been appointed at a salary of 500*l.* a year. He speaks, in a subsequent passage, with regard to another officer—"The "comptroller who is a solicitor, and merely a conveyancer, whose duties are by no means "arduous, nor require a man of great genius to perform, receives 1,500*l.*" a year. He speaks of a combination of that office with those of the Bridge House comptroller and the solicitor. I notice that my Lord Mayor has also said the same. I may say, with the greatest respect for his lordship, that he is unacquainted with the duties of those offices. I do not believe any man living could properly perform the duties of those three offices together. It is possible that the two comptrollerships might be amalgamated, but that a man, with the present work of the corporation, should perform all the duties of solicitor, which are perfectly distinct from those of the comptroller, is in my opinion impossible. I believe the health of the last comptroller suffered most materially from the duties which he performed.

7559. Do not you think the business of the corporation might be considerably diminished, if it were more simplified and less complicated by a variety of trusts?—They have a great many trusts to perform, but all those trusts bring with them the duties of the trusts.

7560. You think there could not be a simplification in the management of the corporation business?—No doubt everything might be improved to some extent, but I do not think the business of the corporation could be much simplified so long as you retained the present duties of the corporation. Mr Bennoch goes on to say, that the corporation might be carried on efficiently by a reduction of from 40,000*l.* to 50,000*l.* a year. It appears to me so impossible to reduce the offices to the extent which he has mentioned, that I cannot think any such saving could take place. I have been myself rather distinguished in the corporation by a desire to reduce offices, and to vote for a reduction of salaries; therefore, my motive for speaking at the present moment is a desire to lay

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before the Commissioners that which I believe to be the facts. Mr. Bennoch then speaks of the question of the chamberlain, and of there being no discussion on the office becoming vacant. If he had been in his place in the common council, he would have recollected that when the report was brought up, recommending that 2,500*l.* should be given to the chamberlain, I moved myself that the salary should be 1,000*l.* I have read the evidence of Mr. Woodthorpe and Mr. Leach, as to the working of the Navigation committee, and the mode in which business is transacted, and I fully concur in the evidence which they have given. With regard to the constitution of the Navigation committee, Mr. Leach was asked what would be the effect of the introduction of members of the dock companies upon the Navigation committee. My opinion fully concurs in his, that it would be a very improper proceeding, and that it would be most undesirable to appoint men to a committee of that description who had any local or personal interest. At present, the Navigation committee appears to me to be a most independent body, and one most calculated to carry out the objects which are necessary for the public interest.

7561. For how many years have you served upon the Navigation committee?—Two years.

7562. From your observations of the proceedings of that committee, do you think the conservancy of the river is managed in an efficient manner?—So far as the committee have the power. I believe they are restricted to a very considerable extent, in consequence of the existing litigation with the government, and that they require other powers, which, during that litigation, the government will not allow them to obtain from parliament. I believe, as far as the expenditure of money is concerned, and the works which they are executing, they are doing everything which is in their power. They ought to do more, but they have not the power. In some cases, they go beyond their means.

Adjourned to Tuesday next, at 12 o'clock.

Tuesday, 7th February, 1853.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

William Payne, Esq.
7th Feb. 1854.

WILLIAM PAYNE, Esq., was further examined as follows.

7563. Are there any corrections which you are desirous of making in the evidence which you have given to this commission?—Not in the evidence which I gave. Mr. Pulling in his evidence has made a statement that the Lord Mayor of London is the coroner, and the gentleman who performs the duties is only his deputy, and that he is appointed by the Court of Aldermen. I thought it desirable that you should not be under any mistake in regard to that subject, because the charter of Edward IV., which gives the office to the City, says the Mayor, commonalty and citizens may appoint whom they will to the office, and the statute regarding elections in London, which is the 11th of George I., confirms the appointment to be in the Court of Common Council. Therefore the Lord Mayor is not the coroner, nor is the gentleman who does the duty, his deputy, nor is he appointed by the Court of Aldermen. I wish also to be permitted to refer you to the case I alluded to the other day. Some questions were put to me regarding the tenure of my appointment. The case is the Queen against Grimshaw, reported in 11th Jurist, 16th Law Journal, and 10th Queen's Bench Reports. The fullest report is in the Jurist, and I find, upon looking at it, Mr. Justice Patteson, who was one of the judges of the court at that time, says "There can be no doubt as contended for by Mr. Martin, that a coroner well in, is in for life, and cannot be displaced without cause duly shown." Mr. Justice Coleridge enters much more fully into the reasons why it should be so. He says, "What "would be the consequences of carrying out the doctrine here set up? If a man could "be removed after six years possession he could after twenty, so that a coroner who has "performed a long course of duty, who has received fees, who has held inquests, recorded "verdicts, some of them, perhaps, for wilful murder, and discharged other important "functions affecting the public at large as well as himself, may be got rid of to gratify "some caprice or party feeling, the very persons who have appointed him, recognized "him, and enabled him to perform all these duties, turning round and calling him a "usurper. My mind shrinks from contemplating the circumstances which must "necessarily flow from such a state of things." The coroner is a magistrate by virtue of his office, and also a judge of a Court of Record, and I believe the corporation have admitted the principle that judicial officers shall not be annually appointed. So I presume there can no longer be any doubt, since that decision that a coroner is not an annual officer, and cannot be displaced without sufficient cause. I should not have referred to this if the Commissioners had not asked me the question before. When I attended the previous commission I took the liberty of stating the same thing, but the decision of the

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Court of Queen's Bench did not take place till the year 1847. That confirms the view which I took the liberty then of stating, and the report of that case is quite decisive upon the subject.

7564. The coroner in the case referred to was not the coroner of London, but the case turned upon the provisions of the Municipal Corporations Act?—The charter of Edward IV. says the Mayor, commonalty, and citizens may appoint whom they will to the office. The statute, the 11th of George I., regarding elections in the City of London says the election of coroner, with those of other officers, shall still remain in the Court of Common Council, therefore the Lord Mayor is not the coroner, but the Court of Common Council have the right of appointment. With regard to the office which I hold of High Steward of Southwark, I wish to say that Mr. Acland in his evidence has stated "That the constables "are elected at the Courts Leet, and they are told when they are appointed that they have "no duties to perform, but they have to pay 2*s.* 6*d.* for being sworn in." One of the first acts after my appointment to the office was to suspend the election of constables, ale-tasters, and flesh-tasters, as those offices appeared to me to be quite incompatible with the circumstances of the present time. There are no such officers now appointed, and consequently there can be no fee paid for swearing them in.

7565. Since when has that alteration taken place?—About three years ago.

7566. How were those officers remunerated when they were appointed?—There was no remuneration.

7567. Was there any object in obtaining an office of that kind?—Perhaps centuries ago, when there was a market there which required to be supervised, they might go round and see that the articles of food sold were proper.

7568. In recent times those officers were appointed, but they had no duties and no emoluments?—None; they were appointed, and there was an end of it.

Mr. Sergeant Merewether, D.C.L.

HENRY ALWORTH MEREWETHER, D.C.L. Serjeant-at-law, town clerk, was further examined as follows.

7569. Is there any addition which you desire to make to your evidence?—With your permission, there are one or two additions. I was required to give in a return of the offices of the corporation which have been sold. There are thirty of such offices. They are two attorneys of the Mayor' Court, the first serjeant of the chamber, the yeoman of the waterside, the sword bearer's young man, the common hunt's young man, the water bailiff's young man, three fruit meters, one of them having died in 1846, the corporation did not again sell the office, but placed a person in it to do its duties, and they have been discharged in a manner which is highly satisfactory to those who are connected with that trade.

7570. You are speaking of the offices which have been purchased by their present possessors?—Yes; either purchased by them or by those who preceded them, and who had the right of alienation. The others are the deputy day oyster meters, and the deputy morning meters of oysters. I thought it was desirable that you should also know which of them had still the power of alienation, and they are marked in a manner to distinguish them. Mr. Ashley, one of the attorneys of the Mayor's Court, is in that situation, so are all the oyster meters. With respect to Mr. Ashley, an arrangement is just now about to be made with him for his right of alienation, with a view of re-adjusting the Mayor's Court.

The statement was delivered in, and is as follows.

NAMES of all PERSONS holding office under the CORPORATION OF LONDON who have purchased their places, when purchased, of whom, for what consideration, and the annual Income.

Names.	Office.	When purchased.	Of whom.	For what consideration.	Annual Income.
				£ s. d.	£ s. d.
George Thomas Robert Reynal, Esq.	Attorney of the Mayor's Court	1807	Mr. William Jones	3,500 0 0	1,272 14 0
*George Ashley, Esq.	Ditto	1830	Mr. William Windale	10,000 0 0 and £800 per annum	1,800 0 0
Mr. John Goldham	First Serjeant of the Chamber	1791	Mr. Horatio Mucklow	1,575 0 0	317 0 0
Mr. Thomas Leachman	Yeoman of the Waterside	1814	Mr. Burke	1,750 0 0	350 0 0
Mr. George Hughes	Swordbearer's young man	December 1821	Mr. Goff	2,100 0 0	337 10 0
Mr. William Malpas	Common Hunt's young man	1816	Mr. Warlters	- - -	350 0 0
Mr. J. Leachman	Waterbailiff's young man	1822	Mr. Berenger	2,260 0 0	287 10 0
Mr. Edward F. Conduitt	Fruit Meters	1795	The Corporation	1,000 0 0	1,000 0 0
Mr. John Hurles		December 1818		2,960 0 0	1,051 16 6
Mr. Littleton Thomas Powis		12th October 1820		3,930 0 0	1,051 16 6
Mr. C. M. V. P. Thompson	Deputy Day Oyster Meters	5th December 1820	Mr. J. Norton	1,260 0 0	154 14 0 each.
Mr. James Daikers		26th April 1821	Mr. W. Lampert	1,350 0 0	
Mr. W. Sutton		- - - -	Mr. T. Minter	1,600 0 0	
Mr. John Adams Ray		5th August 1826	Mr. H. D. Worrall	1,940 0 0	
Mr. J. Sutton		- - -	Mr. J. Harris	1,500 0 0	
Mr. E. H. Chantler		February 1835	Mr. E. Chantler	1,960 0 0	
Mr. D. Thomas		22d February 1837	Mr. Robert Fox	2,025 0 0	
Mr. J. Bates		April 1839	Mr. S. A. Weston	1,850 0 0	
Mr. Thomas Bevan		27th May 1840	Mr. C. Newby	1,890 10 6	
*Mr. R. Newby		- - - -	Mr. J. Bromley	1,520 0 0	
Mr. A. Chantler		17th April 1846	Mr. W. Palmer	1,500 0 0	
Mr. J. Shepherd		2d October 1846	Mr. J. Shepherd	1,350 0 0	
Mr. Thomas Clarke		- - - -	Mr. W. Clark	1,540 0 0	
Mr. A. Woodcock		- - - -	Mr. J. Woodcock	1,600 0 0	
Mr. R. Dale		- - - -	Mr. G. Philpot	1,400 0 0	
Mr. J. West		6th March 1851	Mr. J. West	1,750 0 0	
Mr. Daniel Green	Deputy Morning Meters	1830	Mr. Joseph Radford	1,750 0 0	155 17 4
Mr. Stephen Ludbrook		1831	Mr. James E. C. Schilling	1,600 0 0	155 17 4
Mr. Thomas Hopson		1849	Mr. Thomas Butler	1,600 0 0	155 17 4

* These have right of alienation.

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7571. With regard to the others, have any steps been taken to buy up their power of alienation?—With regard to the oyster meters, the subject is now under the consideration of a committee of the common council, who have entered into the subject fully, and they are considering in what manner they can purchase the right.

7572. In short it is the intention and object of the common council to put an end to this system of sale and alienation?—Most decidedly; and it has been so for many years. I am also desirous of adding to the returns which have been already given in the return of Mr. Alderman Challis, which was not in readiness when I delivered in the other; and the same as to Mr. Sheriff Croll (*the same were delivered in*). I would also wish to add to the returns of the different officers of the corporation that of the conveyancing clerk to the comptroller (*the same was handed in*). There was a subject upon which I was interrogated, which appears to be material, viz:—what had from time to time been done by the corporation with a view of considering the duties and emoluments, and the general nature of the offices in the corporation. They have been in the habit whenever a vacancy occurs of inquiring into the nature of the office, the amount of the salary, and all the circumstances connected with it. In 1829, August the 6th, there is a report respecting the coroner involving inquiries as to the nature of the office, the duties of the office, the emoluments and whether any, and if any, what deduction should be made from the salary or any alteration in the office. That is the general nature of the inquiry which takes place. In 1829, the office of coroner was inquired into. In the same year the offices of the clerk of the peace, the Sheriffs' Court secondary, and the clerk of the works were inquired into. In 1830, the common serjeant's office was inquired into. In 1831, that of the secondary of the Sheriffs' Court; in 1832, the Sheriffs' Court officers. In the same year the compensation to the officers was also considered. The remembrancer's office was investigated—the common serjeant again—the remembrancer and the sword bearer—the registrar of the Mayor's Court—the common serjeant and the City solicitor. In 1834, the bridge house comptroller. In 1835, the question of the mayoralty was gone into, and two reports made upon it, the second report being in 1837. In 1839, the secondary's office was inquired into, and those of the police commissioner and the City solicitor. The Commission will observe that many of those offices have been inquired into again and again, when a fresh vacancy has occurred. In 1840, the deputy oyster meters. In 1841, the comptroller, the collector of Smithfield Market, and the coroner. In 1842, the clerk of the chamber, the judges of the Sheriffs' Court, with the Mayor's Court and the common pleaders, the clerk of the chamber, the town clerk, the bailiff of Southwark, the housekeeper of the sessions house, and the clerk to the auditors. In 1843, the office of chamberlain was twice reported on, and most minutely considered. Also the clerk of the City works, two reports. In 1844, the Sheriffs Court. In 1845, the librarian, the common pleaders, and the comptroller. In 1846, the high bailiff of Southwark, the clerk and registrar of the coal market, and the housekeeper of the sessions house. In 1847, the hall keeper, the clerk of the City works, dues on wines; an investigation which led to the discovery of some errors which have since been corrected. The Small Debts Act, the collector of the dock rents. In 1848, the Small Debts Act was again considered with regard to the City, the City solicitor, the bailiff of Southwark, the Small Debts Act, and the Sheriffs' Court. In 1849, the deputy registrar of the Mayor's Court, the Sheriffs' Court, and the Small Debts Acts came again under consideration.

7573. You mentioned the librarian. Is there any public library belonging to the City?—There is a library which has been instituted by the City, and it is open to the public, at least with the form only of applying for permission.

7574. Where is it?—It is in the Guildhall.

7575. Is it a large library?—It is.

7576. What is the number of volumes?—I do not know exactly; there are about 20,000, but I will forward a catalogue to the Commissioners.

7577. Is there any fund devoted to its maintenance and increase?—There is a fund voted every year by the corporation for its maintenance and increase; it is an annual sum of 200*l*., which enables them from time to time to purchase books, and the collection there is certainly valuable, particularly that part of it relating to the City of London.

7578. Is it open to the citizens generally?—It is, upon applying to any member of the common council for an order, which is given without hesitation. The present librarian is a person perfectly competent to his office, and gives every facility to every person who goes there. In 1850, the common serjeant's office was considered, and his salary readjusted; the common pleaders also; the judge of the Sheriffs Court, the prothonotary of the Borough Court, the comptroller's clerk, and the recorder, two reports; the Sheriffs' Court, and the town clerk's clerks, two reports respecting them. In 1851 the clerk of the chamber, the rectory of St. James, Duke's Place, the stipend of the rector was fixed, and the mode of election; the Sheriffs' Court, St. James,' Duke's Place, a second time; the City architect, the Sheriffs' Court again. In 1852, the coal duties was also considered by a committee, the office of the under marshal, and the secondary. In 1853, an arrangement was concluded with the common pleaders with the view of opening the Lord Mayor's Court to the practice of all counsel. The office of the common crier was also considered; also the question with respect to the offices which had been purchased; also the question as to the oyster meters, the Sheriffs' Court, and finally, upon the succession of Sir John Key to his office, the chamberlain's office was

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again inquired into, making altogether eighty-seven reports. It will probably be in the recollection of the Commissioners that Mr. Bennoch, in the course of his evidence, stated that the corporation continued for a considerable time in connection with the Gresham College, "but by and by they began to find it was a trouble, and they did not make "money out of it. They tried to get rid of it, but Parliament declined. At last in 1768, "the Government requiring some land for the purpose of an excise office, agreed with the "corporation and the Mercers' Company, and purchased this land and property for an annual "rental or annuity of 500*l.* a year. Now this very plot of ground has been sold this year, "realizing the sum of 108,000*l.*, so that it is held by some, that in consequence of the "negligence of the corporation and the Mercers' Company, and through collusion with "the Government at that time, the citizens of London, or the merchants of London, have "had alienated from them an amount of money equal to 108,000*l.*, which should have been "appropriated to the purposes for which it was left by Sir Thomas Gresham. Being done "by an Act of Parliament of course it is no use looking for a return of the money, still it "shows how careless the corporation were of the trusts reposed in them." This certainly involves a considerable charge upon the corporation of London, as well as the Mercers' Company, but I think I can in a very few words draw your attention to the manner in which this is overstated and aggravated, and I hope in a few observations that I shall satisfy you that it is totally unfounded. The 108,000*l.* which is spoken of takes no notice whatever of the 500*l.* a year, which was agreed to be paid out of the revenue of the country, and which is still paid to the corporation and the Mercers' Company.

7579. As I understand the 500*l.* is taken by the Government. The 108,000*l.* is over and above the 500*l.* a year?—The 500*l.* is now paid by the Government to the Mercers' Company and to the corporation in equal moieties; the property is not charged with the 500*l.*, that is payable out of the revenue of the country, and is charged upon the inland revenue; therefore, the 108,000*l.* is irrespective of the 500*l.* except that the Gresham trust have at this moment that money in their possession. But I will satisfy you that there is no foundation whatever for the supposition that there was anything collusive, or anything out of the most natural course of events.

7580. Do you believe that it was not an improvident bargain at the time?—I have every reason for so believing, because I have been informed of the circumstances by the architect and surveyor of the City, that this is a worse bargain at the present day than the 500*l.* a year was at the time when the former bargain was made.

7581. You believe that 108,000*l.* represents the increased value of that property, since the date of the former bargain, from the progress of time, and also from the buildings which have been put upon the property?—Quite so.

7582. The 108,000*l.* you believe fairly represents the increased value of the property?—Considering the manner in which it has been added to, and the manner in which it has been improved.

7583. Do you mean added to, in respect of the extent of ground?—There has been some addition to the area.

7584. It must have been valuable property 70 years ago?—No doubt, but at that very time a considerable quantity of land in Broad-street was let on building lease at 2*s.* and 2*s.* 6*d.* a foot frontage.

7585. What is it worth now?—There is a very small piece of property in Threadneedle-street, which has now become vacant, and is to be sold, for which 20,000*l.* has been offered, and 30,000*l.* is demanded. There is also a property there, where a small house in Threadneedle-street was let 16 years ago, at a rack rent of 110*l.* a year; the house has been pulled down, the lessee having been compensated, and he has to rebuild, and pay a ground rent of 268*l.* a year, having a few additional feet of frontage; so that I believe an additional value, to the extent I have mentioned, can be made out most clearly and most distinctly, and I am informed that the bargain which has been recently made is rather worse than the bargain that was made in 1768.

7586. Has there been any calculation made as to what sum of money the ground in question would have fetched in 1768, if it had been sold for a gross sum instead of an annuity?—I think not further than that which I have just stated, that land in the neighbourhood was at that time let at 2*s.* a foot frontage. I am quite sure, when the Commissioners are informed of the facts connected with the sale, they will see that there is not the slightest possibility of any collusion whatever having taken place.

7587. Do you understand that this land was sold subject to the annuity of 500*l.* a year, or do the Government still pay the annuity and sell the property, annuity free, for 108,000*l.*?—You have the Act of Parliament before you, and you will see that the 500*l.* a year is not charged upon the property, but it is an independent sum to be paid out of the revenue by the Government of this day, contracted for by the Government of that day.

7588. The 108,000*l.* is not burdened with the 500*l.* a year?—Not at all. The following are substantial facts, which ought to be before the Commissioners. The first idea of selling the property arose in 1758, upon which a reference was made to a grand committee to consider "whatever may be proper to be done, in the present circumstances of Sir Thomas "Gresham's estate." A ground plan was ordered to be prepared, the surveyor laid that plan before the committee. I have done all I could to obtain that plan, but I cannot find it. The only plan which I have seen of the estate is to be met with in Ward's "History of the Professors of the Gresham College," where there is a representation given of the houses

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belonging to it, and also in "Maitland's History of London." The property was then in a dilapidated state, and the question was whether it was worth while to repair it. The surveyor laid the plan before the committee, and was ordered to estimate the value of the old materials, and the annual value of ground rent of the college, if cleared of the present old buildings. That was in the year 1759. The plans were reported on at different meetings; there were conferences with the lecturers who had houses within old Gresham College, and could not be displaced without compensation. In October of the same year, it was directed that the repairs should not be done, the general committee having under consideration an application to Parliament to rebuild the college. In the same year it was resolved, "That it is the opinion of the committee, that the City and the Company "apply to Parliament for an Act to empower them to pull down Gresham College, with "the almshouses and other appurtenances, and build commodious houses on the ground "thereof, for the benefit of the two corporations, the better to enable them to maintain the "uses appointed by Sir Thomas Gresham." Reports were made upon those proceedings. It was referred to a sub-committee, to treat with the lecturers for additional allowances. A petition to Parliament was agreed to, but was ordered not to be presented to Parliament that session, and it appears, in point of fact, that though a petition was in 1762 presented to Parliament, the matter was not pursued from that period for five years. In 1767 the committee had in consideration the letting the College for building a general office for the receipt of the revenue of excise, and the lecturers had notice to attend respecting the amount of compensation to them in lieu of their several apartments. It was therefore, the notion of building the excise office upon the property, which occurred five years afterwards, which led to a consideration of the affair. An accurate plan of the ground was ordered. "Sir Richard Glyn informed the committee that the City members several times "attended the Lords of the Treasury for building an excise-office where Gresham College now "stands, and that their Lordships had agreed to take the same at a rent charge of 500*l.* per "annum, and as different estimates had been made of the charge of building an excise-office, "at Ely-place, Holborn," the site of the Bishop of Ely's house, where now Ely-place is, "and "at Gresham College, whereby it was estimated that the charge of building it at Gresham "College would be 1,800*l.* more than at Ely House, which sum is to be made good by the "Treasury;" so that there was a competition at that moment between the site in Ely-place and the site of Gresham College, which should be adopted for the purpose, and it was found that Gresham College would be the dearer of the two, upon which they were obliged to make a concession, and reduce their claims. There was read a letter from the Chancellor of the Exchequer, with a copy of the agreement with the Bishop of Ely for Ely House. It seems that the situation of Gresham College was more desirable than Ely House. and though a larger sum was demanded for it, it was agreed that Gresham College should be taken; the trustees making an abatement. There was then a conference between the commissioners of excise and the committee on treating for Gresham College, and a proposal respecting it; the Gresham committee being directed by the Lords of the Treasury to conclude an agreement with the commissioners of excise, for the purchase of the College on the same terms as Ely House. They were obliged to come down to the terms on which Ely House was offered. There is an extract from a letter of the secretary of the Treasury, signed "Grey Cooper." "My lords agree that for the said College there shall be paid a clear annuity of "500*l.* in equal moieties to the City of London and the Mercers' Company, and that such "annuity do commence from Michaelmas 1768, and charged for ever on the revenue of "excise; their lordships do not see that any other terms or conditions are necessary for concluding an agreement between the parties." The Gresham committee acquiesced in, and accepted the terms in Mr. Cooper's letter, and stated that they would be ready at any time to give their consent to an Act of Parliament for the purpose. Then a draft of agreement was entered into, and a draft of a Bill was prepared by the commissioners for confirming the agreement. That Bill passed into an Act in 1768, the 8th of George the Third, chapter 32. The whole thing seems to have been done with as much care and caution as it was possible, either as a commercial or a legislative measure. It was submitted to committees of the House of Commons and of the House of Lords in succession. The price that was agreed for was in fact the price which resulted from the competition of the site of Ely House with that of Gresham House, and whatever deduction was made in the sum which was to be paid for it was entirely the result of that competition, as will appear from the statement I lay upon the table. (*The same was delivered in.*)

In respect of the sale of Gresham College to the Government, for which transaction it has been stated "that in consequence of the negligence of the corporation and the Mercers' "Company, and through collusion with the Government at that time, the citizens of "London, or the merchants of London, have had alienated from them an amount of "money equal to 108,000*l.*, which should have been appropriated to the purposes for "which it was left by Sir Thomas Gresham;"

The following statement of facts, connected with the transaction respecting the College, is extracted from the *Minutes of the Joint Committee of Gresham Affairs, City and Mercers' Company*, both bodies being trustees under Sir Thomas Gresham's will, and the journals of both Houses of Parliament:—

1758. *December 11th.* At a joint grand committee a reference was made to consider what may be proper to be done in the present circumstances of Sir Thomas Gresham's estate and on

the 20*th* of the same month the surveyor was directed to draw a *ground plot* of the college, with observations on the places contiguous. *Mr. Serjeant Merewether, D.C.L.*

On the 1st May following he laid the *plan* before the committee, when he was ordered *to estimate the value of the old material*, and *the annual value or ground rent of the College if cleared of the then present old buildings.* 7th Feb. 1854.

On the 7th September in that year he reported the plans to the committee, and the lecturers ordered to attend. And on the 25th September the lecturers were directed to confer together, and to report. 1759.

And on the 12*th October* the committee ordered the *repairs to the college* then in contemplation not to be done, the grand committee having under consideration an application to *Parliament* to rebuild the College. And on the 5*th December*, in the same year, the committee resolved that in their opinion the City and the company should *apply to Parliament* for an Act to empower them *to pull down Gresham College*, with the almshouses and other appurtenances, and *build commodious houses on the site thereof*, for the benefit of the two corporations, the better to enable them to maintain the uses appointed by Sir Thomas Gresham.

On the 10*th December* 1760, petitions to Parliament accordingly agreed to, and the committee instructed *to treat with the lecturers* for additional allowances. 1760.

February 3*d.* The committee ordered the petitions *not to be presented in that session.* 1761.

On the 29*th September* they referred it to a committee to prepare a new petition, which on the 17th November, was ordered to be laid before the common council and the general court of the Mercers' Company, and on the 16th March 1762 was presented to the House, and referred to a committee.

No further proceedings took place till the year 1767, when, on the 19*th March*, the committee had under consideration *letting the College* for building a *general office for the Revenue of Excise*, when the lecturers had notice to attend respecting the *amounts* of *compensation* to them in *lieu of their several apartments.* Six years interval. 1767.

On the 26*th May* in that year, the committee were informed by Sir Richard Glyn that the City members had several times attended the Lords of the Treasury for building an Excise office where Gresham College stood, and that their Lordships had *agreed to take the same at a rent charge of* 500*l. per annum*, and a *different* estimate had been made of building the Excise office at *Ely Place*, Holborn, and Gresham College, whereby it was estimated the *charge of building it at Gresham College would be* 1,800*l. more than at Ely House*, which was to be made good by the Treasury.

May 30*th.* The committee received a communication from the Chancellor of the Exchequer, with a copy of the *agreement with the Bishop of Ely* for Ely House, and on the 2*d June* following a *conference* took place between the *Commissioners of Excise and the Gresham Committee*, when they concluded an agreement for the *sale of the College on the same terms as Ely House.*

On the 30*th June* the committee received a letter from the Secretary of the Treasury stating that their Lordships agreed there should be paid a *clear annuity of* 500*l.*, in equal moieties for the same, to the City and the Mercers Company, *charged for ever on the Revenue of Excise*, in which the joint committee acquiesced, and would be ready to give their consent to an Act of Parliament for the purpose.

The *Draft Bill* prepared by the Commissioners for the purpose was *approved* by the committee; and on the 1768.

8*th George III., cap.* 32, the Act passed in which a clause was inserted for *allowing the lecturers* to marry, and also *empowering the Lords of the Treasury to purchase additional lands to render the building more commodious.*

From the foregoing it does not appear that there is any foundation for the assertion, "that the citizens, either by *negligence* or *collusion* with the Government of the day, "have been deprived of monies which should have been appropriated to the purposes for "which it was left by Sir Thomas Gresham."

I believe when I gave in a list of the charters the other day I did not, with sufficient distinctness draw the attention of the Commissioners to the statute setting aside the judgment in the *quo warranto* against the corporation of London, and confirming its charters. The words of it are material. They commence by reciting the judgment which had been given upon the *quo warranto*: "Whereas a judgment was given in the Court of King's "Bench, in or about Trinity Term, in the 35th year of the reign of the late King "Charles the Second, upon an information in the nature of a *quo warranto*, exhibited "in the said court against the Mayor and commonalty and citizens of London, that the "liberty, privilege, and franchise of the said Mayor and commonalty and citizens being a "body politic and corporate, should be seized into the King's hands as forfeited. And for "as much as the said judgment and the proceedings thereupon is and were illegal and "arbitrary, and for that the restoring of the said mayor and commonalty and citizens to "their ancient liberties, of which they had been deprived, tends very much to the peace "and good settlement of this kingdom." It then goes on to declare that they may be described to be a body corporate and politic, and they ought to "peaceably have and enjoy all "and every their rights, gifts, charters, grants, liberties, privileges, franchises, customs, "usages, constitutions, prescriptions, markets, duties, tolls, lands, tenements, estates, and

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" hereditaments whatsoever, which they lawfully had, or had lawful right, title, or " interest of, in, or to, at the time of the recording or giving the said judgment, or at the " time or times of the said pretended forfeitures." Therefore, setting aside the judgment upon the *quo warranto*, it goes on with a series of clauses with which I need not trouble you, but which confirm everything belonging to the corporation of London, which restore all their officers, give validity to all that had been done by them, and entirely sweep out all trace of the former proceeding.

J. Anderton, Esq.

JAMES ANDERTON, Esq., having been sworn, is examined as follows.

7589. Are you under-sheriff of the City of London?—I am one of them.

7590. How long have you held that office?—This is the second time I have filled it.

7591. Is the under-sheriff annually appointed?—He is, by the sheriffs themselves.

7592. Are you under-sheriff of the City of London, or the county of Middlesex?—Of the county of Middlesex.

7593. Is there any difference in the tenure of the two offices?—The under-sheriffs are appointed by the sheriffs, upon their election, and they are under-sheriffs of London and of Middlesex, but they only derive benefit from their appointment as under-sheriffs of Middlesex. The secondary of London is, in fact, the under-sheriff of London, and is appointed by the Court of Common Council; so that the under-sheriffs have nothing whatever to do with the City of London.

7594. In point of fact you are only the under-sheriff as far as regards Middlesex?—That is so.

7595. Is that an annual appointment?—It is, by the sheriffs themselves. They usually appoint their own solicitors. There is a deputy also, who retains his office.

7596. It has not been customary for the deputy to be removed with the under-sheriff?—No, it would be very inconvenient that he should be so; there is an arrangement made with him as to the division of the fees received—he takes a certain portion, and a certain portion is given to the under-sheriff.

7597. What is the emolument of the office of the under-sheriff?—My share of the emoluments this last quarter was 175*l.*, I think.

7598. Is that about the usual amount?—I think it is; it is not so much as it used to be.

7599. Are there any disbursements?—They have to keep up some little state; a carriage, and an additional servant. Instead of keeping only one horse, as I should do, I keep a pair, and I am expected to contribute to various charities.

7600. You have been appointed by two sheriffs?—I have, by Sir John Musgrove and the present Mr. Alderman Wire, and without any solicitation on my part. I did not expect it; I was applied to by them, and no bargain whatever was made with me; but I was told that whatever the profits were they were my own.

7601. What has been the custom in other cases in that respect; have the under-sheriffs gone on from one sheriff to another?—No; the sheriffs have generally appointed their own solicitors. Each sheriff appoints one.

7602. Do the under-sheriffs perform personally any duties whatever?—We attend at the Old Bailey constantly. We attend the sheriffs upon all public occasions. Formerly the under-sheriffs used to attend the courts at Wesminster, but an arrangement has been made by which those duties are now performed by Messrs. Burchell, or some person from their office.

7603. Does neither of the under-sheriffs attend at *Nisi Prius*, at Westminster?—No.

7604. Does the under-sheriff attend, when the grand jury are sworn at Westminster, in term time?—No, Mr. Burchell attends.

7605. What is the necessity for the office of under-sheriff?—To indemnify the sheriff from any loss, which I consider I am bound to do; and for that indemnity I have the fees of the office.

7606. Is that indemnity a public engagement, or a mere private contract?—A mere private contract. I asked Sir John Musgrove whether I should give him any security. He said, No. I asked Mr. Alderman Wire the same question, and he said, No, if he had not had confidence in me he would not have appointed me.

7607. How does the indemnity arise; is it in consequence of the acts of the subordinate bailiffs?—Yes; I had to pay, in the case of my under-shrievalty on a former occasion, from 200*l.* to 300*l.*, in consequence of a wrong execution on the part of the officer. We take security from the officers, being ourselves responsible for the officers to the sheriffs.

7608. Does it ever happen that the under-sheriff is a loser?—I think I have heard so. At any rate they are liable to the amount of thousands of pounds.

7609. Are you speaking of what actually has happened?—What has happened. I had, as I have already stated, from 200*l.* to 300*l.* to pay in my last under-shrievalty, that is, I was that amount less in pocket than I otherwise should have been. I have lost more.

7610. How did you lose that amount?—The sheriff's officer failed, and his sureties failed.

7611. Who attends at *Nisi Prius* in London?—The secondary. He is, in fact, the under-sheriff of London.

7612. Is it necessary that there should be separate under-sheriffs for London and Middlesex?—I should say, No, if the corporation would take upon themselves the responsibility in the case of Middlesex which they do for London. The secondary of London does not give security to the sheriffs, but he gives security to the amount of more than 10,000*l.* to the corporation of London, besides having purchased his office; therefore, in the event of any failure on the part of the secondary of London, the corporation would be liable and not the sheriffs; whereas, in the county of Middlesex, in the case of any failure there, the under-sheriffs would be liable to the sheriffs, and the sheriffs would be personally liable.

7613. Is that the same system which prevails in other counties in England?—Precisely the same.

7614. In other counties in England is there any such officer as the secondary?—The secondary in London is a name for the under-sheriff.

7615. Has the secondary anything to do with the bound bailiffs?—Yes, he takes the security; he is, in fact, the under-sheriff of London.

7616. Then, in London, the under-sheriff is not answerable for the conduct of the bailiffs?—No; only in Middlesex.

7617. Is there any other observation which you wish to make?—A great deal has been said about the common council. I have had the honour of being, for seventeen years, one of the representatives of the ward of Farringdon without. I have had thirteen contests in that time and I never solicited a vote and never spent a sixpence. The electors under the Parliamentary franchise consist of about 1,500, but I am sorry to say that the number of municipal electors is only about half that amount, and they are annually decreasing; last year I think the decrease in the number was 58.

7618. Does that arise from persons not taking up their freedom?—Yes.

7619. You use that as an argument, showing that it is important that the municipal franchise should be put upon a more extended basis?—Certainly. I was here the other day, when some questions were put to Mr. Dakin, with regard to the Irish society. I have held the office of deputy-governor. I went over to Ireland in 1846. I examined the whole of the estates, and I shall be happy to answer any question which may be put to me in regard to that portion of the property.

7620. You are speaking of that part of the Irish estates which is under the immediate management of the Irish society?—Yes. The corporation of London have no more to do with it than any gentleman in this room.

7621. The Irish society emanates from the corporation?—They appoint the members, but the moment they have appointed the society that moment their authority ceases, except that they may be considered as visitors in the event of any complaint being made.

7622. Therefore the corporation has not only the appointment of the Irish society, but the power and the duty of redressing any malpractices or injudicious management of which the Irish society may be guilty?—That was the case, I think, the year after I was in Ireland. There was a petition presented to the Court of Common Council, of which I have a copy with me, complaining of the manner in which the affairs were conducted. Upon that petition being presented, the corporation of London, exercising their visitorial powers, appointed a committee for the purpose of going into the question, and hearing the petitioners upon it.

7623. What do you consider to be the object of the management of this property by the Irish society; is it to obtain any beneficial return for the Irish society or the corporation?—Not for the corporation certainly. It is for the benefit of the inhabitants of that portion of Ireland, Coleraine and Londonderry.

7624. It is not like the management of an ordinary estate, in which the object is to obtain a revenue?—Certainly not.

7625. The object is simply so to manage this property as to conduce to the welfare of that part of Ireland in which it is situated?—Entirely so. I have a copy of the resolutions which were passed by the synod of Ulster, commending the Irish Society for what they had done in regard to Presbyterian churches. It was forwarded with the following letter. "Belfast, 31st August 1846. Sir,—I have the honour to transmit a copy of a "resolution unanimously passed at the late annual meeting of the General Assembly of "the Presbyterian Church in Ireland, and which you will have the goodness to lay before "the Irish society at the earliest opportunity. Several brethren having referred to the "liberal aid received from the honourable the Irish Society towards the erection of "school-houses and places of worship in connection with this church, 'it was moved and "'unanimously agreed to—That our moderator convey the best thanks of this Assembly to "'the honourable the Irish society for the liberality evinced and the munificence exhibited "'in their contributions in aid of our churches and schools throughout their extensive "'estates in this country.' It affords me great happiness to be the medium of conveying "the above resolution to your honourable society; and with a deep sense of the obligations "under which our church is laid to them. I have the honour to be, your obedient servant, "James Morgan, moderator of General Assembly." Also upon that occasion, the society received an address from the Reverend the Dean of Derry, Mr. Archdeacon Monsell, and the Reverend Mr. Staples, with the first and second masters. "To the deputation from the "honorable the Irish society. Gentlemen,—It is with much gratification that we, the "undersigned trustees of Foyle College, hail your arrival in the city of Londonderry, and

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"acknowledge the favour you have conferred on us by visiting the institution confided to "our charge, on which since its first establishment so many benefits have been bestowed "by the honourable the Irish society. We are further rejoiced at being enabled in person "to return you our most sincere thanks for the increased grant which your honourable "society has lately made Foyle College, and without which it would have been impossible "to have carried on with efficiency the important objects contemplated in the establish-"ment. We trust that on your inspection of the institution, you will perceive that your "present and former bounty has not been misapplied, but that notwithstanding the "existence of other and highly endowed schools in the north of Ireland, possessing the "advantages of scholarships and exhibitions, Foyle College holds a high position in the "scale of educational establishments, which we beg leave to say is mainly attributable to "the merits of our present excellent head master. We desire to call your attention to "the fact, that in consequence of the London companies having withdrawn their annual "contributions, the support of the school is chiefly dependent on your liberality. The "salaries of the masters, clerk, rent, and insurance premium amount to 390*l.* Knowing "the encouragement your honourable society gives to education, in every part of your "estates in Ulster, we take the liberty of submitting these particulars to your considera-"tion, and with confidence commend to your fostering care the interests of Foyle College." Upon this the Irish society established for ever an annual exhibition of 30*l.* for five years, consequently they have now, and will I hope for ever have five scholars at the Dublin institution, to each of whom there is 30*l.* a year allowed.

7626. You have considerable property in the towns of Derry and Coleraine, have not you?—Yes.

7627. What is your system of letting your property?—A great deal of the property is let upon lives on what they call "perpetuity leases." I could go through Coleraine and Londonderry, and point out every house which was held upon that tenure; they were in a bad and dilapidated state.

7628. Are they generally let to the occupants or to some person who takes a consider-able amount of property and underlets?—At that time a great deal of property was let to persons who had very long leases and so sub-let it to others. We determined to get rid of the middlemen, and that the whole of the property as the leases fell in should be let to the occupiers, and not to other parties for the purpose of sub-letting it. In other cases where the property was let upon perpetuity leases, we had no power of interfering, but we prepared a notice to serve on all the tenants calling upon them to repair, and stating that in the event of their not repairing, the conditions of their leases would be enforced.

7629. Who is the local manager of your estates?—A gentleman of the name of Green. At the time I was there he occupied a house that was hired for him, but upon the recommendation of the deputation, a house has since been built for him adjoining to Londonderry.

7630. What is his salary?—From 400*l.* to 500*l.* a year.

7631. Does the Irish society by its agents interfere in any manner as landlords in local or general politics in Ireland?—Not at all.

7632. Are you quite sure of that?—Quite. I have never known them do it since I have had any connection with the society.

7633. Is there special care taken that the agents shall not attempt to exercise any influence over the tenants?—I believe so. I believe if the Irish society were to know that their agent had exercised any undue influence over their tenants, they would immediately remove him. I know I would have done it when I was connected with the society.

7634. Is there a considerable staff for the management of these estates?—No. It is done chiefly by the agent.

7635. Is he agent for other properties besides your own?—No.

7636. Are you a member of the committee of the Irish Society now?—No. I think there is one great fault in the present system, that no person except the governor can be on the society more than two successive years, and just as you are getting used to the manage-ment of it, you go off.

7637. Is it rather a popular committee?—Yes; for the reason that there is what is called line money attached to it.

7638. There is line money attached to other committees, is not there?—No.

7639. Is this the only committee of the corporation which has what is called line money?—It is.

7640. What is the distinction between line money and those other allowances for the purpose of good fellowship which are made to the committees?—The governor, the deputy governor, and twenty-four members, for their attendances, &c. at fifty-four meetings held during the year, were allowed for their attendance and entertainments (I was on the committee) 590*l.* 15*s.* My share I think came to about 15*l.*

7641. How long do the members of the Irish society hold office?—Only, as I have already stated, two years; the governor, Mr. Alderman Humphrey, has held it some years; the governor is very seldom removed.

7642. Must the governor be an alderman?—He has generally or always been so.

7643. I observe in the book I hold in my hand, which is the report of a case in the House of Lords, the Skinners' Company versus the Irish Society, there are the following

items. Tavern expenses in the year 1828, 498*l.*; in the year 1829, 555*l.*; in the year 1830, 357*l.*; in the year 1831, 601*l.*; in the year 1832, 452*l.*; how do you apprehend this money to have been spent?—I suppose in the same way as that which I have alluded to, in line money and in dinners.

7644. What I have been reading to you is under the head of tavern expenses. Besides those sums there are allowances to members. In the year 1828, 473*l.*; in the year 1829, 506*l.*; in the year 1830, 424*l.*; in the year 1831, 615*l.*; in the year 1832, 593*l.* In the year 1831, for example, more than 1,200*l.* was spent in tavern expenses and allowances to members of committees?—That amount has been very greatly reduced, it is not so large now by any means. When I was a member of the society, we had I think sixteen law suits going on, and we settled them all. I see, when we were in Ireland, we gave in aid of public improvements and the employment of the people 1,484*l.* In the case of one action which was going on, Mr. Wood and myself went over to Ireland and settled it without going to trial, for which we only received our travelling expenses, although both professional men.

7645. I see in the year 1832 the law expenses came to 3,460*l.* I see a note appended by the publisher of this book to this effect: It is said this sum was expended in the contested election of the late Mr. Alderman Thorp for Coleraine?—I am not aware of that; there has been nothing of the kind during the last few years.

7646. You think in former times some of this money may have gone in such a manner, but now it is not the case?—Certainly it is not so now. I am not surprised at anything they did formerly. The society was then composed of members belonging to the twelve livery companies, and not as at present chosen from the common council, irrespective of the companies.

7647. Are you aware of any control which either the Irish society or the corporation of London have over the municipal institutions of Derry and Coleraine, in the way of confirming bye-laws?—Yes; there is an Act of Parliament to that effect. The Irish Municipal Act provides that the corporations of Londonderry and Coleraine are to submit their bye-laws to the Irish society, previously to their being presented to the Lord Lieutenant.

7648. Does the Irish society ever interfere with the action of the municipal bodies of Coleraine and Derry in respect of bye-laws?—I have never known them to do so, but I imagine they cannot act upon any bye-law till it has been submitted to the Irish society. The clause I refer to is this, "Provided further, that no bye-law to be made by the council "of the boroughs of Coleraine and Londonderry respectively, shall be sent to the Lord "Lieutenant, until the same shall have been approved of by the honourable society of "the governor and assistants of London of the new plantation in Ulster, within the "realm of Ireland."

7649. Is there any object in maintaining that power?—That I am not able to state. In another clause it is said that "Nothing in this Act contained shall extend to prejudice, "diminish, alter or take away any of the rights, privileges, powers, or authorities vested "in or enjoyed by, or duties or liabilities imposed upon the society of the governor and "assistants of London of the new plantation in Ulster, within the realm of Ireland, under "or by virtue of any charter or charters heretofore granted to them by the Crown, or of "any statute or statutes in anywise relating thereto."

7650. Are there any other powers of a similar description belonging to the Irish society?—None; their powers are entirely confined to that part of Ulster.

7651. You believe they do not practically exercise this function?—I have never known them to do so; but the corporation cannot make any valid bye law till it has been submitted to the Irish society. I believe some few years ago the power was exercised.

7652. At present, you believe the bye-laws are agreed to as a matter of course?—I think they would be. The corporation have nothing to do with the funds of the Irish society.

7653. If those funds were misapplied, it would be the duty of the corporation to interfere, would not it?—Yes; and you will find by the judgment given by Lord Langdale, Lord Lyndhurst and Lord Campbell, that is so stated.

7654. In fact the Irish society emanates from the common council, and acts under their control?—Yes; I consider that the corporation of London are in the situation of visitors.

7655. Lord Langdale in his elaborate judgment calls the Irish society an instrument of the corporation; do not you think that that is a very correct term by which to designate them?—It may be so.

7656. Do the members of the London committee go over regularly every year to inspect their Irish estates?—No.

7657. Do they frequently go over?—Yes.

7658. How often?—That very much depends upon the society themselves. I believe when I went over they had not been for several years previously.

7659. They go occasionally?—They go occasionally. I believe the last three or four years they have been yearly.

7660. What are the expenses incurred by an expedition of this sort?—They gave me power to spend 500*l.*, and I spent 400*l.* There were seven of us; we entertained the gentlemen of the county and resident in the neighbourhood, the principal tenants, and the clergymen of various denominations, Catholics and Presbyterians.

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7661. You say for the last five years these missions to Ireland have taken place; has that been about the cost annually incurred?—I should doubt whether they have spent so much. I consider that we were rather extravagant, because instead of accepting invitations we gave them.

7662. How long did you stay there?—I was absent about a month.

7663. Did you go with the agent into the management of the property?—Yes; we visited every estate, and almost every house; that was the same year that there was a great famine and great distress, and we gave instructions to the agent to give employment to every labourer upon the estate, at good wages. To buy up all the quick he could get hold of for the purpose of planting the property, and to take care that every poor man had employment.

7664. What was the sum paid last year for the attendance of members?—560*l.* 12*s.* 6*d.*, and the expense of the visitation of the members to the society's estates was 300*l.*

7665. In the year for which you have handed in the accounts, the gross receipt was about 8,500*l.* I observe in that year the expenses of management, in salaries, general agent, deputy vice-admiral, surveyor, water-keepers, and others, were 990*l.* The expenses for the deputation to Ireland were 400*l.* The expenses for the governor, the deputy-governor, and twenty-four members, for their attendance at fifty-four meetings in London, were 590*l.* Besides that there is the English management, 400*l.* That makes a total expense for management of about 2,000*l.* a year upon a property the gross rental of which is 8,500*l.* Does not that appear to you rather large?—I do not see where we could reduce it. The secretary devotes the whole of his time to it; and he is allowed 400*l.* a year.

7666. We will suppose this property to belong to a private gentleman; do not you think he would be rather startled to find that in a property which brought in 8,500*l.* a year, he was spending 2,000*l.* a year in management?—There are a great many expenses which they are obliged to incur which a private gentleman would not incur. He would reside upon his estate, and look after it himself.

7667. This is an estate given to you to use, not for your private advantage, but in your character of benefactors. Does not it appear rather a large subtraction from your means of doing good if 2,000*l.* a year is spent in agency?—I think the vice-admiral and some of the other officers have not been re-appointed.

7668. I find in the same year that the law expenses were, in Ireland, 3,261*l.*; I find in England they were 314*l.*; making nearly 3,600*l.* out of a revenue of 8,500*l.*?—The society had got into debt very considerably. I think, besides the suit with the Skinners' Company, there were sixteen suits pending at that time, advowson suits with the bishop of Derry. They were all settled and got rid of at the time that I was deputy-governor.

7669. Who succeeded in the suits, the bishop or the Irish society?—The bishop wanted those livings; and the Irish society were very foolish, in my opinion. Several livings became vacant, and instead of giving them to Irishmen, as I would have done, they unfortunately gave them to Englishmen. The bishop was, therefore, supported by several of the clergy there; and instituted proceedings against the Irish society, claiming the right of presentation. The law was decidedly in favour of the Irish society, and so the judges declared upon every occasion; but they could not get the jury to believe it, therefore the verdicts were always in favour of the bishop.

7670. Did the question go to the House of Lords?—Yes; and I think it was referred back again to a jury.

7671. The dispute has ended in the advowsons going to the bishop?—Yes; he has got them; and I think they are better with him than the society.

7672. You consider this, therefore, as a very unfortunate year for the Irish society?—Yes, in one sense; and in another it was very fortunate in getting rid of all those suits. Large sums were however spent, it will be seen, in that year, in the promotion of education and other public and benevolent objects.

7673. Do you believe the suit in which Lord Langdale's decision was given, which I have quoted, has made a material difference in the management of the Irish society?—I should say not. I think they have gone on in just the same way. I am sure there is every desire on the part of every gentleman connected with the society to manage the funds for the benefit of the people of the district.

7674. How much was spent in the year to which you have called our attention for the purposes of education?—The society spent 3,481*l.* for schools and churches; and in aid of public improvements, and for the employment of the poor, 1,484*l.* Since that time, I should state that the society have allowed the corporation of Londonderry 700*l.* a year for their expenses of recorder, and expenses connected with the corporation and the office of mayor.

7675. Why do they do that?—It is a claim which the corporation made. They thought they had a right to it; and I believe there is a clause in the charter to the effect that some allowance shall be made. They were always picking holes in the Irish society till they got that allowance.

7676. I observe, in the year 1845, when the law-suit of the Skinners' Company versus the Irish society took place, in the account then rendered of the disbursements of the Irish society, there were various sums divided amongst the twelve companies. In 1828, 1,149*l.*; in 1829, 1,149*l.*; in 1830, 1,200*l.*; in 1831, 3,498*l.* I imagine that the result of

this suit put an end to those allowances to the twelve companies?—Yes; that was the bone of contention. The twelve companies said they had a right to call upon the Irish society to hand over to them, which they had done for a great number of years, any surplus which might remain in their hands.

7677. Since that time the Irish society feels bound to spend the whole of its surplus for the benefit of that part of Ireland in which their estates are situated?—Yes; and I hope they will always do so.

7678. That, therefore, is a material difference between the system before the suit and afterwards?—Yes. The year after I was in Ireland, in February 1847, the mayor, aldermen, and burgesses of Londonderry, presented a petition to the Court of Common Council, making many complaints with regard to the management of the Irish society; and, upon that, a committee was appointed to investigate the allegations contained in the petition. A day was appointed for hearing the petitions, and persons were to come over from Ireland for the purpose; but, instead of coming, their solicitor wrote a letter, stating that they understood, by the advice of counsel, that the corporation had no power to rectify the errors complained of, and, therefore, they declined to attend them; and the petition, after considerable expenses had been incurred as well by the society as by the coporation, was not proceeded in.

7679. I observe in the last account an item of 700*l.* to the corporation of Derry for the recorder and other officers. Are you able to give us any further explanation why that has been paid lately?—They applied for it during the two years that I was on the Irish society; but we thought that the corporation of Derry had not done what they ought to have done, and therefore we would not allow it them.

7680. You did not think it was a legal claim upon you?—No; but the society afterwards thought it was an equitable claim. They had no funds to sustain the office of recorder and the usual municipal expenses; and instead of their laying a borough rate upon the inhabitants, it was thought better by the society to make this allowance.

7681. You do not suppose that it is a fixed annual charge of 700*l.* which you are to give to them?—Only so long as it is the pleasure of the Irish society to give it.

7682. Londonderry is a flourishing town, is not it?—I should say it is.

7683. Do you know any other town in England or Ireland where the public officers are paid by a society of this description?—I know many that would like it.

7684. I see among the expenses in the last year there is 4,000*l.* repaid to the Union Bank of London?—They had to borrow money to carry on the suits.

7685. Is the debt now cleared off?—I believe it is.

7686. Did they pay that sum out of the income of one year?—No. I think they were going on several years paying it off; now, I believe, they are free.

7687. I see there is a balance in favour of the society of 1,400*l.*, upon the receipts of last year?—Yes; but I can give you no account of it, The mischief of it is, a person having been on the society for two years, and then going off, has very little chance of ever being on again; and that is just the case with me.

7688. In the last year, 1853, I see the expense of management was very considerable. There are salaries in Ireland of 790*l.* a year; visitation of members to society's estates, 300*l.* a year. In England, there is the governor, the deputy governor, and twenty-four members, for their attendance at thirty-seven meetings, 560*l.* The secretary in London has a salary of 400*l.*, besides, I presume, some part of those charges, such as incidental expenses, 361*l.*?—They have a house in London, which was built by the society.

7689. All that must be put under the charge of management?—No doubt.

7690. Why are they obliged to have a house in London?—They are in daily communication with the agent in Ireland, and with other parties. There are, also, continual applications for charities of every description, which are always closely investigated.

7691. I will again suppose that this was an estate belonging to a private individual; would not this be thought rather an extravagant way of managing that property?—I think if the income of the House of Commons belonged to you and me, we should manage it much more economically than the House of Commons does. I never expect public property to be managed like private property.

7692. The whole object of the society is to do good with its estates?—Yes; and they have done a great deal of good, more than a private individual could do.

7693. Do you think they could have done more good if less money had been spent in the management?—I think they have been induced to look after it and manage it as closely as can be expected, and as honestly.

7694. If this property were once put in perfect order, might not it be managed more economically, without these visitations and this immense staff?—I must refer you to the observations which were made by Lord Langdale and Lord Lyndhurst, upon their giving judgments in the suit by the Skinners' Company, in which various charges of wasteful expenditure were made against the Irish society. When I was in Ireland, the deputation visited twenty-one schools, to which we gave donations; sixteen churches and chapels. I had the honour of laying the first stone of a Presbyterian church, in Londonderry, to which the society gave a liberal donation. We also visited various hospitals and public institutions, and granted annuities to several aged persons, and gave donations to others.

7695. Are there any other observations which you wish to make to the Commissioners?—

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I wish to refer to the evidence of Mr. Hankey. I see, at 1710, a question is put to him with regard to the hospitalities exercised by the Lord Mayor. "Do not you think there "is a certain fitness in the chief magistrate of the City sometimes presiding at "entertainments on public occasions?—So long as there is a corporation in the City of "London, and a chief magistrate, or chief, by whatever name he may be designated, if "the magisterial duties were removed, I think the duties of hospitality, as exercised by the "present Lord Mayor, are by no means undesirable; but I think the annual entertainment "at the Guildhall is a very heavy expense, and a very useless one. I do not know how "many thousands of pounds are spent in that entertainment, which scarcely gives "gratification to anybody but the idle boys about the streets of London." I have here a copy of a letter which Mr. Hankey must have forgotten; for whatever his opinion with regard to the dinner at the Guildhall may be, Mrs. Hankey it seems is of a different opinion. In that letter, written by Mr. Hankey himself to the remembrancer, he says, "Dear Sir,— "On former occasions I have received an invitation to the Guildhall dinner for Mrs. "Hankey; may I expect the same this year, or must I make a special application for it "in order to obtain or to ask for the favour?" And yet Mr. Hankey condemns the dinners, and says that they are only fit for the gratification of boys. Again, in December 1852, he writes by the secretary of the Bank of England, who says he is desired by the governor of the bank to apply for a seat for Mrs. Hankey, at the Guildhall, on Wednesday the 8th; that she has got an alderman's ticket, but is not aware whether that of itself would insure suitable accommodation. Yet Mr. Hankey gives this evidence in condemning the dinner at the Guildhall. Mr. Travers also chooses to attack the corporation. The question is put to him, whether the higher classes of London would accept the office of Lord Mayor. He says, "No; I do not think that anything would "induce the higher class in the City of London to undertake an office that would be at "all of the nature of the present office of Lord Mayor." I only know that at a dinner which was given to Sir John Pirie, upon the occasion of presenting a piece of plate to him, when Mr. Cotton, the then governor of the Bank, was in the chair, I heard from some of the principal merchants who were then present that they should feel proud to fill the office of chief magistrate, but that they could not afford time to reach the office, by the duties which they would have to perform as aldermen. I believe, taking the Court of Aldermen, there are not twenty-six more honourable men to be found in the City of London; and any one of them, I believe, may stand in as good a situation as Mr. Travers, in point of class, talent, character, and respectability. Then he says, in regard to the common council, "If you were to ask the opinions of the smaller shopkeepers who "belong to the common council, I think they are strongly in favour of local government." Now, I belong to the common council, and I think I am as respectable and as independent a man as Mr. Travers. In regard to shopkeepers, there are six common councilmen of this ward, and not a shopkeeper among them, and he ought to have known that. I firmly believe Mr. Travers would not have come here to make the statements he has done, if he had been allowed to have his carts and waggons standing in his street, and the aldermen had not pulled him up for it. He says, "The office "has lost the character that it once possessed; but I believe that, beyond that, there is a "feeling on the part of every educated man that the office itself is what we may term a "humbug from beginning to end." I, in reply to this, think the Commissioners have received evidence from gentlemen belonging to the common council, which must have shown them that it contains men of as high respectability and education as Mr. Travers. With regard to the Lord Mayor's show, I hope it will never be done away with. I have here a statement of the expenditure on Lord Mayor's day, for the Lord Mayor's show, in 1850 (*producing the same*). In Mr. Alderman Farncomb's mayoralty, the expense of the show was about 130*l.*; in Sir John Musgrove's, 400*l.* I think the show is the strongest demonstration which we can have of the advantages of self and popular government. The thousands and tens of thousands, including thousands of respectable men and women with their families, that were drawn out upon the last Lord Mayor's day, without the necessity of a single soldier, and almost without necessity for a single policeman, I believe astonished every foreigner who saw it. Besides which, it is always looked upon as the working man's holiday, the only one in the year. With regard to the accounts of the corporation, I may mention that some years ago, I think three years after I entered the common council, I had a committee given to me, "To investigate the accounts of the "produce and expenditure of the City and Bridge House estates, and to report whether "any reasonable retrenchments could be effected; also, to inquire and report by what "authority (if any) the Court of Lord Mayor and Aldermen grant pensions and draw upon "the chamber of the City for payment of the same, or for any sum of money without the "previous sanction or authority of this court." After which they gave me a further committee of inquiry: "To inquire into the duties, salaries, fees, profits, and emoluments of the several "officers of the corporation, and also into the amount of the City's revenue, the various "sources from which it arises, and how and in what manner it is expended, specifying "each item in detail both at this time and in the year 1797, and to report whether any, "and if any, what reduction can be made in the several items of expenditure above referred "to. To consider the charges on the admission of persons to the freedom. To inquire "into the nature and extent of the duties performed by the prothonotary of the Borough "Court, and the necessity or expediency of continuing the same, or whether any and

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" what alteration should be made in respect of the said office." Of this committee I had the honour of being chairman for several years. We suggested various alterations and improvements in the mode of keeping the accounts, among others the following: " That for the purpose of better showing the receipt and expenditure of the income of " the corporation in its several departments, all officers and tradesmen of the corporation " do in future send in separate bills and accounts for all business done under the following " heads, and that the warrants be respectively drawn for the same accordingly, viz., In " respect of the magistracy and police connected therewith. In respect of each prison " separately. In respect of the administration of justice at the Central Criminal Court " and the Sessions House in the Old Bailey. In respect of the conservancy of the river " Thames and waters of the Medway. In respect of the civil government of the City. " In respect of the markets, each market separately. In respect of the Guildhall and the " buildings connected therewith. The like of the public buildings of the City. The like " of casual, miscellaneous, or extraordinary work or business not connected with either " of the foregoing heads. And it was ordered, that the comptroller, remembrancer, and " solicitor do also hereafter deliver in separate bills and accounts for all business done, or " expenses incurred by them in relation to the City dues upon coals, corn, and all other duties " belonging to the City, and also in respect of the general property and estates of the City." It was likewise ordered, " That the hall-keeper do so keep his accounts of disbursements " as shall enable the committee for letting the City's land or any other committee to draw " warrants for the same under each head of expenditure." These were some of the results of that committee, and the accounts have since been kept in the way so recommended by the committee. We also made various other reports upon the accounts from time to time, and no men ever went into those accounts more honestly or zealously than those did who were connected with me upon that occasion. Although that committee worked frequently four and five hours a day they never spent a single farthing of the corporation money. With regard to the members of the common council, I take leave to say that in 1841 I issued an address to my constituents in which I stated this: " Having communi- " cated to you what is in progress in relation to the revenues and funds of the " corporation, it is but an act of justice I owe to the general body of the members of the " Court of Common Council thus publicly to declare that I have at all times witnessed, " both in the court and in the various committees in which I have been present, the " most anxious desire among men of all parties to conduct the business in such a manner " as should best promote and secure the interests of their fellow citizens; and it has " often been a matter of surprise to me (as it must have been to others) that so many " individuals of respectability engaged in large mercantile and trading establishments " should be willing to devote so much of their valuable time to the affairs of the " corporation without (as far as I have been able to discover) any other advantage to " themselves, than what arises from the satisfaction of having faithfully and honestly " discharged a public duty." That was my opinion of the Court of Common Council in 1841, and it is my honest and unbiassed opinion in 1854. I would also add that some few years ago I had some doubts about the allowances to the committees. I doubted whether they were not over paid. Like many others, being then as I am still a reformer, I thought the allowances were too much for the duties performed; and, therefore, in 1841 I got an order of the court made that all the committees should make a return of their duties and the amount of property under their control. Upon which the Coal, Corn, and Finance committee made a return of their duties, stating them to be: " To examine the " accounts of the collection of the dues on coals monthly at the coal market, and to see " that the amounts of the whole dues are paid into the chamber of the City, which for " the last three years have been as follows:—In 1839, 139,818*l.* 16*s.* 1*d.*; in 1840, " 144,471*l.* 3*s.* 10½*d.*; in 1841, 157,847*l.* 12*s.* 2¾*d.* To give such directions as may " appear to be necessary from time to time for the repair of the coal market in Thames " Street, and the several offices connected therewith; to let such offices to proper persons " and to examine and audit the collectors' accounts of the rents for the same half yearly; " the produce of which for the last three years has been as follows,—in 1839, 582*l.* 15*s.* 6*d.*; " in 1840, 573*l.* 6*s.* 9*d.*; in 1841, 597*l.* 14*s.* 0*d.*" And it goes on stating other duties which that committee have to perform, for which they are allowed 200*l.* a year. Formerly that same committee used to spend 1,200*l.* a year. The City Lands committee, which is the chief committee of the corporation, in 1808 spent 1,417*l.* 17*s.* 1*d.* a year; they are now allowed 400*l.* a year, and have " To manage and let the estates belonging to the " corporation. To grant building and repairing leases. To see that the covenants in " such leases are duly performed. And to view the said estates in order to ascertain if any " encroachments have been made, and on all applications for leases to view the premises " attended by the City architect previously to treating for the same, to enable the " committee to form an opinion of the value thereof. To see that the rents reserved by " such leases are paid into the chamber of the City, which for the last three years have " exceeded 44,000*l.* a year. To grant leases of premises within the manor of Finsbury " holden by the corporation on lease from the prebendary of the prebend of Hilliwell and " Finsbury (one sixth part of the net yearly rents arising therefrom being payable to the " prebendary for the time being). And to see that the rents received by such leases are paid " into the chamber of this City, which for the last three years (after deducting the one-sixth " belonging to the said prebendary) have exceeded 11,000*l.* a year. To let the tolls collected

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" at the several gates and bars of this City, which were then let for three years from " Midsummer 1841 at a gross rental amounting to 4,795*l.* per annum. To audit " artificers' bills. To audit the accounts of the various officers." They say, "We also " beg leave to report that the amount of income under our management or audit for the " last three years has been as follows:—In 1839. 71,939*l.* 15*s.* 2¾*d.*; in 1840, " 70,038*l.* 6*s.* 7¾*d.*; in 1841, 69,999*l.* 14*s.* 8¾*d.*" I have been myself upon that committee. I have gone there at twelve o'clock in the morning and have been there till five in the afternoon. I have gone out in all weathers for the purpose of viewing the estates before they are let, and the committee, consisting of the Lord Mayor, eleven aldermen, and twenty-nine commoners, are allowed 400*l.* a year, which upon an average is about 6*s.* 6*d.* for a dinner and a pint of wine afterwards. The Bridge House committee have an allowance of 300*l.* a year. In 1807 they expended 1,900*l.* 11*s.* 6*d.*, of which the tavern expenses amounted to 1,162*l.* 10*s.* The property under their management exceeds 30,000*l.* a year, and like the City Lands committee they have a great deal to do. There are returns also from various other committees to the same effect. I have only further to say that with regard to any reform in the corporation the abominable Act of 11th George the 1st I hope will be repealed, and I hope it will be repealed upon the grounds stated by the Lords in their protests at the time when that Bill passed. There was a petition against its passing signed by many thousand inhabitants of the City, and all that they state in opposition to it have been realized, and so continue at the present moment.

7696. Reverting to the Irish society, does it appear to you that there is any necessity, when a visitation is made to the estates in Ireland, for so large a number as seven members going over for the purpose?—I should say not. Every gentleman, however, wishes to see the estates, and to know what is going on, and he gets a little journey into the bargain which is very pleasant. There is also an advantage in the tenants personally knowing their landlords to be present. They can make known their grievances (if they have any); I found great benefit in it. Many of the poorer tenants had never seen their landlords, and expressed their surprise and pleasure when we called upon them.

7697. Is there anything else which you wish to state to the Commission?—I wish to draw the attention of the Commissioners to the lieutenancy of the City of London. There is a very large sum of money collected in the way of rates as a "trophy tax" for the militia. The Lord Mayor is at the head of that commission, and claims the right of opening it whenever he pleases. Persons are put on who are totally unconnected with the City which, I think, ought not to be.

7698. Put in as commissioners of the lieutenancy?—Yes it enables them to wear a red coat, but they are totally unconnected with the City, and I do not think persons ought to be there and collect and distribute the funds of the citizens of London, unless they have some connection with it.

7699. How are they appointed?—They are appointed by the Crown by a commission, The Lord Mayor claiming the right of opening the commission, whenever he pleases, and nominating whom he pleases; so that when a Lord Mayor has any members of his family whom he wishes to be put into the commission and to wear a red coat, he opens the commission, and they are put in.

7700. Do the commissioners stand in the position of deputy lieutenants?—No, they stand in the position of Lord Lieutenant; the whole office of the Lord Lieutenant is put into commission.

7701. How is the troply tax imposed?—It is imposed under Act of Parliament, by the commissioners in the first place, and afterwards by the common councilmen of the respective wards. The order goes from the commissioners of lieutenancy..

7702. It is a sort of county rate, is it?—It is.

P. Richardson, Esq.

PHILETUS RICHARDSON, Esq. was further examined as follows.

7703. Is there anything which you wish to add to the evidence you have already given to this Commission?—I wish to make some observations on my former evidence in consequence of the evidence given by Mr. Scott on the 11th of January last, which I have seen. They arise upon Question No. 3629. At the latter part of the answer to that question Mr. Scott alludes to a paper called the *Citizen*. He says there, after mentioning that it was established by a man named Peel, which was the fact, "Mr. Toulmin Smith became the sole proprietor and editor of that paper." In my evidence I stated to you that I was employed professionally on the behalf of Mr. Toulmin Smith and Mr. Scott, and that they were the joint purchasers and joint proprietors of that paper. I wish to state that that is the fact. It is denied here, but it is the fact that Mr. Scott and Mr. Smith were the joint purchasers and joint proprietors of that paper.

7704. What Mr. Scott says is this, "The evidence upon that point is not strictly correct, "that I was joint proprietor with Mr. Toulmin Smith. I advanced a sum of money to "assist Mr. Smith in the object?"—That is not correct. Mr. Scott purchased the copyright of that paper jointly with Mr. Smith.

7705. Mr. Scott says he did not. Is not it a point that he is likely to know more accurately than yourself?—He employed me to pay the purchase money for the copyright of that paper on behalf of himself and Mr. Smith.

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7706. Mr. Scott says, "I advanced a sum of money to assist Mr. Smith in the object." He may have done that without actually being a co-partner with Mr. Smith in the paper, may he not?—When I was called before you on a former occasion I did not know the object for which I was called, nor did I know till long after at whose instance I was called. I understand reports have been spread, with which I need not trouble you, which are totally unfounded and wholly ungenerous, and I do not go into them for many reasons; but I come here to-day to reiterate my statement, which I am prepared to prove. What I said was strictly correct, that Mr. Scott and Mr. Smith were the purchasers and proprietors of that newspaper. That statement I am ready to put in issue in any manner which may be suggested. Mr. Scott authorized me to come and state on the former occasion all I did say. When you asked me one question, I said I would refer you to Mr. Scott, who desired me to say that he would attend and give any further explanation you might desire. I complain that the fact of my having come here should have been made the subject of comment intended to be injurious to me, which has been done. I will only mention one other subject. It occurs upon Question 3638. In answer to a question of one of the Commissioners, Mr. Scott says, "The total sum, including a bill of costs due "to Mr. Toulmin Smith's solicitor, Mr. Richardson, who has been examined before you, "who raised a claim first against the officers and then against the corporation, which bill "was paid, without prejudice, under the advice of the law officers, was 280*l.* 1*s.* 9*d.*" Now I can only say, that I never raised any claim against the officers in any way whatever. I never raised any claim against the corporation in any way whatever. Mr. Scott never paid me, as between himself and me, any bill of costs without prejudice. What he did pay me was this. It was a very troublesome matter; there were several documents prepared, and there was an action at law against Mr. Peel. He paid me two bills of costs amounting to 72*l.* It would only have been generous to state also that I offered to Mr, Scott to forego any charges, in consequence of the failure of the project and under the idea, that Mr. Scott was a loser by it. It appears however from that answer, that I made a claim against the corporation, then against the officers, and then they paid me 280*l.* 8*s.* 9*d.* "without prejudice." That is entirely without foundation.

J. Turnley, Esq.

Joseph Turnley, Esquire, having been sworn, was examined as follows.

7707. You are chairman of the Navigation committee?—I am.

7708. How long have you filled that situation?—I have been only recently elected,

7709. How long have you been on the Navigation committee?—Three years.

7710. How long have you been connected with the common council?—Six years.

7711. Are you a trader residing in London?—I am a lighterman.

7712. Where are your premises?—The Custom House quay.

7713. Is the chairman of the Navigation committee always a gentleman connected with the trade upon the river?—No, not always; there are only two of us immediately connected with the trade.

7714. Only two members of the Navigation committee?—No; but there are other persons very conversant with that business who have been on the committee some years. The last chairman but one was a gentleman who had been connected with the sea for a great part of his life.

7715. Is there a disposition on the part of the Navigation committee, in selecting the chairman, to prefer some one of its members who has a practical acquaintance with the business of the river?—I think there are only two of us in the common council who are immediately connected with the water side.

7716. Do you not think it desirable that there should be a larger infusion of practical knowledge into the Navigation committee?—I think so if it were possible, but I do not think it is absolutely necessary that we should all be connected with the water side.

7717. Is it not an anomaly, at all events, that a committee appointed to watch such important interests as those of the navigation of the river Thames should almost entirely consist of gentlemen whose previous avocations have been of a totally different description?—Supposing there are not members belonging to the common council to fill such a position, they must be taken from some other source.

7718. Do you think it would be advisable to modify the constitntion of this committee with a view of obtaining more knowledge on peculiar subjects which are under its jurisdiction?—I think if you could get practical men, they would be better suited for the duties.

7719. Has any mode ever occurred to you by which that object could be accomplished?—No. I have heard suggestions; for instance, I read Mr. Powles's idea that we should have members of the dock companies. I think that would work very badly; they would be interested men, whereas the persons we now have are perfectly independent and there is no chance of any jobbery.

7720. It was proposed at one time, in a Bill which received the sanction of the City, that there should be an infusion of members appointed by the Government?—I think the Government officers would not work well with us. It was suggested that the Trinity corporation should send five or six members. I think, so long as you paid the members of the Trinity corporation, they would be among us; but I do not think they would give

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their time as members of the common council do. I was in attendance on the committee 82 days, for I will call them days, beginning as they do at 11 o'clock in the morning till after five.

7721. The officers of the committee, it is acknowledged, are very competent persons for their duties?—Very competent indeed. The harbour masters are first-rate men, all of them.

7722. The result of that state of things must be, must not it, that the Navigation committee naturally relies upon the judgment of its officers very much?—In some measure; but I give myself credit for knowing something, and I do not always fall in with the views of the officers, nor do the other members. They are all efficient men.

7723. Do not you think that the other members who have not the advantage you possess of having some degree of knowledge on these subjects must, to a certain extent, rely upon the advice of the officers?—They may, and there is no doubt they do in a great measure, but as I have said before, we do not rely entirely upon them. There are various points upon which you, not knowing at all or being connected with the water side, are quite as competent as myself to give an opinion. We are called upon to make grants for different purposes, You could go with me and I could point them out to you, and you would perfectly understand the case in a moment. Supposing a person comes up before us for a grant to drive piles or make a pier, we first ask for a plan, which is put upon the table, and we inspect it. Reference is then made to the sub-committee, the sub-committee go down and view the premises, and they request that all parties, that is to say, the parties more immediately concerned, and the neighbours right and left should be present, to put in any objection which they may entertain; but as far as we can, we endeavour to keep one line of embankment; there is a line laid down by Captain Bullock and Mr. Walker, which we endeavour to get the tenants to come out to.

7724. Do you think the condition of the river below bridge is satisfactory?—It has never been satisfactory so long as I can recollect, there have always been shoals, and there always will be.

7725. Are not those shoals becoming more inconvenient year by year, in consequence of the increased size of the vessels navigating the river?—Yes; I think that is very probable. Nearly all the shipping is worked by steam power, and I believe ultimately it will all be so.

7726. Is there a want of adequate funds to devote to the clearing of the shoals from the river, and other objects of the kind?—I think if we had more money at our disposal we could do a great deal of good.

7727. Do you think the want of those funds is a serious injury to the river?—No doubt of it.

7728. In point of fact at present, I believe the jurisdiction of the corporation over the river is not a source of profit to them in any manner, but rather the contrary?—Rather the contrary; beyond the tidal way it is a great loss to the City.

7729. Below bridge it is not a source of profit, is it?—Not at all.

7730. Are there any other observations which you are desirous of making?—Not on that subject. The Commissioners probably do not read much of civic matters, but I may mention that in June last I was elected one of the sheriffs of the City, which I most decidedly rebelled against. I would not serve for the reasons which I will tell you. There is in the City a man of the name of Rose. I was attending the Navigation committee on the 23d of June. He came in and put on a piece of paper that he wished to speak to me. I went to him. He said, "I am very sorry, Mr. Turnley, but I must elect "you sheriff to-morrow." I said, "It is very handsome of you, perhaps you will tell me "the reason.

7731. Who is Mr. Rose?—I believe he is in some way connected with the coal trade. He calls himself an agent, I believe. I told him I most assuredly should not serve, and there was another thing, that I would most assuredly not pay the fine, because I considered it was nothing but a rank robbery and imposition, and I would resist it upon public grounds. I happened to be a member of the Court of the Merchant Tailors' Company, and I presume he fancied I was just the man to plunder. He said, "Where shall you "be? I shall most likely wish to see you to-morrow." Three years before Sir John Musgrove nominated me, with three other gentlemen, to be put on the roll as fit and proper men to be elected to this office; he did so *without* my *knowledge* and *without* my *consent*. From that time to last June, I had been continually beseiged by this man Rose. He said, "Every year I must elect you." However, I kept my hands out of my pockets, and said: "While there is one alderman who has not served, he has a prior right "to be elected to the office." I said, "There is Mr. Alderman Wire, why not put him in?" He said, "As for David Wire, he will do what he pleases; he will go in when he likes, "and keep out when he likes." I believe he wished to go in then, and he was chosen after I had refused to serve. I did not pay Mr. Rose to keep me out, and the consequence was that I was put in or elected, when I found there was no alternative but to pay or to serve. I put in a memorial to the Court of Aldermen, praying to be relieved not only from serving the office but from the payment of the fine. I have been before them, and up to the present moment they have not put it into the hands of their solicitor; but I stand now in what I may term a state of jeopardy, as to whether I am to pay or not to pay. This I have promised them, that as they have put me into such

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a position, they may have my body, but my property they shall never have. After Mr. Rose had done me the honour to elect me, he did me the honour to send down the fellows who had elected me to be paid for doing it, they having been promised if they elected Turnley they should be paid by Mr. Rose or his agent. When the election was over, Mr. Rose left the hall without paying them; they therefore waited upon me. There were some hundreds of unwashed fellows came down for that purpose.

7732. You probably declined to pay them?—I did.

7733. In what capacity do you suppose Mr. Rose acted when he spoke to you in this manner?—I have not the slightest idea, any further than it appears to me that he conducts this election just as he pleases. If a person is named to the office of sheriff, Mr. Rose immediately waits upon him to know if he wishes to serve. If he does he is then told, "if he will pay Mr. Rose 50*l.* he will insure his election; if he does not "feel disposed to say yes, he is safe NOT TO BE ELECTED." On the contrary, if the gentleman refuses to serve, he is then told, "he, Mr. Rose, is very sorry, but does not see "how to keep him out, he having been nominated." Then, having frightened the man to his, Mr. Rose's, purpose, he tells him he will try what can be done to prevent his election, but it will be very expensive, say 40*l.* or 50*l.*; so that in both cases Mr Rose makes money. If he fancies you will not pay him, you are likely to be put into the office; but if you do pay him, he keeps you out of it. He came three years ago on my premises, and said, "I am very sorry, but I must elect you." I said, "I can get 300 or "400 men who will come and vote against me." He said, "What will that signify? I "have 900 men who will come up and vote for you, and there are 200 bankers' clerks "who come out at 1 o'clock to get their dinner; I will have them all in, and your election "will be carried to a certainty."

7734. Do you believe that this system of appointing sheriffs, for the sake of their fines, is at all countenanced by any persons of respectability connected with the corporation?—Not in the slightest degree.

7735. You do not believe that it is resorted to for the purpose of getting money by the corporation?—No. This man acts quite independently of the corporation; it is a business by which he gets a portion of his living.

7736. You think it is only made the means of annoyance and profit by the inferior agents?—That is all.

Wm. Jones, Esq.

WILLIAM JONES, Esq., having been sworn, was examined as follows.

7737. What is your connection with the corporation of the City of London?—I have lived in the City of London ever since 1821, and I have been a member of the corporation from 1832.

7738. Are you engaged in any trade?—I am a solicitor.

7739. Do you reside in London?—I reside in Crosby Square, but I have a country residence in North Wales, to which I retire in the long vacation, when I can get out of London.

7740. Are you a common councilman?—I am, and have been for upwards of twenty years.

7741. Have you taken an active part in the business of the common council, upon their committees or otherwise?—I have; and I have felt it my duty to come here, seeing that a good deal has been said, I think unjustly, to the prejudice of the corporation, not with a view to extenuate or to excuse failings in which I think amendments may be made, but to do justice to the members generally, and to give you any information in my power respecting the several committees, and the Irish society, of which I have been a member. I have been in the corporation for twenty years, and in that time I have been on the General Purposes committee, on the Bridge House Estates committee, the Blackfriars Bridge Repairs committee, the Markets committee, of which I was one year chairman, the City Lands committee, the Secondary's committee, and the Law Bills committee; and I have been a member of the Irish society, and deputy-governor.

7742. In what year were you connected with the Irish society?—In the years 1843 and 1844.

7743. You have not been connected with it since?—I have not. There was a strong desire that I should be put on the society again, but the Court of Common Council considered that they could not depart from the terms of the charter; and, having fulfilled my service of two years, I was obliged to go off.

7744. Do the terms of the charter preclude re-election after an interval to this committee?—Certainly not. There are men ambitious to get upon the Irish society, and in the wards which we represent we do not wish to interfere with each other's turn or rota to be put on.

7745. Is it considered rather an object to be placed upon the committee of the Irish society?—It is most respectable, and I think a man would be desirous of belonging to it.

7746. Is it agreeable as well as respectable?—Yes. I see a gentleman present whose company we often have among us, and it is very agreeable.

7747. Have you a favourable impression of the management of the Irish society?—I have, unquestionably.

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7748. Do not you think that the expenses of management are somewhat large in proportion to the amount received?—I heard the questions with reference to that subject which were put to Mr. Anderton. I may say that the case bears no analogy to the management of a gentleman's estate of 8,000*l.* a year. It is a society which has important public duties to perform. Those duties are incessant; not by the committee or the society alone, but the officers are constantly in communication with Ireland. There is not a single thing done there with regard to leases, and the general management of the estate and business of the society, which is not submitted to the consideration of the society here. I think, therefore, that though the expenses are large, and might be reduced, it does not bear any analogy to the management of a gentleman's estate.

7749. Suppose a gentleman's estate were precisely of the same description?—In that case, if he did not himself act as secretary, and devote his entire time to the management of the estate, it would be impossible for him to do it, except at a very considerable expense. Whether the secretary is underpaid or overpaid I do not take upon myself to discuss. I see that since I was on the society his salary has been somewhat increased.

7750. Putting the whole cost of management together, a part of which is incurred in England and a part in Ireland, do not you think it is considerable, as compared with the gross rental of the property?—I do not think it could be much reduced. Up to 1831 the society rendered no accounts to the corporation or to the public. In 1831 there was a change in the constitution of the society. Up to that time it was thought that to be a member of the Irish society you must be a member of one of the twelve companies, and the twelve companies, being interested, (as no doubt they would be in any surplus income derived out of that management) divided the surplus income among themselves, instead of applying it, as now, to public purposes.

7751. Do you believe that, at this moment, the twelve companies, after the judgment given in the case of the Skinners' Company and the Irish society, are beneficially interested in any surplus?—That decision, as appears to me, amounts to this: the Irish society are not naked trustees for the twelve companies to manage the estate for their exclusive benefit, but they are in the nature of public trustees, to apply funds, in their discretion, for the benefit of the plantation, and if there be any surplus, then the twelve companies would, in my opinion, be entitled to it.

7752. Are you prepared to make that statement, now, as a lawyer?—I believe you will see that that is the effect of the decision come to in the case of the Skinners' Company.

7753. Do you believe that practically there ever could be a surplus after the public objects which the company is bound to attend to are accomplished?—I think it is possible after the payments of the debts which they have been involved in. With respect to the law expenses, no doubt they are enormous; but could the society have helped that, unless you mean to say that, as public trustees, they were to allow their property to be entirely taken away from them? An immense sum has been expended in the protection of their fisheries; for instance, the Marquis of Donegal and others used to claim a right to fish in Lough Foyle. He gave, or it was pretended that he gave, a licence to a parcel of paupers to fish in Lough Foyle; in consequence the Irish society were anxious that the magistrates on the spot should determine such cases, and as the question of right had been before, over and over again, determined in his favour in the courts of law, they applied to the magistrates to act summarily in the matter, but they answered, "No; these men claim a right, and we "cannot try that right." The consequence has been that the fisheries have been pillaged to an enormous amount, and the Irish society put to great expense in defending their rights. The same with regard to their advowsons. I have no doubt, had the Irish society presented to those livings when they had the opportunity, they might have retained them I do not mean to say that the livings are not now in more legitimate hands than the Irish society. There was also a long dispute with the Bishop of Derry with respect to 1,500 acres of land, which had, by some means or other, got into his holding. This, by a proceeding on the part of the society, was recovered back. In the case of the suit with the Skinners' Company, I believe the expense of that suit was about 8,000*l.* They were obliged to defend that suit, or they felt they could no longer be of any use to Ireland. I trust, now, however, that they have done with law expenses.

7754. Is any restriction placed upon the society with regard to the kind of public objects which they are called upon to aid, or as to the locality of them?—Decidedly; the locality of Londonderry and Coleraine.

7755. Must the improvements be in the borough or the vicinity?—The Irish society does not confine itself to the boroughs; it gives to charities and schools without the boroughs.

7756. You would conceive that all that part of Ireland which is called the plantation would be a fit object of their supervision and care in the promotion of charitable and benevolent objects?—It might be so; but I do not think it would become necessary, for the plantation having been divided, except as to the city of Londonderry and the town of Coleraine and the fisheries and ferries and the town lands, between the twelve companies, the twelve companies are so interested in the maintenance of their own proportions that they never make any claim upon the Irish society. I assure you that I have been there, and it is impossible to visit the several estates of the Cloth-workers, Drapers, Mercers, and the other companies, without admitting the great advantages which they must be to the country and

the liberality with which as landlords they act towards their tenants; they are expending in point of fact almost the whole of their income.

7757. Do you consider that the decision in the case of the Skinners' Company and the Irish society did not determine that the surplus, if any, might not be divisible among the companies?—I think the effect of the decision is that it is divisible among the companies.

7758. Lord Lyndhurst in the House of Lords says, I think, "After they have satisfied "the purposes which purposes are entirely in their discretion, they have been in the habit "of paying over the surplus funds, in round sums I think it is stated, but however they "have paid over the surplus funds to the different companies in proportion to their "original contributions; but that depends entirely on the will of the society, I mean as "to the amount, they are to exercise their judgment as to what is necessary for the "performance of their public duties, and after they have satisfied those duties, after they "have applied to public objects what in their judgment in the fair exercise of that "judgment is necessary for those objects, then it is and then only, that the surplus which "remains subject to their discretion has been usually paid over to the companies. Now, "it is perfectly clear therefore, in this state of things, that they cannot be considered as "trustees for the private benefit of the companies. If they are public officers and have in "any respect neglected their duty they are liable to account, but they are not liable to "account to the companies." The Bill in question did not lie therefore, but you seem to think it did not follow from this decision that if there was really a surplus after performing their public duties, that surplus might not be properly divisible among the companies?—It would be so, I have no doubt. Up to 1831 the members eligible for the Irish society it was thought must be members of one of the twelve companies, and therefore they always elected those members in the Court of Common Council, but in 1831 that rule was departed from and every member of the court who was a freeman of London was declared to be eligible. The Commissioners will observe that it was at that particular time that a new view, as it were, was taken of the objects of the charter, and instead of dividing the money as they did among the twelve companies of which they were members, the society took a different view of the matter, and considered that they were trustees for the advancement of the cities of Londonderry and Coleraine, and the benefit of the plantation generally. From this time the annual accounts of the society have been printed and distributed, and the application of their income made public. I think the companies having taken the entire control and management of their respective allotments upon themselves, and having applied very large portions of those estates which were allotted to them for the advancement of public objects connected with those particular plantations, therefore have not needed any of the proceeds of the indivisible estates for those objects. They have never made any application, in my remembrance, for any aid from this indivisible fund towards any public objects or improvements within their respective allotments. I am not prepared to say that the indivisible fund would not be applicable to the purpose if required.

7759. With respect to the allowance of 700*l.* a year which appears to have been given last year out of this fund to corporate offices of the city of Londonderry, do you know upon what ground that was given?—Formerly the city of Londonderry had lands and houses and a variety of property given to them for the purpose of maintaining themselves as a corporation. Through their excessively good management they got so involved in debt that the whole of their property was taken in execution.

7760. When did this take place?—It took place a good many years ago. In consequence of that and of the corporation being in point of fact insolvent, the society before the Irish Municipal Act, and I believe immediately after that, made them an allowance. I see in the year 1841 there is an item, "Corporation of Derry towards the support of the magistracy, 820*l.*"

7761-2. That is the year after the Irish Municipal Act, which was in 1840?—Yes, if the Commission refer to the report of the Commissioners of Inquiry into the Irish municipal corporations, they will find all those facts disclosed with respect to their debts and obligations. This goes to the maintenance of a recorder and other officers in the town of Derry. I believe it is conceded with this view: If you, the Irish society, do not pay those officers, we cannot have the benefit of a recorder and other officials which are necessary for the maintenance of the peace and prosperity of the corporation, unless we levy a town rate, and a town rate would press upon our own tenants, that is, the tenants of the Irish society. If they had had to pay a town rate they would have complained to the Irish society and said, You used formerly to maintain this corporation, and now because you refuse, we are burdened with a town rate.

7763. Is there no town rate in those places?—Certainly not for this purpose.

7764. Do you know whether Derry is alone among the boroughs of Ireland in that respect?—Derry and Coleraine I think are alone. There is a sum included in that 700*l.* a year of 90*l.* 10*s.* Irish money, (now 80*l.* sterling), which was always received by them as the rent received from the Bishop of Derry, in respect of the 1,500 acres of land I have before alluded to and which, in consequence of a breach between the bishop and the corporation of Derry, and the disclosure of the facts by them to the Irish society, the society recovered back. They fancied that because the Irish society had so recovered back this 1,500 acres, they ought to have the benefit of it. The effect of that petition, I believe, was praying

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the corporation of London to interfere to compel the Irish society to give up that 1,500 acres of land to them, or to make them the allowance they asked for.

7765. Does a considerable part of the town of Londonderry belong to the Irish society?—Indirectly, in consequence of the leases which have been granted.

7766. What proportion of the town may be said to be the property of the Irish society?—I do not exactly know. There is an immense quantity of it which is held upon perpetuity leases; then there are other portions of it on building leases, and other portions upon ordinary leases, which used to be for forty-one years. The perpetuity leases are very prejudicial to the interests of the society, and therefore they have been long discontinued, and whenever the society has had an opportunity of buying in the reversion they have done so. I went to Ireland with a deputation in the year I was deputy governor. There had not been a deputation for some time previously. In that year there was a deputation of the governor, myself, Mr. Alderman Hughes Hughes, the present Mr. Alderman Lawrence, Mr. Thomas Henry Hall, the chairman of the Improvements committee, and Mr. Collingwood, together with the secretary. I think we were about a month, and I may fairly say that I was never more fully occupied than I was during the whole of the days we were upon those estates. We gave notice that we should attend at the Town Hall at Londonderry at eleven o'clock on several days, to hear any complaints or applications which any parties had to make to us, and we sat there hearing those representations, and when we got home we talked of them, and there was not, I believe, a farm upon the estate that we did not visit, nor any subject of complaint that we did not go upon the spot to inquire into.

7767. Is Londonderry a flourishing town?—I doubt it. I mean no disrespect to the Irish character, but there appeared to me nothing that they would not desire the Irish society to do for them, but very little that they would do for themselves.

7768. Still, I suppose, there are a good many men of substance living in the town and neighbourhood?—I have no doubt a great many wealthy and flourishing people. There are two farms there that I think would be an ornament to any country, held by a Mr. Moore and Mr. Babington. When we were there we spent the sum of money that was voted for that deputation, which was 300*l.* We had to entertain public characters and agents, and all official persons during the time we were there, and I do not hesitate to say that we had each to dip into his pocket when we returned to make up the deficiency.

7769. With respect to that 700*l.*, am I right in considering that you treat it as a sum paid directly to the corporation of Londonderry by the Irish society, they not making any town rate?—Precisely.

7770. Which sum, in truth, if they did make a town rate you would be obliged to allow to your tenants in consequence?—I do not know how this would be. The recorder of Derry was appointed before the Municipal Act, and I know that the corporation of Derry refused the services of a recorder. We thought the recorder a necessary officer.

7771. You pay those officers, but you do not interfere with their appointment, do you?—The appointment of the recorder I think in old times used to be with the Irish society, but it is not now. It is now with the Crown.

7772. The Irish society obtains no patronage by those payments?—None at all.

7773. You say the Irish society has a pecuniary interest in making this payment, inasmuch as if they did not make it in this shape it would fall upon their tenants. Of course that argument would tell with much less force in respect to those tenants who had their property under leases in perpetuity, would not it?—I do not know how it would bear upon them. I know this, we were constantly importuned to grant the corporation the means of supporting themselves as a corporation. The society was anxious to meet their wishes, but they were never satisfied. I am quite sure that the discretion which the Irish society has used of paying those officers fairly was a wise one.

7774. The Irish society do not interfere in the local politics of the borough, do they?—Not now. They used, in old times, to say, "I nominate so and so, and I hope you will return him as member." They do not do that now. I observed that some questions were asked of a previous witness with regard to byelaws. Byelaws, under the charter, are subject to the approval of the Irish society. About the year 1730, or thereabouts, they sent them to the Irish society to be considered, and they would not adopt them, and there was a considerable resistance and difficulty in respect of them. Then, when the Municipal Corporation Inquiry took place they attempted to get rid of that obligation, but I believe it will be found by reference to the Irish Municipal Corporation Act that it was continued in the Irish society, and that after a considerable contest. The Lord Lieutenant has also a veto upon those byelaws.

7775. Can you state to us any public reasons which recur to you for the retention of this power?—I cannot.

7776. The power is never exercised, is it, now?—It is never exercised arbitrarily.

7777. Is it exercised at all? In recent years has the Irish society ever interfered to object to any byelaw passed by the corporation of Coleraine or Derry?—I think I am correct in saying that after the Municipal Corporation Act for Ireland passed the corporation of Derry submitted their byelaws to the Irish society, and that the Irish society approved of them.

7778. You do not consider this payment of 700*l.* a year or of any other sum to those municipal officers of Derry to be at all obligatory?—Certainly not. I do not believe

that there is any legal instrument by which the society are bound to pay it, but I think they are legally liable to the 90*l.* 10*s.* before referred to.

7779. Do you believe that anything like a promise has been made on the part of the Irish society to continue those payments for some future years?—I know when I was in the Irish society we were constantly importuned to do these sort of things, and I believe the Irish society have since then thought it best to make the allowance. I cannot tell the motive, because it was after I was on the Irish society that this 700*l.* was granted.

7780. Is anything done of the same kind in the town of Coleraine?—I believe not, because the town of Coleraine has never applied to be incorporated under the Irish Corporation Act.

7781. With regard to the management of the Irish society, as connected with the English branch of it, do you think that any diminution of the expense might be fairly made?—Mr. Anderton was asked why they should have a house. The muniments belonging to the society from its first establishment to the present are kept in that house, which was built for that purpose. There was a fire some years ago in the Guildhall, and a part of the muniments were burnt, and after that they built that house for themselves.

7782. Is that a large building?—No; it consists, on the ground floor, of an office, where the secretary and a clerk always sit, a muniment or strong room, and a back room where gentlemen turn in to wash their hands, or anything of that sort, and a board room up stairs, and domestic offices, where the porter and his wife live.

7783. Do you know what the expense of building this house was?—I do not. The salary of the secretary was, in my time, 300*l.* a year, but it was thought that his duties had so much increased, that I believe they advanced him to 400*l.* a year. I think the expenses of the governor, deputy-governor, and the members of the society, are limited to 600*l.* a year. They cannot exceed that. Whatever number of meetings, therefore, they have, it must not exceed that. With reference to that subject, I should say that I think, from the judgments that were given in the House of Lords, it will be seen that the Irish society are not only to do everything they can for the promotion of this plantation, but they are to seek to improve the connexion between the two countries. There is a meeting once a month, which is called the court meeting. This must be regularly held. Other meetings are held between those periods. On the court day, after the business is over, the society dine together, and they invite the members of Parliament and other gentlemen connected with Ireland generally. I have never been either in the chair, or present when the governor has been in the chair, without some gentleman connected with that part of Ireland being present to partake of our hospitality. Speaking now in the presence of a gentleman who was our frequent visitor upon those occasions, I can say I have constantly heard him, and others, speak in the highest possible terms of the connection of the society with Ireland, and the advantages which it had conferred upon the country. When in Ireland, upon the deputation, it was really a matter of considerable difficulty to get through the business. Looking to the importunities, upon some particular points, which were brought to bear upon the society by gentlemen in the neighbourhood, and others, it was impossible to dispose of them to the satisfaction of all parties. I may mention the case of a farm that was about to come out of lease; it had been granted about forty years before, at a rental. A gentleman applied to us to ask us to renew the lease to him. We asked him under what title. He said, "My father bought "the lease of that farm twenty or thirty years ago, and I am now the immediate tenant "of the society. The farm has been greatly improved in that time." We then asked him who improved it; was it he, or the tenant in possession? We found it was the tenant in possession. We inquired, "Do you receive any improved rent upon the rent which "you pay the society?" He said, "Certainly." We then asked, "You say your father "paid a consideration for this lease?" He answered, "He did; and it is in respect of that "consideration that I now claim to have the lease renewed by the society." We then said, "Did not your father buy it as an investment for the time, looking forward to the "improved rent, which he has received from that time to the present?" You cannot imagine the difficulty we had to shake off that claim. Then there was the claim of the tenant in possession, which was a reasonable one, because, in addition to a rack rent, he had improved the property. It has been the object of the society for many years to get immediate tenants instead of intermediate holders, middle-men as they are called; and to give to the tenants in possession the advantages of any improvement which they have made to the property. I think great advantages arise to the society from a deputation going over every two or three years. When you are on the spot you have an opportunity of inquiring into circumstances, and of noting them down, which you otherwise could not have. I do not approve of the members going by themselves, because I think that must be prejudicial.

7784. It seldom happens, I presume, according to the system pursued by which no member remains more than two years upon the society, that any deputation goes twice?—Scarcely ever.

7785. Does not that system very much diminish any advantage which there might be in members going over there, and obtaining a personal knowledge of the estates?—There is no question about it.

7786. You say they can only remain two years in office. Might they be immediately re-elected?—There is nothing in the charter to prevent their re-election, but you must be one year off before you are re-elected.

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7787. What is the reason, then, that that is not done?—That is with the Court of Common Council, when the election comes on. There are certain gentlemen who state, "I am as fit to be on the Irish society as Mr. Jones is." "No," it may be said, "Mr. Jones has had an experience of the past two years." It was proposed, in my case, to the Court of Common Council to re-elect me for two years more.

7788. There seems to be a much greater wish to be on this particular committee than any other connected with the corporation. Is not that the case?—I believe that is the case.

7789. How do you account for that?—I do not know how to account for that, except that we meet Sir Robert Ferguson and other gentlemen who are very pleasant to meet, and we have a rather more social party.

7790. It is connected with a good deal of pleasant travelling and agreeable company?—There is no travelling unless there is a deputation.

7791. Is not there generally a deputation?—There did not use to be.

7792. The last three or four years, has not there been a deputation every year?—Two or three years following there have been deputations, I know. When we went in a body to Ireland we were received by the authorities in Dublin. I think there is a tone and character to be given to the society which ought to be maintained on all occasions.

7793. When money is given for the purpose of a deputation, is it stipulated that they shall go as a deputation, or are they allowed to go individually or collectively, as they think fit?—When I went, and I know nothing of subsequent arrangements, the deputation were to meet. I had the purse in my pocket, and I should not have paid the expenses of any individual if they had not kept together as a deputation during the whole of the period that we were in Ireland.

7794. If they go individually can they perform any functions, or exercise any authority on the part of the society?—I really do not know.

7795. Are there any other points to which you are desirous of calling our attention?—With respect to the Court of Aldermen a great deal has been said as to the disinclination of men in a certain mercantile position in the City of London to become aldermen. My opinion is that that is entirely from personal motives and convenience to themselves. They cannot, or will not, or think they ought not, to devote the time which is necessarily required for the duties of the office of an alderman. I do not think the objection to becoming an alderman exists on the grounds which they have imputed to it, that it is derogatory to the character of a first-rate merchant to become one. With regard to the mode of discharging their duties as magistrates, I have been a member of the profession upwards of forty years, and I think I know something of the mode in which justice is administered, both by paid magistrates and unpaid magistrates in town and in the country, and I am prepared to say that with the experience which the aldermen in the City of London have of the world as practical men, from their business habits and from their information, they make unexceptionable magistrates in a commercial city. Though my friend Mr. Cotton rather induced you to believe that they were in effect stipendiary magistrates without the responsibility of being such, because they had clerks of an efficient character acquainted with the law to attend them, and intimated that they received their information by way of dictation, as it were, from their clerks, I do not think that is at all the case except where an intricate question of law arises, and it is useful to have the legal knowledge of the clerk. Looking to the matters which come before them generally, I think they are, from their habits of business and their good common sense, able and better able to discharge the functions of magistrates in the City of London than if you were to have paid magistrates; and although Mr. Cotton did draw a comparison in favour of the county magistrates, and did not think that they were so much in the hands of their clerks as the magistrates of the City of London, I entirely differ from him. I do not wish to say anything in disparagement of a country gentleman, but his habits are secluded as compared with men engaged in commercial life, and who have had a long intimacy with the world. I mean to say that the county magistrate is generally as much or more in the hands of the clerk at petty sessions than the aldermen of the City of London. I do not mean to say that there are not some very able men as county magistrates, but I think the magistrates of the City of London are unquestionably useful in their way, and unexceptionable in the mode in which they discharge their duties. I observe that some objection was made to Mr. Alderman Wire having sat the other day on a case where it was said his partner was solicitor, and the prosecutor his client. I do not know how that may be, but I know sufficient of Mr. Alderman Wire to believe that, if the case is explained before you, a very different view will be presented, and I think him incapable of sitting under such circumstances to adjudicate on the case.

7796. In the counties any person who has been an attorney, and wishes to retire from business, must have his name struck off the rolls in order to be a magistrate?—That is the case; for I am on the commission of the peace of the county of Merioneth, but cannot act as a magistrate while there because I am a practising attorney in London, and it is an inconvenience in my part of the country that that is so, because the magistrates are so few.

7797. Is not it provided in other boroughs besides London that the aldermen shall not act as justices?—I think the justices are appointed by the Privy Council. The Mayor for the time being is the magistrate under the Municipal Corporation Act, and they

appoint a certain number of magistrates. Whether the aldermen shall be elected for life I think depends upon whether they are to be magistrates or not. If they are magistrates I think they ought not to be periodically elected. If they are not to be magistrates I think there may be less objection to their being subject to periodical election.

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Adjourned to Thursday next at twelve o'clock.

Thursday, 9th February 1854.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P., in the Chair.

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WILLIAM JONES, Esquire, was further examined, as follows.

7798. Will you have the goodness to proceed with any observations which you wish to address to the Commission?—In my evidence on Tuesday I mentioned the several committees of which I had been a member. I observe that I omitted the Navigation committee, and the Consolidated committee; of those also I have been a member. Some observations have been made with reference to the appointment of the committees and the chairmen of the committees; I think it is only just that I should explain more particularly how the committees are appointed, what qualifies a man to be a chairman, and how the selection is made. I belong to the ward of Bishopsgate Within. The two wards of Bishopsgate Without and Bishopsgate Within, although under one alderman, are separate with reference to their members and the duties which they have to perform. We meet after the election on St. Thomas's Day to consider what committees are vacant, and who are the proper members to be selected for those committees, and we return the members' names who are intended to fill up the vacancies from our ward to the Court of Common Council. Questions have been asked as to the qualifications of the persons named, and their extent of information. I know in our previous arrangements we frequently give way one to the other, because that other is the most fitting person to be on the particular committee, as bringing more personal knowledge to the discharge of the duties entrusted to him. For instance, there is the Navigation committee, of which a great deal has been said. There is a member of the ward of Bishopsgate, who unquestionably is a man of experience and usefulness, I mean Mr. Deputy Peacock, who fills the chair in the Commission of Sewers. He has had a large experience on the Navigation committee, being a man who has much time to spare, and therefore I know he has been returned either twice or thrice, which would make in the aggregate a period of either eight or twelve years on that committee. It is solely because we consider that he has more time to give to the subject than the other members. After we have returned the name of the member to the court, it is for the court to say whether that member shall be put upon the committee or not, and any member present may object. According to the 38th standing order, no member is entitled to be on more than one of the following committees—namely, the City Lands, the Bridge House Estates, the Navigation, the Coal and Corn, and the General Purposes. No member can at the same time be a member of more than one of those committees, except in the case of one or two of the wards, who return only four members. Those four members have more committees than any of the members for any of the other wards have, in consequence of the smallness of their numbers. With respect to the qualification of the chairman, there is a standing order that no member can be a chairman of a committee who is not in his third or fourth year. The object of that is, that he may have an opportunity of making himself perfectly acquainted with the duties of the committee before he is called upon to act as chairman. In my experience a fourth year man is always preferred, if there is such a gentleman who will undertake the duties, and is considered competent to do so. The duties of a chairman are very onerous, and occupy an immense deal of his time. He has not only to attend the general meetings and to preside over them, but he has to attend all the sub-committees, and he has to attend every Court of Common Council to which he has a report from that committee to render, and there is scarcely one Court of Common Council to which the leading committees have not a report to present. He must be qualified in that court to maintain the view which the committee have come to, and to explain any matter which their report does not embrace, so as to give the Court of Common Council information to their satisfaction, that they may see that the committee have arrived at a right conclusion, otherwise the report is either rejected or sent back for further consideration. Therefore there is a considerable sacrifice of time required, and you must have men of some intelligence, capable of giving that information to the court which they require to have. It has occasionally happened that there is not one who is in his third or his fourth year. It was my lot on one occasion to be in my second year, when there were two in their third year. It was a question with reference to the markets which was particularly pressing that year upon the consideration of the corporation, and it was thought by that committee that my services during that year would be more particularly acceptable to the committee and the corporation; and they unanimously recommended an application to be made to the Court of Common Council, to suspend the standing order, in order that it might be so arranged. I mention that to show that we do not proceed to

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the election upon the mere grounds which have been alleged by (I am sorry to say) a late member of the corporation, namely, that the man is appointed who attends the greatest number of dinners, or some such frivolous ground. I give that statement the most unqualified denial, that any such considerations enter into the minds of the committee when they elect their chairman. In reference to the Navigation committee, I will mention that the selection of a chairman is always made from the most experienced persons. I had the pleasure of being there during a period when there were practical men on the committee. How often it happens that there are practical men I cannot say, but Mr. Phillips, who is a lighterman, and Mr. Turnley who was here the other day, are both of them practical men; and I had the pleasure of being on the committee with both. Mr. Mortimer also is a nautical man, having been in Her Majesty's service, and therefore understands something about shipping. With regard to myself, I have no pretence to any knowledge of such duties, but I fancied I was competent, upon the view which always takes place before the committee decide upon anything, to give an opinion whether it would be prejudicial to the public or a benefit to them, that such piles should be driven, or such embankments should be made. I think generally the committees work well. I observe in the evidence of Mr. Ambrose Moore he says, "If you wish to induce the "higher classes to take part in it, I believe it may be done by reducing the numbers. My "opinion of the higher class of the citizens of London is that they will be directors of "banks, directors of dock companies, and other companies, and they will attend fairly "to the business of those associations, but they do so as men of business; they do not "attend for the purpose of talking. If you reduce the numbers, and simplify the forms of "the corporation, I believe you will find that more respectable men will join it; just "as they have done in Liverpool and other large towns." I will not impute to Mr. Moore anything else than that he is entirely ignorant upon the question of the working of the corporation, in making those observations. I am myself a director of a company; I attend and am paid for it, and I draw that distinction between attending public companies as directors, and attending upon committees of the corporation, that the directors attend because they are well paid, and the members of the corporation attend because it is their duty to attend. With reference to the respectability of them, I certainly do not think it at all necessary to go into that question. When he speaks of the higher classes of the citizens of London he means, I presume, gentlemen who are very much occupied in business, and who are ever ready to make excuses for not serving any office or performing any duty in connection with the corporation of London; not, I think, because they have any personal objection to meet any of the members who now exist in the corporation, but because they have not the time to devote to it, nor the desire to do it. I observe in No. 3498, this question has been put to Mr. Ambrose Moore: "It has been "stated to us that a system of dinners in the Common Council is necessary, in order to "induce the attendance of the members. Do you believe that to be the case?" And that he answers thus: "Yes I do; that is because of the character of the men who are in office. If you "have a low class of men, as many of them are at present, you cannot wonder at the "circumstance." The allusion to these dinners appears to me to be a mere bugbear in the public mind, for the purpose of creating prejudice against and abusing the corporation. The meetings of the committees are very numerous in the course of the year. They have what are called their monthly meetings, at which some of them have those dinners. With regard to myself, I dine late, and I might therefore go home to dinner; but supposing instead of dining I had line money, I should take the line money and put it into my pocket and go home to dinner, as I frequently do when I do not receive line money at all; but I do not go home to dinner on those occasions because I have any objection to meet the committee at dinner. I think that the dinner is a very proper one, after the meeting of the morning, when so many of the members cannot go home to dinner on account of their having been occupied there; besides which the dinner is of a very simple character; they sit down at five, and I think if they went there for the purpose of the guzzling and so on, which has been so frequently alluded to in the course of this inquiry, it would hardly be believed that by half-past seven o'clock (as is the fact) very many of the members will have quitted the dining-room and gone home. I may also say that, in the committee, subjects upon which men must take different views must come before them. I have known that in the warmth of debate, and the honest expression of opinion in the morning, upon those committees, words have passed of a character calculated to create a coolness between those members, which at the festive board afterwards they have had an opportunity of explaining, and so making up for the difference in the morning, and for the coolness which might otherwise have continued to exist between them. I am decidedly of opinion, therefore, that there is nothing in the dining which is objectionable; and in reference to the attendance upon the committees, the members attend upon the unpaid and undined committees as punctually as they do upon those which have dinners. No doubt, the money which is expended in the dinners is beneficial in a commercial city, in as much as they give the tradesman some occupation and advantage. Those who know my friend Mr. Williams, the member for Lambeth, know that in figures he is very apt, but I do not think he always takes a correct view of them. I differed with him when he was in the corporation, on the subject of the Lord Mayor's expenditure; and I think when the mind of any person is fairly drawn to that subject, he would see that Mr. Williams, when he stated the mayoralty to be attended with an expense of 25,000*l.* a year, must

have been very grossly mistaken. He said, with regard to the Mansion House, it was the great feasting place among the members of the corporation, and therefore they stand by it. I can safely say with regard to the members, that they have no reason to stand by it on that account, but they stand by it because it is a feasting place for others than members of the corporation. During all the period that I have been in the corporation, which is twenty years, I do not believe that I have dined more than twenty times at the Mansion house It cannot be, therefore, from any motive of that sort, that they cling to it. Mr. Norris in No. 3377, is asked "Would you make any other alteration with "regard to the Court of Aldermen—would you abolish it altogether as a separate "court?—He says, "I think it might be desirable that we should have aldermen continuing "to perform certain duties which now appertain to them, but I would at once take from "them the power of dealing with the funds in the manner in which they now do, "and I should withdraw the condition of a justice of the peace, from every alderman "who had not passed the office of Lord Mayor." I most cordially agree with Mr. Norris, in the propriety of taking the control of the cash from the separate jurisdiction of the Court of Aldermen and putting it under the united jurisdiction of the Court of Lord Mayor, Aldermen, and Common Council. With respect to taking the office of justice of the peace from them, I have already said that I think they discharge the duties of the office in an efficient and exemplary manner; and I have no wish, therefore, to take from them those duties. Mr. Norris is further asked, "Why would you make that distinction?" He says, "I concede it in some measure to the earnestness with which the aldermen "claim the distinction of administering justice. It is the most distinguished and most "honourable feature in the position of an alderman, and they cling to it with so "much earnestness, that without carrying out my principles to the largest extent and "depriving them of it all at once, I have thought, that with the smaller number of "aldermen, for I have said already that I would divide the City into twelve wards), about "half might be supposed to be those who have passed the chair; and those who have not "passed the chair I would have subject to periodical election." With regard to reducing the number of aldermen my opinion is, that if they are to act as magistrates, it is impossible that you can reduce the number with benefit to the City. I would, nevertheless, alter the wards so that still there should be twenty five wards with twenty-five aldermen, not by the proposed equal division; but I would deprive some of the small wards of their aldermen, and give the aldermen to the larger wards who are so indifferently represented in that respect. For example, there is the Lime Street ward; it is a very small ward. I would add that to Cornhill ward, and take the alderman from the Lime Street ward and give him to Bishopsgate Within, and so on, Bishopsgate Within and Without being a very large, and populous ward. As a matter of opinion, I would certainly not advise a reduction in their number, but that the wards should be more uniform in their extent and representation. In the ward of Bishopsgate Within, of which I am a member, there are a great number of very influential commercial houses, which certainly are not now represented, because they have no vote for common councilmen, nor for the alderman, nor at the common hall. With regard, therefore, to the extension of the franchise, I would desire to do that by all possible means. The Corporation have affirmed that principle, as a body, by the Bill which they proposed to Parliament. I do not know that it is necessary for me to deny, as chairman of the Markets committee, that in the year when I served, there was any such application of the funds, as my friend, Mr. Norris, has insinuated to this Commission. I attended in the performance of my duty, as chairman, very many days, during a long Parliamentary inquiry in 1845, over which Mr. Ormsby Gore presided, upon the subject of Smithfield-market. I can positively assure the Commission that not a shilling was spent by me in the conduct of that inquiry. I never even dined once at Bellamy's, much less entertained others there, or devoted one shilling that was under the control of that committee for any such purpose as that which Mr. Norris insinuated. With regard to improvements, I think they have been sufficiently explained. I can hardly believe that I live in the same City now that I did thirty years ago, when I look at the immense improvements which have been everywhere made in the City, not only in the abolition of offices and so on, but in the streets. And, though some of our friends in Marylebone, and elsewhere, would desire to partake of our fortunate position; in some respects, I dare say, they would not like to bear the land-tax which we, in the City of London, bear as compared with the Marylebone people. I pay, and have always paid, at the rate of two shillings in the pound; whereas, I believe, that in Marylebone, the land-tax is one-eighth of a penny in the pound.

7799. What is the nature of that land-tax?—It is the ordinary land-tax.

7800. That land-tax is an incident of property. In the City of London, as elsewhere, the property has been bought and sold subject to it?—Yes, I do not complain of it; but, upon the tenant, it is a hard case to be subject to such inequality.

7801. That land-tax is considered in the rent charged to you for the premises you occupy, is it not?—The same answer may be given in reference to every tax. I inquire what a house is subject to in reference to taxes, what land-tax and what assessed taxes there are, and what the rate to the poor is.

7802. Still, is not there this distinction between the land-tax and the other Government taxes; that one is a fixed charge upon property, like tithe, and the property has been

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bought and sold, subject to that charge; and, in the case of the other Government taxes, they are a miserable impost, and are not considered in the purchase and sale of the property?—The amount of the land-tax arises from the City having been more populous than it is even now, and, therefore, our land-tax continues the same, or rather increases, by the decrease of the houses; whereas, in Marylebone, it was assessed upon a district where there were no houses at the time, and they had only their quota to make up.

7803. Is the land-tax in the City of London upon the City as a whole, and sub-divided upon the particular properties?—It is an aggregate charge upon the City of London, which is obliged to be raised, and that is sub-divided among the several parishes, &c. Then with regard to our tithes. I pay tithe in the parish of St. Helen, to which I belong. They do not, I believe, in Marylebone. We are very unfortunate in our parish, for I may say we pay double tithes. We pay first the tithe to the lay impropriator, who only allows the incumbent 20*l.* a year out of it. The incumbent cannot live upon 20*l.* a year, and therefore we are obliged to levy a voluntary rate for the maintenance of our clergyman.

7804. Is the lay impropriator a public body or a private individual?—An individual. It was alienated in the time of Queen Elizabeth, when the tithe was let at 70*l.* a year, subject to this annual rent charge of 20*l.*, to provide for the religious instruction of the parish. I should say if those tithes had remained in their integrity, they would now amount to 800*l.* a year but the tithes attached to much of the property have been redeemed by the owners and the impropriator paid the consideration.

H. L. Taylor, Esq.

HENRY LOWMAN TAYLOR, Esq. having been sworn, was examined as follows.

7805. What situation do you hold in connection with the City of London?—I am, at the present time, chairman of the Markets Improvement committee, to which committee is entrusted the erection of the New Cattle Market at Copenhagen fields.

7806. How long have you been connected with that committee?—Ever since its appointment in 1849. I was the originator of a motion in the Court of Common Council to consider the subject of the markets of the City generally.

7807. Are you a resident in the City of London?—My business is in the City; but my private residence is a few miles from town.

7808. What is your business?—I am a wholesale warehouseman, in a branch of the iron trade.

7809. Will you have the goodness to make any statement which you are desirous of bringing before the Commission?—I have been a member of the corporation for about ten years; and have taken a very active part in every matter of business connected with it. Upon my first entry into the corporation, I was appointed a member of the Markets committee; to whom is entrusted the entire management and control of the several markets in the City. Believing, from my observations, that the markets were not in the state in which they ought to be, and being fully impressed with the necessity of alterations and improvements in them, I originated the following motion on the 10th of October 1849, for the purpose of the appointment of a committee:—"That it be referred to "a committee to inquire and report to this court the area of the several market-places "within this City, namely, Smithfield, Newgate, and Leadenhall markets; and that the "committee do likewise inquire and report whether, in their opinion, any addition of "space or other increased accommodation is required in either of those markets, together "with an estimate of the expense of making such additions or alterations, as, in their "judgment, they may consider necessary; and that the committee do further inquire and "report whether it is expedient to make application to Parliament to raise the whole, or "any portion of the funds which may be required for the purpose, either by a reasonable "modification, or increase of the tolls, or otherwise, for the requisite powers to effect "those objects." That motion was carried in the Court of Common Council; and a special committee was thereupon appointed for the purposes contained in my motion. With the names of the committee, I think I need not trouble you; but, if it were thought desirable, I could do so with much satisfaction, because I am quite sure that the members composing that committee will bear the most favourable comparison with any of those witnesses who have given evidence before this Commission, and spoken disparagingly of the corporation of London. Upon the appointment of this committee, we took proceedings, for the purpose of ascertaining the requirements in regard to those markets. Hence arose the proposition for the enlargement of Smithfield market, which has been animadverted upon very strongly by some of the witnesses, who have censured the conduct of the committee in regard to the proceedings which they took, for the purpose of enlarging and improving that most important market. Complaints have been made, and I am anxious to take my share of the responsibility attached to the conduct of that committee, who were, in my opinion, justified in endeavouring, by every means in their power, to retain the market within the City of London; making such improvements as they considered essential and necessary for the extension of that area. In doing so, the committee resorted to the best means in their judgment to place the matter fairly before the public. At that time, it will be in the recollection of this Honourable Commission,

that the Government were preparing a Bill for the purpose of the removal of Smithfield market. That is a question upon which I am most anxious to justify, not only my own act, but that of the committee with whom I have the honour to be associated; in the course of which, we thought it expedient and necesssary to take steps for the purpose of preserving our rights and privileges respecting the great central market; believing most sincerely that no site which could be selected for a Metropolitan Cattle Market, could by any possibility be equal to that particular spot. I was observing, that we were censured for some steps that we took in regard to the defence of that market, and for some expenses which were necessarily incurred, in endeavouring to place before the public our views, and to counteract some of the mistaken notions which were brought before the public by one portion of the daily press. I mean the *Times*. We know the great power of that paper, and that whatever course it takes, either approvingly, or otherwise, it has a very considerable effect upon the public mind. Fortunately, I may say, the other portions of the daily press advocated the plan proposed by the corporation.

7810. Do you mean universally, or partially?—Universally. I believe, the whole of the daily press, with the exception of the *Times*, was in favour of the view taken by the corporation. I hold in my hand a pamphlet, which was no doubt got up at the expense of the corporation, and paid for out of its funds; and, in my humble judgment, it was a most legitimate mode of applying them for the purpose of disabusing the public mind. I am not at all disposed to concede that the public opinion was against the market continuing there. I believe it was decidedly in favour of the retention, not of the present Smithfield market, with its admitted nuisances and inconveniences, but of the market upon the enlarged plan which we prepared, and which I believe Mr. Cornewall Lewis had an opportunity of seeing. The model of that plan is now in the library of the Guildhall; and, if it had not been troubling you too much, I should have been delighted to have placed it before you; and, I think, you would have agreed with me, that the plan proposed was a great improvement upon the existing market; and, perhaps, would have answered all the purposes of the present age.

7811. You mean an improvement upon Smithfield as it is?—Yes; inasmuch as the present market is distributed over an unequal area, while the new market was to have been enclosed. I am anxious to convince the minds of the Commissioners, that as trustees for the citizens, whose market Smithfield is by charter, we were only discharging our duty in endeavouring to do that which we believed was for the benefit of the public at large. If the impression, which has been endeavoured to be made upon your minds, is removed, as to our having acted improperly in the expenditure of any sum of money, by which we endeavoured to retain our market, I am content; but I am here willing to take my share of the responsibility of the course which the committee considered they had a right to adopt with regard to the expenses that were incurred.

7812. What actually was the nature of the expense of that description which was incurred upon that occasion?—Some expenses were incurred In Parliament in opposing the Government Bill; and not only in opposing that Bill, but expenses were necessarily incurred in ascertaining what was the real state of the public feeling, and endeavouring to counteract the powerful articles which appeared in the leading journal. I need not tell the Commission that that cannot be done without expense. To ascertain what the feeling of the constituency was, could not be done without employing parties to do it. The gentleman who gave evidence in the first instance was employed, and received a remuneration for the services which he rendered.

7813. You mean Mr. Acland?—I do. With regard to the public opinion, when I tell you that nearly 7,000 registered electors of the City of London signed a memorial to their representative, Lord John Russell, in favour of the corporation scheme, it is sufficient, I think, to satisfy your minds that the inhabitants of London were not averse to the alteration which we thought it necessary to make in respect to that market.

7814. When you say "London," you mean the City of London?—I do. I was asked, if the whole of the press were in favour of the corporation plan, with the exception of the *Times*. From the book before me, I find that the *Daily News*, the *Morning Herald*, the *Morning Advertiser*, and the *Morning Post*, each of them contained articles, in my judgment, far superior to those which appeared in the *Times*, much more to the purpose,—much more convincing, and, I think, much more genuine. Those members of the press advocated, not the retention of Smithfield as it is, but the retention of a central cattle market, with the improvements which we proposed to make. I shall not trouble you much with the evidence given by Mr. Bennoch, for I think sufficient has been already said to show you that much of what he said must be received with caution. In some passages I find he entirely contradicts himself, but I will not dilate upon them. It may be necessary for me to allude briefly to some portions of his evidence in order to justify the course which we have taken. In No. 1,226, he observes that "articles were written and sent to newspapers with a sum of money." That appears to me to be a charge against the public press. He is asked, "Do you mean that money was sent with the "article to induce the newspaper to insert it? Probably instead of its appearing as an "advertisement, the newspapers might be induced to allow it to appear as a paragraph. "Do you mean that the money was sent to the newspapers to induce them to do that? "I believe that to be the case. Can you prove it?—I shall be able to prove it no doubt, "I cannot myself, for I did not belong to the committee." I am prepared to state as a

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member of that committee, that such a proposition or idea could not have entered into the mind of any member connected with it. I feel quite certain that the respectable part of the press of London would have thought it the grossest insult possible, if any one should have offered them a bribe for the purpose of advertising the retention of the market. I think the Commissioners will see in a moment that such a proposition could never have been entertained, for I am sure if it had, instead of having the support of the paper, any one proposing it would have found a very severe article the next morning in exposure of the offer. And yet Mr. Bennoch says in the commencement of his evidence, No. 1154, that he appears before the Commission to speak to facts which have come within his own knowledge, so that one would have supposed he would hardly have made a charge of that nature without being perfectly satisfied that it was quite true. In No. 1181, the same witness, in allusion to the new market which we are about to erect, states that the market will not be finished for less than 400,000*l.* or 500,000*l.* How any one could have come to such a conclusion as that without any evidence to justify it, I am unable to conceive. The estimate of the cost of the new market at the present time is something like 343,000*l.* I have a model here in order to show the Commissioners what is proposed to be done by the corporation, because we are most anxious to stand well not only with the public, but also with the Government; and to justify the course we have taken in order to show that we are capable of doing that which has been complained we are not able do. This same gentleman tells you in No. 1182, that the corporation are so composed that they are not competent to grapple with any great question, that we are not able to manage the affairs which are entrusted to us. I will only refer you to the market, the model of which I now produce before you, in order to show that we have endeavoured to grapple with the question in the most comprehensive form; that we have purchased the largest portion of land which could be obtained, in compliance, I may say, with the experienced wish of Mr. Walpole, Lord Palmerston, and every other gentlemen who had any thing to do with this new Metropolitan Cattle Market. Having purchased so much land, we were yet anxious even to have obtained more, having been urged particularly to do so at the interview with Lord Palmerston, and Mr. Cardwell, a short time since. Our negociation for it has, however, completely failed, inasmuch as the freeholder would not part with it; and the only chance of our getting it is by a compulsory Act of Parliament. I believe, therefore, as regards the quantity of land we are carrying out the views of the Government as far as we are able. Then as to the outlay which is being made upon it, we are desirous of having a complete and perfect market. It has a space of fifteen acres in the centre, which is for the bullocks and the sheep, the area of the present Smithfield Market being only six and a quarter acres including the roadways through it, therefore the Commissioners will see that we have provided sufficient space for the purpose of a market I may say for centuries to come. Independently of that we have made ample provision for every other appurtenance belonging to the market, for slaughtering houses, and lairs, and such like accommodation. Therefore when it is charged against us, that we are incompetent, and that we do not take up anything in a comprehensive spirit; I think I may reply to that, that what we have been doing in respect to the market is a full answer to the charges which have been made against us in that respect. I shall be happy to afford the Commissioners any explanation in my power in regard to the market, or upon any other subject which they may desire to be informed upon. I feel that I have been acting as a trustee for the public in my character as a member of the corporation, and have devoted ten years to its service without any fee or reward whatever. I have given up a great deal of time to the subject of the markets, because I never undertake any duty without being willing to apply the whole of the energies at my command to it. I am generally one of the first members to attend and one of the last to leave. With respect to the large expense which we are going to, we are endeavouring to make that market suitable for all the purposes required, inasmuch as upon the land in addition to public and private slaughter houses, we are erecting taverns and public houses; seventy-eight acres is a very large space, and we think it better to adapt the land which we have for every accommodation in connection with the market. We have a space there for a hide market. Circumstances may arise which may render it necessary that the hide market at Leadenhall should be removed. At the present moment we hardly know what will be done; indeed, railways are being projected to connect the City with the metropolitan market. I have a plan here which refers to a scheme for the purpose of bringing foreign cattle from Blackwall to the market, and connecting also the Great Northern Railway with it. We have been applied to to know if we would dispose of part of our land for the purposes of this railway, but we are unwilling to part with any of it, believing that contiguous to the market there will be found sufficient room to have stations which would answer all the purposes connected with the market.

7815. Are you able to inform the Commissioners what is the estimate of the income which the City will derive from their property in the new market?—About 14,000*l.* a year.

7816. Upon what amount of capital expended will that income be derived?—About 350,000*l.*; it will pay about four per cent. There is also a scheme which has been submitted to Mr. Cardwell and Viscount Canning, for the purpose of bringing a railway to the Post Office, within the walls. From what I learn, if such a railway could be successfully carried out, it would be considered a great advantage by the Government. That railway would also be made available for the connection between the City and the cattle

market, therefore, there would be a means of communication from the metropolitan cattle market to Smithfield, where we propose bye-and-bye to erect a dead meat market; Newgate market being, as we all know, a very great nuisance.

7817. Do you propose to erect a dead meat market at Smithfield?—On a part of the site of Smithfield

7818. On what part of Smithfield?—The subject is before the committee at the present time. The exact site is not quite decided. It has been laid down by Mr. Bunning, that it should be somewhere near Long Lane.

7819. About how much space would it occupy?—I am not sure what the quantity of land would be, but I should think about three acres.

7820. The present site of Newgate Market is probably not more than a quarter of an acre?—It is more than that.

7821. Has the City had under its consideration the expediency of appropriating Farringdon Market for the purposes of a dead meat market?—Farringdon Market appears to be situated in such an awkward position as hardly to be made available for it. It is not considered that Farringdon Market as it is, can be made available for a dead meat market; it is on an acclivity, and in its present form it could hardly be adapted for a dead meat market.

7822. Farringdon Market has cost a great deal of money, has not it?—It has.

7823. And it is now comparatively little used?—Just so.

7824. And it is an extremely good market; spacious and airy, and commodiously situated with good approaches?—The approaches I think are not good; the only good approach is Farringdon Street.

7825. Is not that approach a very good one?—It is.

7826. An unusually good one for the City?—I think it is a good one.

7827. What is the objection to appropriating Farringdon Market to a dead meat market, or what is the advantage of incurring the expense of making a new dead meat market, when you have one which is not used?—Farringdon Market is not considered by any one that I can learn, to be well suited for a dead meat market.

7828. On what account?—The situation of it would be one reason. The situation is peculiar, inasmuch as you have to go up a hill to get to it. The front of the market is in Farringdon Street. If you ever have been into that market, you would see that as at present constructed, it would never do for a dead meat market.

7829. Would not it be much cheaper to make such alterations as would adapt it to the use of a dead meat market, than to erect an entirely new one, keeping moreover Farringdon Market, from which very little benefit is now derived?—We think Smithfield would be more central, and more likely to succeed as a market. It is the most difficult thing in the world to move a market. The removal of the old Fleet Market into the new Farringdon Market, was a complete failure, it never succeeded; nothing is more difficult or uncertain than the removal of a market.

7830. Do you mean that the removal of Newgate Market to Smithfield would not be so distant as the removal of Newgate Market to Farringdon Street?—We have another object in view in the erection of a new dead meat market. We think if Leadenhall Market, which is also a meat market, could be removed to the same spot it would be an advantage. The poultry market is now at Leadenhall, and in addition to that they have a dead meat market. If we could bring them to one central spot, which should be in connexion with the railways, we think it would be an advantage to the public. When the present Smithfield Market is removed, we shall have a site there for such purposes as may be considered neeessary and proper.

7831. There is no doubt about the entire inadequacy of Newgate Market for its present purpose, is there?—It is the greatest nuisance we have, I think much more than Smithfield. I wish to call the attention of the Commissioners to No. 1221. It is the evidence given by Mr. Bennoch, in which he makes a charge that I am rather anxious to reply to, because I feel that it attacks the character of members of the House of Commons. He proposes that some return should be made. He says, "When the return "is made which I have suggested, if it be your pleasure to order it, I believe you will "discover that in 1849 there was a very large sum of money expended in various ways, "some of it in dinners to members of Parliament to manifest their gratitude for the "assistance which the corporation had received in the House of Commons." I am cognizant of what took place in the committee. The only dinner that members of Parliament were invited to, was a dinner which it appears it is customary for the sheriffs to have at Bellamy's when they present a petition to the House of Commons, which, in this case, was against the Government bill, the expense of which dinner was 14*l.* 17*s.*; and yet it is stated upon oath by a witness, who says that he will only speak to facts within his own knowledge, that sums of money were spent in tavern dinners in entertaining members of Parliament in order to get their support. I declare that to be unfounded. Not one sixpence was ever spent by the committee in tavern dinners in the years 1849 or 1850, or in any other year until the last. In the last year, like other committees of the corporation, a sum of money was voted to that committee, and I need not tell the Commissioners that, in the business of the committee in the construction of this market, at some distance from London, much time is consumed by the members who attend to the duties. For many hours in the day we are engaged upon the business, and I think the

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trifling charge which is made for those dinners is not worth talking about. At the same time I felt it my duty to contradict the statement of Mr. Bennoch, which has not a shadow of truth in it. There must have been a great misconception on the part of the gentleman when he made such a statement. The Commission have been for many days engaged in this inquiry. The statements which have been made by many of the witnesses have been explained away. It would not be fitting in me to take up much of the time of the Commission; at the same time I could, I think, without any doubt satisfy your minds that those who made the charges against the corporation for incompetency and not being able to discharge the duties efficiently, made charges which were utterly unfounded, especially when I inform you that a project of Mr. Bennoch's (which did not meet with that favour in the common council which he anticipated and which he desired, namely, the erection of a new bridge) I believe gave him the idea that we were not competent to take up such questions. I need not say that projects proposed in a large body, such, for instance, as that of a new bridge, though they may appear desirable, are not always proper to be carried out at once. It has been stated by Mr. Bennoch, in a book which he has published, that it is quite enough for you to determine that a bridge is required; and after you have done so, then to see about the means for executing the work; but I apprehend it to be important before a public body takes up the question of the erection of a new bridge they should be somewhat satisfied of their means of being able to carry it out; because, if we determined upon the erection of a bridge, and afterwards found that we had not the means of doing it, nothing could be more clear than that we were incompetent to deal with such a question. During the time I have been a member of the corporation I have been upon most of the committees. I am now upon several of them; and as regards the nature of the business of any of them, either the Bridge House committee or the City Lands committee, or others of them, I should be willing to give you all the information you desire. Perhaps, however, you have had sufficient evidence upon those subjects, so as not to require any further information. At the present time I may say I am a member of the City Lands committee, which has the control of the City's estates, reporting to the common council from time to time the necessary and important part of the business. I am also on what is termed the Officers' and Clerks' committee, to whom is referred all matters connected with the officers whenever a vacancy takes place, so that they all undergo review. I am a member of the Orphan School committee; the committee for erecting the Wellington monument; the Markets' Improvement committee; the commission of Sewers, and also one of the four members of the corporation on the Metropolitan Commission.

7832. Do not you find it rather difficult to perform all the duties which are thrown upon you by belonging to so many committees?—I find that it absorbs a good deal of time.

7833. You say you are engaged in trade?—I am. I quite agree with the suggestion which has been thrown out that a smaller number of committees would be most desirable. I also feel from my experience that if the members were retained more permanently on the committees, and had fewer of them to attend to, they would make themselves more masters of their business than they do under the present system.

7834. It has been suggested to us that there would be a danger, if that system were adopted which seems desirable for the dispatch of business, that the business might get into the hands of cliques, and there would be less publicity and popular opinion brought to bear upon the subjects. Do you think there would be any danger of that happening?—I do not. I think the number may be reduced with great advantage, and if the members remained more permanently upon the committees I think they would make themselves masters of the business to a greater extent than they can now with the frequent changes.

7835. Does not this change of members, though inconvenient in many respects, produce this good effect, that the whole or the greater part of the members in the common council are considered to become more or less acquainted with all that goes on?—It necessarily gives them an insight into the general business of the corporation, but if there were fewer committees the business would be more condensed in those committees.

7836. Do you think other means might be found to ensure a proper control over those committees in the conduct of their business?—I have the greatest confidence in their judgment and discretion.

7837. In dealing with public money and public affairs there is always a proper degree of jealousy which ought to be exercised?—I think the larger body should have the entire controlling power, and the business ought not to be transacted by the smaller without being reported to the larger body.

7838. Do you think that the publicity of the proceedings of those committees, and the control of the common council, are not as complete and effectual as they ought to be?—I think they are. There is but little publicity given to the business of the committees. It is not considered necessary to give publicity to their proceedings, unless it is through the common council, where the reports are made.

7839. Do you think that the discretion left to the committees is too large?—I think possibly it may be more than it should be. I think that the business ought to be reported to the common council, and that they should have everything of importance before them.

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7840. Do you think that the committees act too much as executive bodies?—On some occasions I think they do.

7841. Do you think they have a greater control over the expenditure of the money than they ought to have without previous reference to the Court of Common Council?—I think the Court of Aldermen have.

7842. Can you, from your experience suggest to us any improvement which you think might be introduced which, while on the one hand it would diminish the number of members of committees which you seem to think would be desirable, on the other hand would afford any check or control over the conduct of committees, which you may also think expedient?—The check should be that their power should be more limited than it is now, and that they should report more frequently to the court before they carry anything into execution.

7843. I suppose, practically, a committee such as the Markets Improvement committee, has the entire control of the markets during the year of its appointment, and the common council very little interferes?—When once a matter is referred to them, to do therein as they think fit, it is left very much to their discretion; and perhaps it is more safe with a larger body than it is with a smaller; a body composed, as that committee is, of from thirty-five to forty members, may have left in their hands a greater control; but if the number were very much reduced, I think it would be more prudent that they should report more frequently to the Court of Commom Council.

7844. Do you think that the duties and responsibilities of the Court of Common Council, of the committees of the common council, and the City officers acting under the discretion of those committees, are sufficiently defined?—They are not properly defined. The institution is a very ancient one; much has been regulated by what has been the practice and the custom.

7845. Any confusion in those respects has a tendency to diminish the responsibility, has not it?—It has; but we have fortunately some very able officers. in whom we have great confidence.

7846. In proportion to the ability of those officers, and the confidence reposed in them, it would be well to fix responsibility upon them, perhaps?—I should be very sorry to find a committee handing the responsibility over to an officer. I think the committee should be responsible; but, at the same time, should look with confidence to the judgment of their officers.

7847. In many cases, while the general direction might be given to the committee acting under the common council, yet all the executive part of the business, and the responsibility, would be more properly in the officers, would not it?—They have the entire control of carrying out anything which it is referred to them to carry out.

7848. You think a committee does not interfere with the executive duties of the officers?—I think not. The architect is a very able officer; one of the most able officers, I think, that we have; he is a man who is not to be surpassed in his profession. I do not think there is any man we could find who would be equal to Mr. Bunning in the discharge of the multifarious duties connected with his office.

7849. Mr. Bunning stated to us that he was the architect and surveyor, as well as performing the duties of the clerk of the works for the City?—Both architect and clerk of the works.

7850. You have been connected with the City Lands committee?—Yes.

7851. Supposing it was the intention of the City to erect a great public building; do you think there is anything in connection of the architect with the City which would render it obligatory upon the City to consult exclusively the City architect for the designs and elevation of such a building?—If it was a building with which the corporation alone had to do, they would put it into his hands for the purpose of his producing plans.

7852. Suppose that such a misfortune should happen as that the Mansion House should be burnt down, and it was necessary for the City to undertake a building of that description, do you mean that the City would feel itself bound to consult exclusively the present City architect, and would not have recourse to the principal architects in London for advice upon such a subject?—I think, especially as regards the Mansion House, we have sufficient confidence in the judgment and ability of the architect to lead us not to refer it to any other person to produce plans for the erection of a new one.

7853. Without at all expressing the least doubt of the ability and taste of the gentleman who has been appointed City architect, do you think it right that a corporation, such as that of the City of London, should stand in that relation to any man, that it should not be at liberty to resort to many opinions, as well as one, upon a point of that description?—I do not think that the City are bound to resort to him exclusively. I think it is quite discretionary with the common council to employ the City architect or any other person, but I believe if Sir Charles Barry were the architect of the City of London, we should not think of applying elsewhere for an architect to produce plans for any public building connected with the corporation; we should have sufficient confidence in that gentleman to resort at once to him.

7854. Do you think it would be right to preclude yourselves by any arrangement or understanding, however eminent the architect might be, from taking the advice of many

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minds, instead of one, upon a subject of that kind?—There is no rule which would preclude us from doing so. We have the undoubted right if we please, to invite other architects to produce designs; but I feel quite certain that I am speaking the opinions of nineteen-twentieths of the corporation, when I say, that they have sufficient confidence in the judgment and ability of the present architect not to think of going elsewhere. It is the first occasion that the City have been placed in that position. It would not have been so with the late officer, because he was not ostensibly the architect; he was the clerk of the works and surveyor.

7855. Are all the markets of the City of London under the control of the Markets' committee?—They are. The Markets' committee is distinct from the committee of which I am chairman.

7856. Some of those markets may be considered not only City markets, but metropolitan markets, may they not; such as Smithfield Market, Billingsgate Market, Newgate Market, and perhaps others?—Yes.

7857. In dealing with those markets, either in the way of regulation, or considering questions with regard to their enlargement or improvement, has the Markets' Improvement committee ever felt itself impeded or hampered by that circumstance, that their constituency are merely a small portion of the inhabitants of the metropolis, and are not connected with the metropolis at large?—I do not think that their constituents would have any effect with them in inducing them to do anything but what was for the general good of the metropolis.

7858. In managing the markets of the City, do the committee look to the general interests of the metropolis, and not to the limited interests of the City?—Unquestionably to the larger object, the wants of the whole metropolis.

7859. You give that opinion with confidence?—Quite so. I think we should be justly charged with looking at the question with too narrow a view, if we merely looked at a market for the purposes of the City. The great emporium of commerce is the City of London, and we are anxious to retain all the trade within the City of London. Hence our great objection to parting with Smithfield Market. We know, where millions of money changes hands in a year, and, I may say that seven or eight millions per annum does change hands in Smithfield; if you take that to any other locality, it is an injury, to a certain amount, to the trade of the locality from which it is taken.

7860. Do you think that the interested persons, holding or occupying property in the immediate neighbourhood of Smithfield, had any influence upon the decision of the Markets' Improvement committee upon that occasion?—Not the least. That their interest was mixed up with it, and that they co-operated with the corporation there can be no doubt, because in the case of the removal of that market, which had brought to them a great deal of business, their means of existence much depended upon its continuance. Hence we had their co-operation and support for the retention of the ancient market.

7861. You think that their representations did not influence the members of the common council who served upon the Markets committee?—Certainly not. There was a very large preponderance in the common council in favour of the corporation scheme of enlarging the market and the minority were very few indeed. Whenever the question was before us, there was something like the proportion of 70 members to 7. When that is stated, it will show that there was a very strong feeling throughout the body of representations that we should endeavour to retain our market within the city.

7862. Is there anything else which you desire to state?—I am not aware that there is. I felt it my duty to attend here for the purpose of defending the conduct of the corporation from many of the charges which have been made against it. At the same time I am quite prepared to admit that an old institution like the corporation of London, requires considerable revision and improvement. I am one of those who have been a very strong advocate for the appointment of this Commission, in whom I have the greatest confidence. I believe that much good will result from their enquiries. I believe it will not be the object of the Commission to suggest those changes which will be objectionable. I have no doubt whatever that the measures recommended by the Commissioners will be beneficial to the citizens at large. It has been understood in the Consolidated committee, of which I am a member, that those who come here for the purpose of answering, as far as they can, the charges made against the corporation, should not at once propound any new scheme. I shall be quite prepared at some future time to suggest what I consider would be improvements in the constitution of the corporation of London. At the same time I wish to keep faith with those with whom I am associated. I have no desire at present to go into the question, but I am quite prepared to admit that alterations might take place which would be exceedingly beneficial.

W. Haywood, Esq.

WILLIAM HAYWOOD, Esq., was further examined as follows.

7863. Is there any explanation which you wish to give in reference to your former evidence?—I only attend to lay before the Commissioners certain statistics of the carriage traffic of the City of London, which have been previously asked for by them.

I beg to hand them in, *(producing the same)*. I also beg to submit to the Commission a packet of reports upon the works of the Commission of City sewers, which will shew the annual progress resulting from the efforts which they have made for many years past in the various sanitary matters committed to their charge. *W. Haywood, Esq.* 9th Feb. 1854.

The same were delivered in.

SAMUEL ROBERT GOODMAN, Esq., was further examined as follows. *S. R. Goodman.*

7864. Do you wish to explain anything which was stated in your former evidence?—Not in my own evidence, but I wish to make a remark respecting the statement which has been made at 6696. The witness says, "I refer to a case reported in the *Times* of the 6th June, 1851. "'Mansion House—G. B. Mayne was brought before Mr. Alderman Wire, "'(sitting as police judge in the case,) in custody of Daniel Forrester, charged with having "'unlawfully attempted to obtain from the Monarch Life and Fire Assurance Company the "'sum of 118*l.* with a view to cheat and defraud the said company. Mr. Alderman Wire "'asked the prisoner if he had anything to say, giving him the usual caution, prisoner "'acknowledging his guilt, threw himself on the mercy of the court. Mr. Alderman Wire "'committed the prisoner for trial at the Old Bailey.'" "Now it must be observed here, "that Mr. Alderman Wire, who acted as judge in this case was at the same time the solicitor "to the Monarch Life and Fire Insurance Company; thus the judge to try the delinquent "who attempted to defraud the company, and the solicitor to the prosecutors was one and "the same person." A little further on he says, "I may mention that a partner of "Mr. Alderman Wire, Mr. Child was the solicitor who appeared at the Mansion House "to prosecute the case before the Alderman" The explanation which I wish to give is simply this, a warrant was issued by Mr. Alderman Hunter, upon the application of the secretary of the company, who came alone in the morning of the 3rd of June, and obtained that warrant. The warrant was executed in Devonshire, and the prisoner was brought up in custody on the 5th of June. On that day Mr. Alderman Wire happened to be sitting; it was the last case, and I sent round to ascertain if I could get another alderman to sit, knowing that he was connected with the company. I could not do so. It was then suggested that he should take just sufficient evidence to justify a remand. I myself examined the witnesss, and directly I began to examine the witness the prisoner put in a written statement confessing his guilt, which he had previously prepared. The case was then remanded till the following Saturday, namely the 7th, on which day Mr. Alderman Wilson sat, heard the evidence, and gave the prisoner the usual caution. The prisoner stated that the paper he had put in was the only answer which he had to make to the charge, that being a confession of his guilt. Mr. Alderman Wilson committed the prisoner for trial.

7865. Then this report is not correct that Mr. Alderman Wire committed the prisoner for trial on the 5th?—Certainly not, nor did he issue the warrant.

7866. Practically, Mr. Alderman Wire did not interfere in the adjudication of the case?—Certainly not, further than to remand the prisoner.

7867. He left the case to be settled by the decision of another alderman?—He certainly did.

7868. Is Mr. Alderman Wire a practising attorney?—He is.

7869. Is there any other alderman who is a practising attorney?—No other.

MR. WILLIAM RUSHTON having been sworn, was examined as follows. *Mr. W. Rushton.*

7870. What is the office you hold in the fellowship of porters?—I hold the office of paymaster and collector of metage, lastage, and fillage, and porterage.

7871. Are those two offices or one office?—One office.

7872. How long have you held that office?—I have held it twenty-seven years.

7873. How old are you now?—Sixty-eight.

7874. Your office has been described to the Commissioners by the title of corn shifter; is that a correct appellation?—We do not know the origin of the word, but that is what it has always been called. My grandfather held the office, my father held it; and I have been in the office under them for fifty-four years. I was elected by the Court of Common Council twenty-seven years ago, at the death of my father.

7875. What are your duties?—My duties are to pay the corn porters who assist in the measurement of the grain which comes into the port of London, which amounts to over three millions of quarters per annum; and once a month I pay such amount as the meters earn on corn work below bridge; and the City's portion which is called the City's metage. Whether those charges are collected or not, I pay them the last Friday in the month in full for every ship which is cleared.

7876. You collect the metage dues, and you also pay the porters?—Yes.

7877. And you collect the sum due to them from their employers?—Partly from the seller,—very much from the seller,—and partly from the buyers, who may live all over the kingdom.

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7878. Will you describe to us in some little detail the process which you follow in paying the porters, and in obtaining the money from the sellers and the buyers?—The porters, as soon as they have done their work, present a ticket, resembling this piece of paper, stating how much work they have done, and also the name of the ship and captain on board of which they have done it. That is instantly paid, without any knowledge on my part whether it is correct or not. We pay it on the faith of the man being like myself, a fellowship porter, and his authority being constituted under acts of the common council. I consider that I am secure in paying any man who is a fellowship porter any charge which he makes. Those payments amount in the average of the last 24 years to upwards of 229,000 per annum. We call it a very small day's payment if we have not from 300 to 400 payments to make, and we used to have as many as an average of 800 payments a day, and often 1,000.

7879. Are the men paid by the day or by the piece?—By the piece.

7880. If a piece of work lasts several days, are they paid till it is performed?—They are paid every day for so much as they have done that day on board that ship.

7881. How do you make those payments to the men?—I have three offices: one in Horsleydown, for the convenience of the men who live in Horsleydown; then I have another office in Tower Street, for the convenience of those who please to go there; and I have a private office close by, in Trinity Square, for those men to come to who choose to come there. It would perhaps strike you that paying those men at a public house would be a wrong thing to do, but when I appoint these public houses, I take an undertaking from them, and keep them strictly to it, that they shall never ask a man to spend one farthing. They are bound to pay, and I furnish them the money to pay with in advance.

7882. How do you collect the money from the employers of those porters?—When a ship is cleared, the account is made up by the principal meter, not the working meter, but the principal meter in the office; he makes it up, and charges so much for the charges that apply to the corn factor, or the seller, leaving me to charge the buyer with his proportion. The corn factor pays me when I go and ask for it.

7883. Are the payments made regularly, or do you ever have losses?—I cannot say that there are not losses, but I believe it will be seen upon so very large a concern which involves an average of 59,321*l.* 5*s.* a year, the bad debts are not above 120*l.* or 130*l.* a year.

7884. How much commission do you receive for the trouble you have, or the expense to which you are put?—I am glad you have asked me that question, because it has been most grossly misrepresented. It appears by the act of the common council, that I am empowered to take one penny in every shilling from the earnings of the labouring porters. That amounts to something like 8 and ⅓ per cent. Out of this 8 per cent., the act of the common council allows me to appropriate 4½ per cent., which appears as if I got 4½ per cent at first view, but putting in the corporation's portions of the money collected for them, and all the other matters, I do not get 4½ per cent. Perhaps the commissioners would like to know what I actually have left for my own self after deducting the expenses of the office. I have had nine clerks employed; now the last five years I have had but five; the amount on the average of twenty-four years that I have received, does not come quite up to a clear three-fourths of a farthing in the shilling.

7885. That is a little more than two per cent?—I calculated it to be 1¼ (but find it 1½) and a fraction per cent. We apply to the corn factors for the amount of those charges, and with some few exceptions, I am happy to say they pay very well. The buyers we get payment from when we meet with them. Sometimes we write to them; my postage account for penny stamps amounts to 8*l.* a year.

7886. Have you seen the evidence given by Mr. Brown before the Commission?—No, I have not read it.

7887. Will you refer to the answer to question 4028 in Mr. Brown's evidence, and having read it, explain the statements there made?—The act of the common council which established me in my office said, that the fellowship should find sufficient funds.

7888. For what purpose?—To make all the payments with till the money was collected back again.

7889. What was the nature of the alteration which was made by the act of the common council in 1827?—The office was held by my father and grandfather by lease, paying an annual rent for the profits of a penny in the shilling to the Court of Rulers. It was thought advisable not to go on upon that system any longer, and an act of the common council was passed that at the termination of my father's lease, the corn shifter should be elected by the common council, and the Court of Rulers should find the money. They found me 7,000*l.*

7890. It is said that that is more than is necessary; is that the case?—That is not true, as I shall be able to show when I am called on. It will require me to look at the balance sheets, showing that I have had frequently 9,000*l.* or 11,000*l.* out, and I was myself obliged to find the surplus capital. Of course I do not let more money be idle than there is occasion for.

7891. Your statement is that the sum of 7,000*l.* which was advanced to you was not more than was required to carry on the business of the office?—I go further, and say that it was much less.

7892. Is that the sum required at present to enable you to make your payments?—Certainly not.

7893. Would not it be right that some portion of that sum should be repaid the fellowship?—Some portion of it has been repaid.

7894. How much?—Some few years ago the fellowship called upon me to return them 1,000*l.* I did so. At a more recent period the fellowship again called upon me to know whether I would part with some more of the capital. I then went up to their hall, as I am constantly in the habit of doing, and showed them that instead of calling upon me for capital I ought to call upon them. The court of that day were satisfied; their clerk was satisfied; and one of the rulers said, I wish you would try and oblige us with 250*l.*; we want to pay a bill for expenses in the suit of Combe and Delafield; it will save us from selling out stock. I said, whether I have 250*l.* more or less in my hands is a matter of very little consequence to me, you shall have it; and I wrote a cheque for 250*l.* That law suit, I should say, was gone into contrary to my advice and opinion.

7895. You have repaid, out of the 7,000*l.*, 1,250*l.*?—Yes.

7896. Has anything more been repaid?—No; but I have claims upon the court for payments which I have paid for them, and on their account. They have my bond; they have property of mine more than ample to secure them. The Court of Rulers at any time can call upon me to make restitution of anything that I hold that I ought not to hold. The Court of Common Council, who constituted me, can do the same, and there are open the courts of law if they required it; but my court of conscience will induce me to do everything I ought without going into any court whatever, whenever properly called upon.

7897. What is the meaning of your having received the sum of 87,000*l.* from the year 1827?—That is quite likely to be true, I having taken 87,000*l.* in the shape of deductions from the labour of those men.

7898. Would that sum include the portion which is paid to the corporation?—No; that includes the sum which is returned to the Court of Rulers for the benefit of their superannuation fund. After taking 4½ per cent. out of that amount, the remainder I return once a month to the Court of Rulers, whether the amount is collected or not. From that I deduct counting house expenses of all descriptions, and the net balance is what I get.

7899. What is the present state of the funds of the fellowship; are you acquainted with that?—It is much lower than it was. I am not quite acquainted with it. I fancy they have about 3,500*l.* left, and they ought to have had a great deal more.

7900. It appears from the statement which Mr. Lawrence made to this Commission that the annual payments which have been made by you to the fellowship have decreased from 1,694*l.* in 1841 to 770*l.* in 1851. What is the reason of that diminution?—It arises from the quantity of corn which goes into the docks, into which they will not let the fellowship corn porters go; therefore the dock companies have got a monopoly of the labour. They get it done for 1*d.* per quarter, and they charge from 2½*d.* to 3*d.*; that is a monopoly against the poor working men.

7901. Do you think that the porters belonging to the fellowship are generally poor working men, that is to say that their state is one of poverty and distress?—They are all respectable decent working men.

7902. Are they in a better condition than other porters who do not belong to the fellowship?—They get a little better pay than common labourers who wait at the corners of streets, certainly.

7903. Are they more regularly employed?—They are very regularly employed at certain times of the year, when large quantities arrive. At other times they are obliged to stay away from this work, and go to work at their trades, or whatever they can go to work at, but they are at the call of the corn trade at a moment's notice, whenever the trade may require them, and the corn trade are perfectly satisfied with them.

7904. Do you think they derive much benefit from being members of the fellowship?—It is a living for them.

7905. Do you think it is a better living than they would get if they were not members?—It is a little so; when a man is a little advanced in life he can do this work, which perhaps he could not do at his own trade.

7906. Are the prices paid by the importer of the corn to the fellowship porters higher than would be paid if the system did not exist?—No; if the system did not exist the trade would be at the caprice of the casual working men, who would only go to work if it suited their purpose. Supposing there were a job of 100 quarters to be measured they would go to it, if there were twenty they would not go to it, so that a small consumer would be at a disadvantage against a large one. I have at home an account of the gradations of the jobs which are done, and I find that a majority of them are under 50 quarters.

7907. If the fellowship ceased to exist, could the importers get their work done more cheaply than they get it done at present?—Certainly not.

7908. Would they pay more?—Always for small jobs they would pay more, and for large ones they would get it somewhat less.

7909. How is it that the present porters derive any benefit from this system?—I should think because it is an exclusive privilege which we have enjoyed of doing the work.

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7910. You say that the trade get the work done cheaper under the present system than they would if the trade were open?—And much more to their satisfaction. I am intimate with all the corn trade. I know every man on the Corn Market, and with some few exceptions they wish the present system to continue. It is the only way to have justice done. I wish the Commission to understand that the act of measuring the corn is not one man's act alone. The porters are the people who measure the corn in conjunction with the meters. The porters dip the bushel into the bulk, and the meter follows with a scoop. The porters strike the bushel, turn it over into the sack and tie it; and they (the porters) hoist it out of the hold and deliver it. It is quite impossible for one man to measure the corn and put it up. Those are independent men, who can be bribed by no one to give more or less. No man who sends for a meter knows who will go to the work, and it would be impossible to bribe eight men.

7911. What was your reason for advising that the suit against Messrs. Combe and Delafield should not be proceeded with?—Because I thought it was too large an undertaking for our Fellowship Company, and they had better drop it than go to the immense expense which I then thought it would be, and the great expense I have now found it has been. I also had a notion that they did their business at Scotland-yard, which was a royal precinct, and that they would beat us on that point.

7912. Is there any other point you wish to explain?—I wish the Commission to observe that the prices for the labour is not arbitrary or invariable, nor are they fixed by the porters or meters. They have been, from time immemorial, and from time to time, settled by the common council, who were often (many of them) their employers. The Commission should also understand that the meters and porters are paid at the same rate per quarter throughout the whole port of London, from Staines to Yantlet Creek, whether the quantity be large or small. The effect of this is to protect the small buyers from the monopoly of large capitalists. The smallest buyer now pays no more than the fair proportion with the largest.

The attention of the Commission is also respectfully called to a report made by a Committee of the House of Commons in 1834, on the subject of the sale of corn by weight, commonly called Mr. Vernon's committee, in which the whole subject of the mode of measuring and delivering in the port of London was carefully examined, and the continuance of the system recommended.

D. W. Wire, Esq.

DAVID WILLIAMS WIRE, Esq., having been sworn, was examined as follows.

7913. You are sheriff of the City of London?—I am one of the sheriffs.

7914. And one of the aldermen?—I am.

7915. How long have you been connected with the corporation?—Twenty-three years.

7916. Do you reside in London?—My office is in London. I do not reside there.

7917. What trade or profession are you engaged in?—I am a solicitor.

7918. Have you taken an active part in the business of the corporation since you have been connected with it?—From almost my first entrance into the corporation I have taken a very active part in the affairs of the corporation.

7919. Are you acquainted with the manner in which the election for sheriffs is conducted?—Yes, before I became an alderman I was under-sheriff five or six times.

7920. It has been stated to the Commission that some abuses have existed with regard to the system of fines; is that a subject which you have ever paid attention to?—I have paid great attention to it. I have endeavoured, as far as I have any influence, to prevent anybody from being elected as sheriff who was unwilling to serve.

7921. Have those endeavours been successful of late years?—In almost every instance.

7922. That practice is one of very old standing connected with the corporation of London, is not it?—It arose in this mode. Before the Test and Corporation Acts were repealed there were a great number of merchants in the City who were dissenters, and could not take upon themselves corporate offices. They were elected, and rather than violate their consciences they submitted to the fines.

7923. In very old times, I believe there is no doubt that it was made use of as a means of getting money, was not it?—I believe at that particular period it was; because it is stated that the larger part of the expense of building the Mansion House was paid out of the fines which were thus paid by persons who had been elected, and did not and could not serve. As far as my knowledge extends, since my connection with the corporation. I do not believe there has been an instance of any person having been elected for the sake of getting the fine.

7924. Considerable sums of money have, at a comparatively recent period, been received by the City, have they not, from the fines paid by persons appointed sheriffs?—No.

7925. What is the latest period at which any considerable sum was received from that source?—Certainly thirty years ago, I think.

7926. You are quite sure that at present there is no such practice prevailing?—Not only no such practice prevailing, but the Lord Mayor, instead of exercising a privilege which belongs to his office of nominating the persons to serve as sheriffs, who used to be

put up on a list in the Guildhall, as among the eligible parties, has declined lately to exercise that privilege.

7927. Has your attention been called to some evidence which was given by Mr. Turnley, who described Mr. Rose going to him and threatening to return him as sheriff if he did not accede to his terms?—A. Mr. Turnley has made complaint to me recently, in very bitter terms, of his having been elected; but he had been upon the list as having been nominated a considerable time. What Mr. Rose stated to him I do not know, but it was prior to my election that Mr. Turnley was elected.

7928. Have you any reason to doubt the accuracy of the statement which was made, that a man in Mr. Rose's situation could find means to elect a person, against his will, sheriff of the City of London?—I think, if the parties themselves did not take any interest, and let the thing go, it might be done, because the common hall, unless some question of interest is stirring, is very thinly attended.

7929. Do you think the system of the election of sheriffs by common hall, as at present conducted, is objectionable?—Very objectionable; unless means are taken by the friends of the candidate who wishes to be elected, and by the parties who do not wish to be elected, it is very likely a man may be elected against his will, and consequently be subject to a fine.

7930. Have you any objection to state to us any alteration of the system of electing the sheriffs which may have occurred to you, which would obviate those objections?—There is a suggestion, which I make with a deal of diffidence. The liverymen not having attended to do their duty, if the constituency in the City be altered, that may induce the constituency to attend. Failing that, I think the election should be in the common council, who would avoid every possible abuse, and there would always be the names occurring to them of parties who would be willing to serve.

7931. This year there was considerable difficulty in respect to the choice of a second sheriff, was not there?—There was.

7932. How did that difficulty arise?—Of course it requires a great preparation for a person to take upon himself the office of sheriff. He must necessarily sacrifice a great deal of his time, as well as spend a great deal of his money; and, unless a party is previously prepared, when he is elected he hesitates about serving.

7933. What are the ordinary expenses of the office of sheriff?—The ordinary expenses of the office of sheriff are never less than 3,000*l.* a year. Of course it depends a great deal upon the ability and willingness of the sheriff to spend. Many have spent a great deal more. I shall this year have to expend more in consequence of my colleague in office declining to pay certain portions of the expenses, which are usually borne in equal portions by the two sheriffs.

7934. Are there any matters connected with the office of under-sheriff which are susceptible of amendment?—I think not. The rule with regard to the under-sheriffs is the same that prevails in all the counties of England, and I have never heard of anything objectionable in it whatever. The sheriff nominates his own under-sheriff.

7935. Is there any advantage in the connection which subsists between the shrievalty of the City of London and the county of Middlesex?—I think there is great advantage, because it is a popular election, and gives to the people the right of choosing their own sheriffs, which is a privilege which the City of London bought and paid for, and have exercised for 700 years, without any injury to the Crown or loss to the subject.

7936. Is there any advantage in making the shrievalty of Middlesex dependent upon the shrievalty of London?—I think there is, because there is an intimate connection between the City of London and the county of Middlesex, London being, as some say, a part and parcel of the county of Middlesex, the sheriff elected by the citizens of London has an opportunity of being of great service to the county of Middlesex; and, I think, in times of danger and excitement and political movements, the advantages of having the sheriffs of London the sheriff of Middlesex has been manifest.

7937. In what way does that appear?—I think the power and influence of the City of London have been brought to bear upon the county of Middlesex beneficially for both parties.

7938. Are there distinct under-sheriffs for the county and for the City?—Yes. The under-shrievalty of the City, I may say, is executed by the secondary.

7939. Is not that different from the practice of any other sheriff in the kingdom?—As far as regards London it is. In London, though the sheriff is primarily responsible for all the acts of his officers, yet, as the corporation appoint the secondary, they would indemnify the sheriff against any loss which might accrue to him from the neglect of his officer; but that is not the case with regard to the county of Middlesex.

7940. The same person acts virtually as under-sheriff for the county of Middlesex without removal. Mr. Burchell is that by an annual appointment?—Yes. The under-sheriff might take the business into his own hands, and do it. At one time, when I was under-sheriff, I thought of doing so, because I thought it would have been of great advantage that it should have been entirely under the control of the under-sheriff.

7941. Could you have done so in London?—No. I am speaking of the county of Middlesex. The appointment in London is in the hands of the corporation.

7942. The under-sheriff of London has but small duties to perform, has he?—The under-sheriffs jointly perform the duties. They relieve one another in their attendance;

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but, in truth, one has nothing to do, except as attending upon his sheriff. The rule is, to swear only one of the under-sheriffs. The senior under-sheriff is sworn.

7943. What are the emoluments of the office of the under-sheriff?—I cannot tell what they are now. I can say what they were when I was under-sheriff. Upon the average, I think, I may say, they were about 1,000*l.* a year; but the amount varies very much. The first year I was under-sheriff, in consequence of the change of the law, which immediately took place upon my entering the office, nearly all the fees were taken away, and I was out of pocket.

7944. How many years were you under-sheriff?—Six. I do not mean six consecutive years.

7945. What alteration of the law do you refer to?—The abolition of the arrest for debt.

7946. Is it usual to continue the same under-sheriff for several years, or does the sheriff generally appoint his own under-sheriff, without reference to the previous tenure of office?—The sheriff appoints his own under-sheriff, without reference to the previous tenure of office. I happened to be under-sheriff because clients of mine were serving the office.

7947. Did you hear the evidence given by Mr. Goodman, respecting a case which you were stated to have adjudicated?—No. I know what case is referred to.

7948. Mr. Goodman has stated that you did not adjudicate in the case; but merely remanded the prisoner, and that he was committed by another alderman?—That is the fact. He was committed by Alderman Wilson.

7949. The principal fact in the original statement appears to be erroneous?—There are two facts that are wholly erroneous. It is stated, first, that I adjudicated upon the case; and, secondly, that my partner was conducting the prosecution, neither of which statements is true. The man was brought in custody while I was sitting for the Lord Mayor, upon a warrant which had been previously issued by Mr. Alderman Hunter at the close of the day. I could not then get another alderman to hear the case; and I heard sufficient to justify a remand of the man, he being then in the custody of the officer, having been brought up from Devonshire.

7950. The person admitted his guilt, did not he?—He persisted in putting in a written statement of the fact. There was evidence to show he had been guilty of the crime, and he admitted it.

7951. You remanded him; but he was finally committed by another alderman?—Yes.

7952. And you say the proceeding was not conducted by your partner, Mr. Child?—It was not. No person was employed, because the man persisted in admitting his guilt; and neither counsel nor solicitor were necessary. When the grand jury found the bill, he pleaded guilty to the indictment, and there was an end of the matter.

7953. Before you heard any evidence so as to justify a remand, had any attempt been made to get another alderman to come and take your place?—Yes. The case came on late; and we sent all over the City for the purpose. I should have been pleased to have found another alderman.

7954. Have you read the evidence of Mr. Gray?—I am perfectly acquainted with the case of Mr. Gray.

7955. Can you give us any information upon that case?—Mr. Gray came and asked me to support his petition, which he had presented to the common council. The common council, after having heard him upon the subject, recommended that a grant of 50*l.* should be given to him, beyond what other persons had subscribed that was given to him.

7956. His petition was that the estreats should be given to him, which would have been the case if the estreats had gone to the Crown, instead of to the City. Was not that so?—I do not think the Crown are in the habit of granting the estreats to parties who prosecute. I have never known an instance of it. Mr. Gray came and told me that he had made an application to the Home Office. I have no recollection of the subsequent conversation which Mr. Gray speaks of. I have a recollection of his coming to ask me to support his petition in the Court of Common Council, which I did, and which resulted in a grant of 50*l.*

7957. He speaks of a subsequent communication with you?—I had no correspondence with him to the best of my recolleetion, till after he had given his evidence before the Commissioners. Then he wrote me a letter, to know what had become of the fines. I must explain that the fines are set over, and it is two or three years after you are out of office before you know anything about them. A portion of the fines that year, I think, did not come into my hands till about a year ago.

7958. Are those estreats regular accounted for?—Yes. They are returned first by the sheriff or his officers to the Court of Exchequer, and what belong to the City are in technical language set over to the City by the officers of the Crown, and what belong to the Crown are set over to the Crown, and then they are recovered by a process, from the Court of Exchequer, directed to the sheriff, but it is three or four years after you are out of office before that is done. The secondary is paid by salary, partly made up of fees, and he has to account for every shilling of the money he receives, to a committee of the corporation, for the purpose of seeing whether or not he has received up to the amount guaranteed by the corporation, which is 1,000*l.* a year. The fees are therefore always accounted for, and the fines have to go through the first process I have mentioned. The fines are all returned by the officer to the Court of Exchequer; the officer of the Crown then apportions the fines to the different parties who are entitled to them by charter.

7959. Are you prepared to say that you are confident that if this had been a case in which the Crown had been concerned instead of the City of London, those estreats would not as a matter of course have been given to Mr. Gray?—I am not prepared to say that; I can only say, that I never knew a case in which the Crown have done so. I know a case in which the corporation having had a fine of 10,000*l.* set over to them, divided it among the parties who suffered from the delinquencies of the man who paid the fine.

7960. You do not believe that the Crown, as a matter of course, would have given that fine to Mr. Gray?—Not as a matter of course.

7961. You know the nature of the case of Mr. Gray. Do you believe if he had been dealing not with the City but with the Crown, he would have received that estreat?—I think if the Crown had known what was known to the committee, the Crown would not have given it to him. The City of London are in the habit of dealing most liberally with every person who has any connection with them or any reasonable claim upon them; they gave to the man 50*l.* upon his showing that he had been out of pocket 50*l.* and they thought the case would have ended there. Some long time afterwards, Mr. Gray applied to the corporation for those recognizances. I believe the money had been set over by the Crown, and distributed to the parties entitled to it.

7962. Mr. Gray appears to have acted a very useful part if his statement is correct?—I have not the means of stating whether it is true or false; it may be perfectly true, but I have no knowledge on the subject, and therefore cannot answer with respect to it.

7963. Do you know enough to state whether the whole matter was gone into in an equitable spirit on the part of the corporation, with a view to give him the money if he could make out an equitable case. Did the City of London act with as much liberality as the Crown would have done under the circumstances?—I think with quite as much liberality.

7964. Do you believe that full inquiry was instituted into the case?—I believe from the habits of the committee such an inquiry was held. I was not on the committee, and I cannot speak to the particular fact. The first application of Mr. Gray was a petition, which he asked me to present or support. Upon the statement he made, I did support the petition and it was referred to the committee. They heard Mr. Gray's state ment and went fully into it, and came up recommending that the court should give him 50*l.* There was then a subsequent application, a long time afterwards, respecting those fines. He had asked me upon one occasion, whether I had received the fines. I had not then received them, and did not know anything about such fines at the time.

7965. In the Court of Exchequer would the fine be set over to the City of London?—Undoubtedly.

7966. Into whose hands would it go when recovered?—Into the secondary's hands.

7967. And the secondary would have to account for it to the corporation?—Not to the corporation but to the City solicitor.

7968. You say he is paid by a salary; therefore it would be in truth so much money paid to the corporation, because they would otherwise have to make up his salary, to that amount?—That is the case, no doubt, so far as regards the fees of office, but I should say that the corporation does not put the fines into its own purse. Those fines are distributed among the parties entitled to them. I believe the fines are set over to the sheriff. The secondary does not receive them for himself; what he does receive for himself, are the fees of the office.

7969. Into whose hands would the money arising from the estreat of recognizances pass?—It comes first into the hands of the secondary. It is paid by him to the City solicitor, and then the City solicitor distributes it according as the parties are entitled to it. It depends upon the understanding between the sheriff and the under sheriff, as to whether the fines go into the pocket of the sheriff or the under sheriff.

7970. The City solicitor having the fines in his hand, would he pay them over to the sheriff, or to the under sheriff, or to the corporation?—To the sheriff.

7971. Then they do not get into the funds of the corporation?—No.

7972. If those estreats had been given to Mr. Gray, it would have been money out of the pocket of the sheriff?—Yes, or his under sheriff.

7973. Do you think that that is an advisable arrangement; you say that you think these estreats should be equitably regarded and given to any person who may have an equitable claim upon them; would not it tend to hamper the conduct of the corporation in that respect, when they were taking not their own money, but money which would otherwise have gone to their own officers?—I think the corporation would have paid the amount out of their own funds, if they had thought it a case which called for it.

7974. If the money had been paid by you to Mr. Gray, would it have been paid out of your pocket?—Certainly.

7975. In other places than London, in what position do the sheriffs and under sheriffs stand in reference to estreats?—Unless by particular charter or grant, they all go over to the Crown; they do so in the county of Middlesex, except that a portion of them goes to the dean and chapter of Westminster. The dean and chapter of Westminster have those which arise in connection with the city of Westminster.

7976. Are there any other points to which you are desirous of calling the attention of the Commissioners?—There is one other point, I think, which I should wish to advert to.

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My name was mentioned in connection with the Manchester Railway. A person came here and stated that being a member of the Court of Common Council, I took a very active part in promoting the Direct Manchester Railway, implying that I carried my professional character into the Court of Common Council. It did so happen in that case, that I was not employed professionally until just as the Bill was on the eve of going to Parliament, and in a great hurry the solicitor who was conducting the business came and asked me to take a portion of the line. That was for a period of six weeks. After I had been concerned in it, I neither opened my lips, nor took any part in the common council on the subject.

Mr. E. Harris.

MR. EDWARD HARRIS having been sworn, was examined as follows.

7977. What is your connection with the City of London?—I am a sworn deputy meter of the corporation. I beg to hand in the warrant under which I serve. (*Producing the same.*)

7978. How are you appointed?—I am appointed by the committee of Corn, Coal, and Finance.

7979. How are you paid?—We are paid according to the quantity of work we do, at so much per last, or per hundred quarters.

7980. Will you describe the manner in which you receive the applications for your attendance when any metage is required?—We have an office in Tower Street, which is the office for application for work to be done on board ship. We have other offices for work done in granaries; one at Horsleydown; one at Brooks's wharf, Queenhithe, and one at Alderman Stairs, just beyond the St. Katherine Docks. Our duties are to wait at the office. If an application is made, the meter takes the job according to his seniority. His duty is then to proceed wherever it may be on the river, or in the various docks within the distance that the corporation claim, and there to measure whatever quantity of grain he is required by the factor or buyer to measure; to keep an account of the same; to render an account to the Custom House officers for the satisaction of the customs; to sign or endorse the order upon which he works for the settlement of the freight; he gives a certificate to the satisfaction of the buyer and seller, which is evidence in courts of law; and he books the work finally at the office, so that a correct account may be taken and the collection made upon it, for all which the meter is held responsible.

7981. Is the measurement in the docks as well as in the river made by the meters?—Yes.

7982. Then though the porters are not admitted into the docks, the meters are?—Invariably.

7983. The Customs act upon the measurement of the meters?—The Customs take their account from us without any checks whatevor. Formerly it was the duty of the Custom House officer to stand over the hatchway, and keep a tally against the meter's account by watching the process of the work. Some time ago, the Board of Customs rescinded that order. Now the invariable practice is, for the meter when he has done, whatever quantity he has to do, to sign the officer's book for the amount, and it is merely checked on the opposite leaf by comparison with the meter's account. The order for keeping the tally against the working meter was rescinded by the Board of Customs.

7984. Do the meters measure every thing of which the amount is taken by measurement?—All grain.

7985. Do not they measure fruit and other articles?—Our court is for the regulation of the corn meters.

7986. You have nothing to do with any other description of meters?—No; we are corn meters exclusively.

7987. Your duties have probably increased of late years, though those of the porters have diminished?—Theirs have diminished in consequence of the ships going into the docks. Our work varies very much. Its amount depends upon the importations. Our work has diminished to some extent by the introduction of railways, because there we have no privilege; the charter of the corporation only including water-borne grain.

7988. Has the quantity of grain imported into the port of London increased of late years?—I do not know that it has. We have taken the average of five years, and we find the quantity generally measured by the persons in our office is 4,409,032 quarters.

7989. To what period does that go back: does it go beyond 1846?—From 1847 to 1852.

7990. You do not know what it was before 1847?—I do not. We have made the calculation, not for the purpose of being produced here, but for other purposes. The meters have made the calculations in order to refer to upon certain occasions when required.

7991. Has the amount been pretty stationary during those five years?—Yes; varying slightly.

7992. Of course that includes corn imported coastwise?—Yes, coastwise and foreign.

7993. Are the importers of corn coastwise generally willing that their corn should be measured, or do they submit to it as a tax they cannot avoid?—In some cases, with

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regard to corn consigned, they attempt to evade the metage dues. The right of measuring is frequently claimed as a privilege in such cases, and some litigation has taken place upon it, but generally when the grain is sold, there does not appear to be any difficulty about it. I mean when the transaction takes place between the buyer and the seller in London. By consigned corn, I mean, where corn is bought in the country, and is directed to a party in London, already measured. I have seen an account of Mr. Acland's evidence. He there states the situation of the working meters to be a very highly lucrative one. I wish to say that the situation is attended with very great risks. We have a very laborious duty to perform, and likewise the deleterious nature of the work inclines us to diseases, which sometimes bring us prematurely to be inefficient for labour.

7994. But with regard to corn consigned, how do the parties ascertain that they have their correct quantities?—If they take it without the meter, they take it for the amount it is sent for, and therefore have no guarantee.

7995. Is it an unhealthy employment?—Yes; on account of the dust in the grain. In consequence of that there has been a fund established, which fund has been kept up and paid to out of the earnings of the working men. The meter's office, from the origin, has been a self-supporting place. Out of their earnings is paid the contribution to the fund, which reduces the actual earnings of the working men to a very low amount. Therefore it is not what may be described as a lucrative office, the men earning upon the average just enough to keep themselves a little respectable, and nothing further.

7996. Is it a kind of occupation which requires much practice to perform properly?—It does require practice, and sometimes great exertion.

7997. Is not it a simple operation which might easily be learnt?—It depends upon the capability of the parties. When we are found competent to discharge our duties, we are passed by the board of corn meters, who have the management of the office as a sort of delegation from the corporation of London.

7998. If this is a very unhealthy occupation, would not it be desirable that it should be performed by persons who are not employed the whole of the year in the same business?—The question is whether parties could be found who would have other occupations to fill up their leisure times with; it might be a matter of inconvenience; the work itself is not regular, sometimes we have a large quantity of vessels in and they require to be worked out in a very short time. Some few months ago we had, I suppose, about 400 vessels arrive in a very short space of time, that kept us employed for the space of four weeks to a great extent.

7999. Do you happen to know what the case is in other ports of this country where corn is generally imported? Is the work of measuring done by a class of persons who do nothing else?—I am not certain. I believe it is the invariable practice to have sworn persons to execute the duty, but I am not aware as to the mode of payment nor whether they do anything else beside.

Adjourned to Wednesday next at twelve o'clock.

Wednesday, 15th February 1854.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

Thomas Lott, Esq.
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THOMAS LOTT, Esq., having been sworn, was examined as follows.

8000. Are you a member of the common council?—I am.

8001. Have you served on any committees of the common council?—I have.

8002. What committees?—The Coal, Corn, and Finance committee, and the City Lands committee.

8003. Is there any one of those committees with the proceedings of which you are particularly acquainted?—Not with one more than another. I was chairman of the Coal Corn, and Finance committee some years ago, and while there, one of the occupations of the committee was to deliberate upon petitions referred to the committee for grants to charities for benevolent purposes. I would state that, from the year 1781 to 1852, there has been 127,384*l.* 16*s.* 10*d.* voted for charitable purposes.

8004. That is to say voted from the City funds?—Yes.

8005. What was the nature of those charities in general?—Mostly City charities, schools, dispensaries, hospitals, penitentiaries, new churches, alms-houses, infirmaries and others.

8006. Is there any other circumstance which you wish to mention?—Mr. Elliott in his examination on the seventh day at page 11 stated, "The aldermen have a preponderating "influence in all the committees. A committee of twenty-one members would have "among its number twelve aldermen or two-thirds. Those aldermen have also deputies "who are some of them members of those committees, and the alderman, directly and "through the influence of the deputy, exercises a great preponderating influence in any "case where it is his interest to exercise it." Having the honour of being one of the deputies, I beg to deny that most distinctly. With regard to the preponderating influence

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of the aldermen as regards numbers, a committee usually consists of twenty-nine instead of twenty-one. The aldermen do not very often come among us; when they do we are glad to see them; they are men of intelligence, and greatly conduce to the benefit of our deliberations. With regard to aldermen exercising influence through their deputies, I observe that it is no uncommon thing to see an alderman and his deputy ranged on different sides of the court, both arguing their own sides with equal energy. I have read the evidence of Mr. Morley, Mr. Mills, Mr. Deputy Harrison, Mr. Ambrose Moore and Mr. Turnley, and it is my opinion that the *mala fide* election of the sheriffs, nominally by the livery of London, has been established by their respectable evidence, and it is not desirable that the election of the sheriffs should remain any longer in the hands of the livery. The mode in which the sheriffs are manufactured is detailed very forcibly in the evidence of Mr. Turnley. It has been suggested that if a new constituency were created the evil would be remedied; but, as I believe the new constituency would consist of a great many wholesale men and merchants in the city of London, who prefer attending to their own business to taking any part in public affairs, I do not think that the evil would be remedied thereby. Nor should I wish the election to be placed in the hands of the common council.

8007. How would you elect the sheriffs?—I have no other suggestion to make than that it should be placed in the hands of the Crown. I wish to say a single word on the subject of the Court of Aldermen. Having had occasionally to attend before them, in my professional capacity of solicitor and vestry clerk of several of the City parishes, I have had experience of their intelligence, of their impartiality in the administration of justice, and I should be very sorry to see them discontinued as magistrates, or to have the respectability of their position impaired by subjecting them to periodical election.

8008. When you say the Court of Aldermen, you mean the petty sessional court, in which the aldermen presided, do you not?—I am speaking of them now as magistrates presiding in the justice room. I will observe that, being men of the world, and men of business habits, to a certain extent their court has been a court of conciliation. I have seen people come there with very angry feelings, and each party, to a great extent, in the wrong, ; and I have heard advice given to them which has sent them away with better feelings towards each other. This has been occasioned by the circumstance of those magistrates having mixed with the world, and knowing how to deal with people of that description. I would also say a word with respect to the statements which have been made in regard to the aldermen attending the dinners of the corporation so frequently. We seldom see them with us on the occasions of such dinner. There is a description of dinners which the aldermen attend frequently, and those are charity dinners in the metropolis; and they generally leave behind them substantial reminiscences of their attendance in the shape of liberal contributions to the charity. It is stated that the clerk of the magistrates manages the man who sits on the bench. I would observe that that is not often the case. The aldermen prefer conducting the cases themselves. On a dry point of law they may apply to the clerk. Certainly, I think the two clerks, principal clerks, are more intelligent men than have ever before held that office. The Court of Aldermen have the power of taking securities from parties, to act as brokers. I think that those securities are too small in amount. I believe they have two sureties in 250*l.* each. I brought a case before the Court of Aldermen lately, in which a broker had absconded, and was a defaulter to the extent of 25,000*l.* Then, after my petition was brought in, asking the Court of Aldermen to proceed against the broker and his sureties, a great many other petitions came in with the same prayer. It appeared to me, therefore, that the security was insufficient. With regard to the committees of the corporation, supposing the number of members of the corporation be reduced, I think the number attending on the committees might well be reduced also. I think twelve members on each committee would be a good number; and I would suggest that all delegation of their powers to a smaller number, called select committees and sub-committees, should be abolished; but that those twelve men should be expected to turn to and do the work of the reference. I believe, from the circumstance of select committees being appointed, the smaller number having thus delegated to them the business of the larger number, there are many men of intelligence in the corporation, by this arrangement, excluded from select committees, who have not an opportunity of putting forth their powers to be useful in their position. If, therefore, the number be reduced, I think it would be a very good opportunity for reducing the number appointed to serve on committees. I would merely say one word with regard to the pageant on Lord Mayor's day. It has been occasionally eulogised, and as often disparaged by the public press. The only reasonable objection that can be made to it is on account of its impeding the traffic in the City of London. If it were found to act in that way to any great extent, it might well be confined almost wholly to the pageant on the water. The ridicule which has been heaped upon it has been through an endeavour on the part of the press to excite public feeling against it. I would observe, with regard to the main point of ridicule, the Lord Mayor's coach, the Queen's carriage, in which Her Majesty goes to open Parliament, so nearly resembles it as that it might be called its twin sister. Her Majesty being deservedly so popular, it would not answer the purpose of the press to attack that vehicle. I observed that Mr. Christy, on the 14th day, stated that complaints had been made of the removal of the street orderlies. Those street orderlies were appointed by the Commission of

Sewers, and engaged for the very same purpose, at the suggestion of a Mr. Cochrane, to sweep with brooms and shovels every species of dust in the streets. As one of the Commission of Sewers, I may say that it was, on a petition of many of the inhabitants, among them being some who had, in the first instance, been petitioners for the measure, determined to discontinue it. It was thought that the dust which was occasioned in the streets by the constant removal of it caused so much injury to the goods of the shopkeepers that it was found necessary to discontinue it.

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Wm. Hazlett, Esq.

WILLIAM HAZLETT, Esq., having been sworn, was examined as follows.

8009. Are you an inhabitant of the city of Londonderry?—I am.

8010. Have you ever been connected with the corporation of Londonderry?—I have.

8011. What office have you held?—I held the office of chief magistrate.

8012. How long ago?—In the year 1842 up to 1844. I was elected senior alderman of the reformed corporation, and after serving for ten months I was mayor for twenty-six months following.

8013. Are you connected with trade in the town?—I am manager of a bank. Up to 1846 I was a merchant connected with business in Derry, and had been taking an active part in all matters connected with Derry for twenty-five years. I am now totally disconnected both with trade and with the corporation, and am not in a position that I can ever again be a member of that corporation.

8014. Has your attention ever been directed to the management of the affairs of the Irish society in Derry and its neighbourhood?—It has.

8015. We understand that a deputation has come over from the north of Ireland with a view of making some statement to this Commission. Is that the fact?—It is the case. I am one of the deputation.

8016. Will you state how that deputation has been formed, and with what view it comes over here?—It has been formed by a meeting of the tenantry as far as Londonderry is concerned. As far as Coleraine is concerned, which is the second town, they come here deputed by the town commissioners representing the corporation of Coleraine.

8017. The town commissioners are the municipal body of Coleraine?—They are.

8018. Of how many persons does the deputation consist?—There are eight gentlemen of the deputation.

8019. Do you consider that they fairly represent the views and feelings of the tenantry in the neighbourhood of Londonderry and Coleraine?—I believe they represent the feelings of the majority of them.

8020. Have you communicated with the other members of the deputation so as to ascertain their views on the subject?—I have.

8021. Will you have the goodness to state what are the views which you and your colleagues on the deputation have formed upon this subject?—My attention was particularly called to the relative position of the Irish society and the corporation of Derry, from the fact of having been obliged to inquire into those circumstances, in this way:—Up to the time that the reformed corporation came into operation the Irish society had paid the municipal officers, for reasons which I will refer to by and by, and when the reformed corporation came into operation they declined to pay them. I felt it was my duty as a member of that corporation, particularly when I became the head of that corporation, to inquire into the grounds on which we had claims upon that body. The result was this, that in the month of August, the first year of my mayoralty, I presented an address to the corporation stating my views as to those subjects. That was confirmed by them, and in the month of October of that year I came over with a deputation who waited upon the Irish society and made known to them those grievances or alleged grievances, in their own chamber. I can present the Commission with a copy of the original address to the corporation, and also that which was presented to the Irish society. They received us with every mark of respect and kindness, but nothing followed for several years.

8022. Was this contribution given in 1831 for the first time?—Yes. It was withdrawn in 1832 on the ground of the embarrassments of the corporation. In 1834 petitions were presented to the House of Commons complaining of the Irish society. On the 1st of August 1834, the society resolved to pay the corporate officers of Derry, and continued to do until 1841. On the passing of the Municipal Reform Act, although the society had expressed great anxiety for the reform of the corporation the society again withheld their grant. The corporation of Derry remonstrated, and presented to the corporation of London a petition, which was afterwards withdrawn. The citizens of Derry were again preparing to go to Parliament when the Irish society once more yielded, and are now paying 700*l.* a year to the corporate officers, and 500*l.* a year towards the improvements of the city. It will become necessary, in order to state the grounds on which we complain of the administration of the society, that I should give the Commissioners some short history of their connexion with us. I will endeavour to put it in the fewest possible words, but it may occupy more time than I desire. The plan of colonizing the north of Ireland originated with King James I. The origin of the scheme was in 1608, when the king

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thought proper to declare the precise nature of the project of plantation in Ulster as not for his own profit, but for the promotion of the public peace and welfare of the kingdom. In 1609 King James addressed peculiar motives and reasons, not to the general planters, but to the corporation of London, in which he says that the late ruinated city of Derry, situated upon the river of Lough Foyle, navigable with good vessels above the Derry, and one other place, at or near the castle of Coleraine, situate upon the river of Bann, are the best places for London to plant. It goes on to state "these towns His Majesty may be "pleased to grant unto, not only corporations, with such liberties and privileges for their "good government, &c., as shall be convenient, but also the whole territory and county "betwixt them, which is above twenty miles in length, bounded by the sea on the north, "the river Bann on the east, and the river Derry or Lough Foyle on the west, out of which "1,000 acres more may be allotted to each of the towns for their commons, rent free, the "rest to be planted with such undertakers as the City of London shall think fit." Thus it would appear that the original intention of the king was that 1,000 acres should be allotted to each of the towns, rent free. Then it goes on to say that His Majesty will be pleased to buy from the possessors the salmon fishing of the river Bann and Lough Foyle, and out of his princely bounty to bestow the same upon those towns for their better encouragement. In January, 1609, those propositions were converted into articles of agreement, and it was agreed that the City should pay 20,000*l.*, whereof 15,000*l.* was to be expended on the intended plantation, and 5,000*l.* for clearing of private men's interest. I wish to call the attention of the Commission to this, that it does not appear from any record that the Crown ever received any money from the corporation for this grant. On the part of the Crown it was a free grant, not one for which it received any payment. The money advanced was for the purpose of settling the plantation. The gentlemen connected with the society will be able to set that matter right if I am wrong. As far as any information in these books goes, it does not appear that any money was paid to the Crown. As far as they were concerned, it was a free grant, with the exception of 12,000*l.*, paid as a fine in the reign of Charles II.

8023. Did not you say that the Crown undertook to buy those fisheries, and to give them to those towns?—Yes; it was a free grant; and many free gifts which were intended for us the society have intercepted. They are in possession, and have got both the fisheries. This agreement states that at Derry 200 houses should be built, and room left for 300 more, and that 4,000 acres next adjacent to the Derry should be laid thereunto, bog and barren mountain to be no part thereof. Then there are 3,000 acres to be laid to Coleraine. The 7,000 acres laid to the city of Derry and town of Coleraine, one to be in fee farm at the rent of 53*s.* 4*d.*, and the city of Derry and town of Coleraine and 7,000 acres of land to them are to be holden of the king in free burgage. Then the whole of the county is granted. The county has since been conveyed in divisions to the twelve companies who advanced the monies, and the city of Derry and the town of Coleraine are held by the society.

8024. When you say the companies who advanced the money, what do you suppose was done with the money which they advanced?—It went to building the houses in Derry. I see part of it is stated to go to buy men's interest.

8025. You do not think that the money was intended for the Crown?—I do not pretend to state more than the information I have. I bring it under your consideration, because I observe that gentlemen connected with the society have stated that money was paid to the Crown.

8026. According to your view, what was done with that money?—It went to the settlement of the property; it was expended upon the property, and they reap the fruits of it now. This (*producing the same*) is a map of the county of Derry, in which we have marked, perhaps not with absolute accuracy, the way in which it is divided among the twelve companies. The whole of that was conveyed to the society.

8027. Does the whole of the county of Derry belong to the companies?—Yes; with the exception of the church lands and some native freeholds.

8028. Does any of Antrim belong to the companies?—I believe the liberties of the city of Derry were taken off the county of Donegal, and the liberties of Coleraine are taken off the county of Antrim. With regard to these statements, which precede the charter, they have been used in all the suits of the society as explanatory of the charter. In all the suits with the Skinners' Company, they are set out and relied on on both sides as explanatory of the charter. I next call your attention to the circumstance that from the earliest establishment, even before the grant of the charter, King James was constantly complaining of the proceedings of the society; and on the 21st of December, 1612, he writes to Sir Arthur Chichester, complaining of the slow progress of the plantation. The words which he uses seem to confirm what I believe to be the fact, that he had not sought to raise a revenue from the lands in question. I need not trouble you with reading the letter, but it will be found in any of the proceedings of the Irish society. The king's dissatisfaction was communicated to the corporation of London, and they sent commissioners, who reported to the Common Council of London. After the articles of agreement were arranged, a committee of management was formed for the plantation, and hence the origin of the Irish society. They were first, as far as the records of the Irish society show, formed as a mere committee to carry out the proceedings of the common council; and subsequently they were incorporated by a charter, first of James I., and

afterwards of Charles II.; and to them was conveyed the whole of this large property, both that part of it which was for the companies and that which we say was intended for the benefit of the city of Derry and the town of Coleraine. But the society, as such, never had any money to contribute, and never did contribute any to the original settlement. I speak with some diffidence, because I speak only of the documents before us; but as far as we know, the corporation of London never contributed anything to the establishment. The money was taken from the twelve companies, and to those companies was conveyed the entire of the county, we say as a compensation for the money which they had so advanced.

8029. You say the money was expended upon the property; to whom did the companies, according to your theory, advance the money?—The companies advanced the money, according to the information before us, to the corporation of London.

8030. What did they do with it?—They must have handed it over to the society, who disbursed it. We find them sending over several times, and that fortifications were erected and houses built, and a quay formed. In 1613 a charter was granted, dated the 29th of March, 1613. After enumerating the public and religious motives by which the king was actuated, it directs, "That the city of Derry and all the lands thereafter given, "be a county, to be called the county of Londonderry; that the town of Derry shall be "thenceforth called the city of Londonderry." It incorporates the mayor, commonalty, and citizens of Londonderry under the government of a mayor and common council, and grants powers to that corporation. I will then call your attention to the following words:—"And for the better ordering" (*reading from the charter*). The charter then makes a grant of the lands, and I do not think I need trouble you with it at present. The charter then grants to the corporation the power of electing a mayor, chamberlain, recorder, prothonotary, sword bearer, and six sergeants at mace, and also of electing sheriffs for the city and the county of Londonderry. I believe I am right in stating that with regard to the election of sheriffs, it is the only instance in which the model of London was followed. London appointed sheriffs for the City of London and the county of Middlesex, and the corporation of Derry elected sheriffs for the city and county of Londonderry.

8031. Do they do so now?—There are no sheriffs now for the city, and in the case of the county, the sheriff is appointed by the Crown, on the representation of the judges. Having appointed all its officers, there is no direct provision made in the shape of property for their sustenance. The whole of the property is conveyed, under whatever trusts it may have been conveyed, to the Irish society, those gentlemen who were to be appointed by the corporation of London as a society.

8032. Do you mean that no property was ever given to the corporation?—Not directly by charter. It would appear that they, the society, had the power of allocating the 4,000 acres assigned to them in some way which I will ask your attention to by and by. I need not refer to other clauses of the charter, because they do not bear upon the subject on which we come before you. I will briefly refer to the complaints on the part of the Irish society being still continued. On the 26th of March 1615, King James again writes to Sir Arthur Chichester, complaining of the proceedings of this society. "The corporation "of London, thus again called on by His Majesty, sent, in 1616, Alderman Proby, "governor of the plantation, and Matthew Springham, who was one of the persons "deputed on a former occasion, and gave them specific instructions, which are valuable, as "showing on what improvements the Crown and corporation were agreed." If you will allow me, I will show you the proceedings, which may answer your inquiry as to what was done with the money. Instructions were given to those gentlemen for the purpose of certain things being done in Londonderry. These are the instructions from the common council of London to their commissioners in going over to Ireland, and the answer of those commissioners. According to my view, these prove that there were considerable duties which the common council thought they were bound to perform at that time; and this must have been the means of a considerable expenditure of money. I trouble you with those proceedings as an answer to your inquiry, what was done.

8033. Was that before the conveyance to the Irish society, or subsequently?—One of them was before, and the other subsequently. One of them was before the charter, and the other subsequent to it.

8034. The one before the charter was not to the Irish society, was it?—Those are instructions as to what was to be done with the plantation. Their committee were acting before that time, or the common council was acting through some instrumentality.

8035. Not as the Irish society?—Not as the Irish society. In the answer to the second of those instructions, in 1616, we find the commissioners report to the king that Derry had already, out of the 4,000 acres, 3,217 acres; and for a free-school they had allotted 300 acres, which Mr. Springham had promised to build at his own charge. You will see my object in asking your attention to these items by-and-by. We find, in the year 1623, the corporation of Londonderry made a complaint to the commissioner for Irish causes, that out of the 4,000 acres, directed by the charter to be laid to Derry, only 1,500 acres had been apportioned to the corporation towards the maintenance of the mayor and officers; and that these lands were insufficient for that purpose, not being worth 60*l.* per annum. They have increased very much now, for they are worth 2,400*l.* The king complained, through the privy council, at this time, in 1624, and some of his

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complaints I will refer to, not troubling you with them all. One is the insufficiency of a quay at Derry; and then come some of the duties which would require the expenditure of some of this money; among others, the building of 300 houses, and that the 4000 acres should be passed to the citizens at reasonable rents, to be holden in free burgage. It appears by this, and more particularly by what is said as to Coleraine, the king expected that those tenements were to be conveyed to the citizens in free burgage. In referring to Coleraine, he says they should be conveyed for ever, "and the houses of the town," that is Coleraine "and the 3000 acres allotted by His Majesty to the use of the townesmen, "to be passed to the same townesmen and their heirs for ever, by severall and rateable "proporcons at reasonable and easier rates, to be holden of that corporacon in free "burgage." The answer made by the corporation of London is this, "touching the granting of the 400 acres of land" (*reading the same*).

8036. Can you briefly state to the Commissioners what are the grounds of complaint which exist with regard to the Irish society?—Our first complaint is with regard to the 1,500 acres that are now in the hands of the society, that they should be in the hands of the City.

8037. Upon what do you found that claim?—Upon the answer of the society to King James. The Irish society are the nominees of the corporation of London, and, as such, the corporation of London, we think, should see they do their duty.

8038. Can you show that they have been guilty of a dereliction of duty?—I think they were appointed originally as trustees for that colony. We say that they were incorporated for the purpose of protecting and promoting the interests of the city of Londonderry and the town of Coleraine. Therefore, in the first place, independently of any possession or any title we might have as under them to these lands, they were bound to provide, under the charter, for the sustenance of the corporation of Derry, and for other matters connected with its municipal prosperity. Our view with regard to the 1,500 acres is this: that if it were their duty, in the first place, to have given us such sustenance, it was clearly their duty, we having possession of them, to protect us in that possession. The way in which those 1,500 acres of land came into the possession of this society was this: the Bishop of Derry, in the time of Charles I., became possessed of the land from his own influence with the Crown.

8039. Was it a grant from the Crown to the bishop?—Yes; the charter of the Irish society and of the corporation of Derry was annulled by the Star Chamber. The Bishop of Derry got into possession by letters patent. The corporation unfortunately had a lease under the bishop. When the lease expired they applied to the Irish society for assistance, the bishop not renewing. The Irish society did assist them, but instead of returning the lands to the city of Derry, as we say, as their protectors they were bound to do, they took possession of these lands, and kept them themselves. We lay down this proposition, in the first place, that the Irish society were trustees; they were bound to allocate their funds with such discretion as they could exercise for the benefit of the city of Derry and the town of Coleraine. Such being the case, our impression is, if they were bound to do that, they were bound to have protected us against anybody in possession of the lands which had been assigned to us.

8040. I suppose if there had been a legal claim you would have prosecuted them?—I do not think the city of Derry has any legal claim. The Crown had certain intentions in granting this property to the Irish society. Those intentions have not been carried out.

8041. Those 1,500 acres have at last got into the possession of the Irish society, having been at one time intended for the corporation. In the mean time the bishop got them?—Yes; but the corporation held under him. They were never out of possession till they made this application to the Irish society.

8042. Was the whole of the arrangement settled by Act of Parliament?—As between the bishop and the society. There is a clear reservation of any corporate rights, if there were any. The rights of the Crown and the rights of the corporation, if any, are reserved. There is another matter of a smaller nature, which will occupy but very little time, and I will bring it before you in the words of the municipal commissioners for Ireland. You will have observed, by what I have read, that bog and barren mountain were reserved in the charter as to the city of Londonderry belonging. The Irish municipal commissioners refer to the transaction which took place with regard to that in these words: "The corporation from the earliest period," (*reading the same*). We think, however, there might be a question of title of that nature, yet, as between the society and us, they having been appointed trustees for us, were bound to protect us. Both those were instances in which the Crown could assist us though we could not assist ourselves.

8043. As I understand you, you think the Irish society have enforced claims which may have been raised against the corporation of Londonderry in a way inconsistent with that higher obligation which they have of taking care of the well-being and prosperity of the town of Londonderry?—Precisely so.

8044. Are the Commissioners to understand that this payment of 1,200*l.* a year to the municipal officers of Derry, and for improvements, has been at all contingent upon claims made by the corporation of Derry upon the Irish society in reference to those disputes?—I have no doubt it was so.

8045. It appears that the Irish society, though they have enforced their legal claim

with regard to the property, have nevertheless made this allowance out of their funds for public purposes connected with the town of Derry. Do you think that has been a wise course or not?—I think the allowances made in the way the Irish society make them to the corporation of Derry are extremely objectionable in point of principle.

8046. Why so?—Because they maintain the control of a body residing in London over a corporate body in Ireland quite inconsistent with that freedom which free men ought to exercise.

8047. Do you think it would be better for the Irish society to spend their revenues, whatever they are, for the good of the town, but to leave the citizens to pay their own corporate officers?—I do not know why, if it was intended that the corporate officers should be paid from funds in the possession of the county, they should not be paid from them.

8048. You mean if you cannot get the property yourselves, it is as well that they should make those payments out of it?—I think the property ought to be laid out for such purposes as are most advantageous to the city of Londonderry and the town of Coleraine; and inasmuch as the corporate officers must be paid, I do not see any better mode of appropriating a certain portion of their funds than by paying them.

8049. What are the officers of the corporation who are paid by them?—The mayor of Derry, the recorder, the town clerk, and the sergeant at mace.

8050. Is the mayor a paid officer?—Yes; he receives 300*l.* a year. During my mayoralty I received nothing.

8051. Is that usually the case in Irish corporations?—I think the practice is various. In Dublin he is paid I think.

8052. Is Derry a flourishing town?—It is a rising town.

8053. Do you know what the rental of Derry is as assessed to the poor-rate?—I dare say some gentleman who will follow me will be able to answer that question.

8054. Does the corporation of Derry make any borough rate?—Yes.

8055. To what purposes is that applied?—To the general purposes of the corporation; they are now relieved from the payment of the corporate officers.

8056. Is there a borough goal?—No.

8057. What are the expenses defrayed by the corporation, other than the salaries of the officers paid by the Irish society?—They have the sewerage of the town, the supply of water, and the supply of gas, &c.

8058. Those are managed by the corporation, are they?—Yes.

8059. Do you happen to know what the amount of borough rates in the course of a year is?—They are limited, I think, to 4*s.* in the pound.

8060. What is the character of the Irish society as landlords in regard to the management of their property?—I take very great exception to their conduct as landlords; we object to the short tenure they give, and we object particularly to the standing order which they have that no lease be granted in perpetuity, and that no determinable leases be renewed till within three years of their expiration.

8061. What is the tenure by which house property in Derry under the Irish society is generally held?—The greater part of the city of Derry and that part of the neighbourhood is held by leases for lives, and for years, renewable for ever.

8062. Were those leases granted in the early times of the society?—They were granted in 1766. They were granted in consequence of the then governor coming over to Ireland, finding that through the system they had pursued of granting short leases and refusing to renew till they were nearly expired, the town was nearly in a state of ruin, and unless they adopted some such course as this, the town would be removed in all probability either to Straburn or lower down the river.

8063. Has not the system of leases worked well for the property held under it in Derry?—The property held under it is prosperous, the income from those leases amounts to 2,500*l.* a year; they require from the tenants, in order to carry out the law and convert them into perpetuity, a sum of money equal, according to the statements which have been made by their counsel, from 100,000*l.* to 150,000*l.*

8064. That is under the Act?—Yes; the position in which we stand is this, here is a society who take everything of the kind to the House of Lords; they tell us this is to go to the House of Lords, and no individual is able to cope with them. The question is whether being trustees, and the prosperity of the city of Derry being one of their objects, they ought to employ their public purse to give such a sum of money for exacting forty or fifty years' purchase for renewals, which do not injure their interest, and do not take away from anything they now have, but which benefit the tenants in the same way as ecclesiastical leases benefit them. As the church submitted to such an arrangement as this, I do not see why the Irish society should use their funds to carry a case of this kind to the House of Lords.

8065. Can you state what was done with regard to the leases of town property under the Irish society?—The system is not to renew till within three years of the expiration of a lease; that was under a standing order.

8066. When was that standing order passed?—In 1847; we complain of that as completely stultifying any efforts to establish manufactures: though a large portion has been conveyed, a considerable portion near the quays is still in the hands of the society. It is fatal to the establishment of manufactures if a man purchases property with twenty-five

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years, or fifteen years, or ten years to run, and finds that no proposition for renewal will be listened to till within three years of the expiration.

8067. You complain that they do not exercise that power in regard to granting leases in a way that would be most advantageous to the town?—Yes; for example I have made inquiries in several towns and I find in the town of Liverpool, though the corporation grant leases for seventy-five years only, the propositions for renewal are constantly listened to; so that when a man makes improvements he is practically able to keep up his term by making such applications, the full term of seventy-five years. What we complain of is that the Irish society refuse to listen to propositions of that kind, in consequence of which persons are deterred from establishing manufactures in such a way as they otherwise would do. Then again, with regard to the expenditure of the funds, I would call your attention to their own accounts, and ask whether as trustees they are justified in expending money as they do. During the last ten years they have spent 22,000*l.* in law expenses. I took some trouble a few years ago to analyze their accounts for thirty years; I took the classification from a plan of their own; we do not think that certain gentlemen acting as trustees were entitled to take in ten years 4,900*l.* as fees to their own members.

8068. What are those fees?—The society themselves, I suppose, can better explain that. I believe they charge for every attendance they make.

8069. That is part of the expense of management?—Yes.

8070. You complain that the expenses of management bear an undue proportion to the income of the society?—We do; and that in expenses of deputations and of entertainments and fees to their own members, a very large sum of money is spent which ought to go to the benefit of the property.

8071. It has been represented to us that considerable advantage arises from those deputations going from time to time to Ireland and communicating personally in matters relating to their property; do you believe that to be the case?—Indeed I have very great doubts of it. There is a gentleman who will follow me to whom I would refer you on that subject, and also with respect to the agricultural property of the society; he is their tenant, and can bring that subject before you better than I can.

8072. Is there much purely agricultural property under the Irish society?—There is little but those 1,500 acres.

8073. Have you ever turned your attention to any practical remedies which have appeared to you desirable to be applied to the existing defects?—I do not think that the Irish society ever can be serviceable to us as they are at present composed or constituted; they are composed of gentlemen who reside in London, and many whom I have met with seem to think that what is good for London is good all the world over. They have large avocations of their own to attend to; they meet together and discuss these matters; they pay very little attention, I have reason to believe, to their agents, and decide matters upon which if they know much it is certainly very extraordinary. Then again we object to the mode of their constitution: twenty-four gentlemen are assembled round this table, of whom twelve go out every year, and they are not eligible for that year at least for re-election. I have had the pleasure of meeting a good number of the members, and I never met with any persons who seemed more anxious in many instances to promote the well-being of the colony; I have listened to a good many promises, and I had hopes that something would be done, but those gentlemen went out of office and mixed with the mass, and we never saw them or heard of them again. Twelve new gentlemen are appointed every year to assemble round this table, and appointed, I fear, not exactly because they are most competent, but because they desire to be upon it. There is a pleasant run in summer to see the country.

8074. Is not it the case that, generally speaking, the property of the companies of the City of London is well managed, and, at least, as prosperous as estates in the same part of the country which belong to private individuals?—I think so. There necessarily must be an injury to any kind of property from the want of a resident landlord; a resident landlord can do many things which companies cannot. But looking at the face of the country, I should say that their estates are well managed.

8075. Generally speaking, they have been liberal landlords, and promoted improvements?—Yes; upon that subject again I would refer to Mr. Babington.

8076. Do you think that the Irish society have behaved with less liberality, as trustees, than the companies of the City of London have as landlords in the north of Ireland?—I do. If the Irish society had a proprietary interest, such as the companies have, then I think the conduct of the Irish society ought to be considered liberal, because then we should have no right to discuss those expenses, which, I think, are objectionable; but we should have the right to look with gratitude to those grants which are made, and which for the amount of income may seem large. If, on the other hand, they are trustees, and bound to manage the business economically for the interest of the trust, we are at liberty, and not only at liberty, but it is the duty of all persons who wish well to that district of the country, to find fault with those expenses, which, we say, are not such as trustees ought to indulge in. According to my calculation 60 per cent. is expended in management.

8077. With regard to the standing order, in respect to the renewal of leases, what is the date of that standing order?—1847. There is some difficulty in conveying to English gentlemen the difference between our tenantry in the north of Ireland and the tenantry here. The course pursued in those cases ought to be judged of, as I respectfully submit,

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not according to the views which are held here, but according to the usages of that country.

8078. Is what is called "tenant right" applicable by custom to property in the towns?—There is always a regard had to the party who has built the houses and expended money upon them.

8079. Do you suppose the Irish society pay as great a regard to that, as would be paid by a judicious and well-disposed landlord in an English town?—I cannot speak to the usages in English towns. I understand in the City of London, not the least regard is paid to any expenditure which a man may have made; but with regard to country districts, in all cases, with us the usual mode of valuing them is to value the land with its improvements, but to leave the houses the property of the tenant. In 1713 a similar standing order existed in the society; there are several orders made for not granting longer leases than 41 years, and for having the lettings publicly advertised, disregarding all applications by the tenants to renew. The result was that, in 1766, the town was going to decay, and, according to the evidence of the society themselves, they found it absolutely necessary to change their proceedings and grant leases in perpetuity.

8080. You spoke just now of the disadvantage of lands which are held in mortmain, not having a resident landlord; do you think that it would be for the benefit of the county of Derry if the whole of the property of the Irish society, and all the property of the companies was sold, and the proceeds invested for the benefit of the trust and the benefit of the companies as they exist, and the land set free in the hands of private purchasers?—I think it would be a great advantage to the country to have the land set free. I have never turned my attention to the effect which might be produced in the case of the companies, because the same complaints have not existed. With regard to the towns, it would be a great advantage if some scheme could be adopted similar to the ecclesiastical scheme of leases, by which a tenant would be enabled to obtain his land, paying the full value in perpetuity, and then let the lands be sold or otherwise, as might be deemed best. I think the Crown, having given those lands for public purposes, should in some way see that they are appropriated to those purposes and that the society is incompetent, from its constitution, to undertake the management.

8081. Is there anything else that you wish to state?—Not to-day. Perhaps to-morrow I may be allowed, adopting the view which has been thrown out by the Commissioners, to state shortly anything further which occurs to me.

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ANTHONY BABINGTON, Esq., having been sworn, was examined as follows.

8082. What situation do you hold connected with the town of Londonderry?—I am land agent for several properties in the counties adjoining; I am stamp distributor for Londonderry.

8083. Do you live in Londonderry?—I live three miles from Londonderry, on the lands of the Irish society.

8084. Are there any statements which you desire to make to the Commissioners?—The tenants have found the inconvenience of the management of the Irish society. I have been intimate with many members of the deputations who have come over to Ireland, who have often expressed to me the difficulties they were under from the constitution of their body. Half of them retire every year, and even many of those who have come to the country to gain information have been obliged, having got some information, to retire, and could not apply it to the wants of the locality. Some of them perhaps, are not as good judges as members of the companies, who have resident agents, and are in constant communication with them.

8085. Are you speaking of the other London companies?—Yes; I believe they are not fluctuating bodies, but they are appointed and hold their estates for life, and some of them manage them themselves. Others have sub-let them; and they are occupied, some by resident landlords and others by non-resident.

8086. You mean that they have let them on perpetuity leases?—Yes; and others are terminable leases, which will be out in a few years. The deputations visit the estates at times; and from my own experience I would say, that sometimes they do appear to take a great deal of pains and gain a great deal of information; at other times, as appears from their own reports, they have spent only part of a day in Londonderry, having been nearly a month away from London. They arrived late in the evening and left early the next morning. That was in the year 1825. I have their own report here. We have no doubt experienced kindness from most of them and they show a great disposition, while among us, to listen to all we have to say, and to make arrangements which will be suitable for the plantation. We make applications to them in writing. Some deputations have favoured us with much kind consideration; at other times we get rather a short refusal. We may be unreasonable, but I think if there was a little more pains taken it would be better.

8087. Is it the habit of the deputations to decide points when they get over there, or do they wait until they return to London?—They wait till they return to London. They report to the court, and that is generally made the ground for any change in what we had understood they were going to do for us.

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8088. Are these deputations ever accompanied by the London secretary?—He has avoided them latterly. I have sometimes seen him there.

8089. Who do you suppose is the officer with whom the management of the estate principally rests; is it the Irish agent or the London secretary?—I believe the London secretary, from all the information I can get.

8090. If the London secretary has this authority, do you think that it would be desirable that he should visit the estates occasionally?—It might be of use. He is an officer for life. He could obtain more valuable information, from time to time, than gentlemen who have only a year, and sometimes two years, for the purpose. They generally seem to have an anxiety, when they come amongst us, to apply English customs to everything; and we are of opinion that does not work well in Ireland. With London capital and London experience people can manage better to make more of their time and their money than we can. We go on a little slower, being anxious to follow in their steps as well as we can. We think, as the society are trustees, their visits cost a great deal of money.

8091. Do you think the whole system of management rather expensive for trust property?—I do; very much so. I manage some estates myself; and I think my employers would be very much dissatisfied if I put them to an expense of much above 5 or $7\frac{1}{2}$ per cent. on the whole management.

8092. Do you think the money which is spent in public charitable objects by the society is judiciously expended?—I do not.

8093. It seems to be the general principle to promote education and charity, and to assist the municipal institutions of Derry?—My answer is, that they receive full value for their landed estate. The receipts have been between 2,000*l.* and 3,000*l.* a year. The property is let on short leases generally, and in thirty years they have not spent any money to improve it, except giving a sum of money for a school upon it.

8094. You think, looking at the management of the property as property, it is not judiciously exercised?—No; they give charities to other gentlemen's estates. I see by their returns, and by their own report, with respect to the companies' estates, that on three deputations they thought it their duty to inquire what the other London companies were doing. The companies seem perfectly willing and able to supply sufficient funds to support their own schools. In one instance, the Drapers' company have given 6,000*l.* to build a church, and 5,000*l.* to build markets. The Cloth Workers have been doing something in the same way. The Mercers have built a very handsome church; and I observe, in their distribution to schools and charities and Presbyterian houses of worship, on applications being made to the Irish society, they have given away money, which should have been disposed of for the city of Derry and the good of the plantation, on various importunate applications in the county of Donegal and Antrim to some extent, and in several parts of the county of Londonderry, when the London companies are very able and willing to support their own.

8095. Was not it the case that the trust was originally instituted for the benefit not only of the town of Londonderry and its immediate neighbourhood, but also with reference to all the property held by the London companies?—I believe, from the information I can obtain, that the whole county was granted to them; and they divided it among the London companies.

8096. Do you understand this trust to have been instituted for the sole benefit of the town of Londonderry and its immediate vicinity, or that the trustees are bound to look to the general benefit of the whole plantation instituted at that time in that part of the north of Ireland?—Divisions have been made to those London companies; and, in my opinion, they have so judiciously disposed of those funds, that we have a right to look to the Irish society to support the Londonderry district, and certainly not to neglect or injure it.

8097. You do not mean to put it on the ground that, under all circumstances, Londonderry would have an exclusive right to the proceeds of this property; but, as the rest of the plantation is sufficiently provided for by other means, under the circumstances, you think, it ought to be given to Londonderry?—Yes; that is my opinion.

8098. Are you acquainted with the state of the rural property of the Irish society?—I am.

8099. What is the extent of that property?—It is called 1,500 Irish acres, about 3,000 English.

8100. What is about the rental of that property?—Between 2,000*l.* and 3,000*l.* a year. In my memory, I do not recollect any money of any kind, belonging to the Irish society, being laid out upon that portion of their property.

8101. Into about how many holdings is that property divided. Is it much divided, or is it held in large holdings?—It is a good deal divided. There are forty or fifty tenants on it.

8102. Is it the habit of the Irish society to erect the farm buildings upon that property, or are they erected by the tenants?—By the tenants.

8103. Has that been the case as far back as your memory extends?—Yes.

8104. Are the repairs done by the Irish society?—None.

8105. Is any draining or any improvement done upon the land by the society?—None. In the year of the famine, there was a piece of bog cut out, which they reclaimed. I refer

to the evidence given by one of the deputation here. I observe, that he said the people were set to work. There was a bog-field reclaimed by the Irish society in the year of the famine. They employed some persons upon it. In the course of a few years afterwards, the tenant was obliged to throw it up, he could not keep it at the rent.

8106. In this case, supposing that the land is granted upon liberal leases, would it be necessary that the Irish society should themselves undertake any outlay upon it, or might not it be left to the enterprise of the tenants?—The principal part of them are not able to do it.

8107. Do you complain of the leases not being granted upon terms which are encouraging to the tenants to improve?—Two or three have been given of that description I suppose the deputations would explain that. The improvements stipulated in those leases have been carried out handsomely. I will here mention, that Mr. Moore and myself obtained leases some years ago. I did not intend to advert to any individual case, but I think I cannot help it from the question which has been asked. There are three tenants in those 3,000 acres, who got sixty-one years' leases. In the year 1832, I got a sixty-one years' lease from the Irish society. They bound me to lay out 750*l.*; and they gave me seven years to do it. I did it within the time; and got a certificate from their agent that I had fully performed my contract. Having a larger farm than I at first intended to hold upon my hands, I wished to lay out a much larger sum, and I went on laying out a considerable sum of money. I had laid out above 6,000*l* upon it. I have memorialized the society at times for an extension of the lease. They always treated me very civilly when they came over to the country; and approved of my buildings. The last time I applied to them, I stated the case very strongly; and said as they were trustees for the plantation, as I had laid out so large a sum, I would take it as a favour if, having spent so many years in making the improvements, they would make up my term to my original grant of sixty-one years. The answer I got from their secretary to one of memorials was this:—"January 1847. Milton Lodge .In reply to your memorial, I beg "to inform you, that the Honourable the Irish society have come to the following "resolution:—"That a new lease be granted to you for fourteen years, to commence "from the expiration of your present term, at the rent of 162*l.* 19*s.* 2*d.*" I then paid 112*l.* 19*s.* 2*d.*, upon the distinct understanding "that a clause shall be inserted for the "tenant's right to be waived or given up; and the whole of the buildings thereon, or to be "placed thereon, with all the improvements on the land, &c., are to be the exclusive "property of the Irish society at the expiration of the term." This was rather a damper to myself and some of the neighbouring farmers. At the time there was an appearance of the Legislature interfering about substantial improvements. I think that tenants have a fair claim for substantial improvements. I do not know any landlord, or any of the twelve companies, or any landed proprietors I am acquainted with, who has ever charged any tenant for any house built by him, or any sum expended by himself in buildings. When the leases are out, or any change is to be made, the landlord sends his surveyor and values the land. I have to mention another case, which, in my opinion, retards improvement and outlay of money on the property of the Irish society. Doctor Miller, a resident and physician in Londonderry, purchased a farm some years ago, with the approval of the Irish society. He made application for extension of his lease, to enable him to erect a dwelling-house and good farm buildings. They agreed to give a sixty-one years' lease, on condition of his expending a large sum, I believe, 1,600*l.* They now decline to give sixty-one years lease of his entire holding, but have offered him sixty-one years of only twenty acres, and twenty-one years of the remaining portion of a farm of considerable extent. This proposed arrangement stops improvement. The tenant cannot, in justice to himself, expend so large a sum on a holding of twenty acres. When the lease granted of the short term of the largest portion has expired, he must either be content to hold the smaller quantity, with buildings much too extensive erected on it, or submit to a new valuation on the improved state of the land, to the benefit of the landlord and not the tenant.

8108. Is it the common practice of landlords in the north of Ireland not to erect buildings or make improvements of any kind upon the property?—The landlords do not erect buildings generally; but, I have known some of the companies assist tenants, either building the houses themselves, or providing a certain portion of the expense of the materials; the tenants doing the labour.

8109. Have the estates of the Irish society been managed upon the same principle as estates are generally managed in the north of Ireland?—No.

8110. In what respect has there been a difference?—When I commenced this farm, there were two town lands on each side of me out of lease. They report that the houses were in a wretched state, very filthy and dirty. At the end of their report, they seem to say, that they have done an advantageous thing by increasing the rent-roll of the Irish society: letting the land to gentlemen for twenty-one years, who would save them that expense. It was handed back to the society at the end of the time; no money having been laid out. The houses are miserable, the farms ill cultivated, and not sixpence spent in draining. Other landlords, to my own knowledge, have encouraged their tenants by draining. That seems to be of great advantage to the tenant. He then gets an allowance of from ten to twenty or twenty-five per cent., when he is paying his rent. He then holds that land which is so much improved by draining, at the same rent he held at before; which enables him to come forward on better terms the next half year;

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and so the improvement goes on to great advantage of both landlord and tenant. I am sorry to say, we have nothing of the kind going on with us. The Church Temporalities Bill enabled the Church land leases to be converted into perpetuities. There are two portions of them very near the City of Londonderry. Those persons have been able to get perpetuities from the Ecclesiastical Commissioners, paying a standing rent to the bishop at a very moderate purchase. The general price is two years and a quarter, between the Church land lease of twenty-one years, and the perpetuity lease. There are very respectable buildings being erected on both sides of the water; but, from the Irish society's standing order, I am afraid there is no chance of improvement on their property at present.

8111. Do you think it would be for the benefit of the county of Derry if all the property of the Irish society and the separate companies were sold, and the proceeds invested?—I do. I think if the tenants could get a sufficient tenure, they could very much improve on the property. The society have given several reports of the management of the companies; they very much approve of their management; and I am quite certain had the same gentlemen who concurred in those reports remained in office, the same improvements would have been carried out on their own property.

8112. Do you believe that private proprietors would expend as much money upon the property as the Irish society and the companies expend?—They might easily expend as much as the Irish society, for they have expended none in my neighbourhood on the quarter lands. They appear to me to wish to turn everything to money. There was an application made for land for water-works. The Irish society fancied they had a right to the same price as any individual. The tenants were paid for their holdings, and the Irish society were paid to the full extent of their reversionary interest; so as to railways, and also the cemetery which was proposed the other day, they obtained the full value of their reversionary interest.

8113. Do you believe it would be for the benefit of Londonderry and the vicinity that this property should be sold and the money invested, and the proceeds administered for those public purposes, to which now the income of the property is applicable?—I do. If these gentlemen were permanent, I have no doubt things would be better done. They have built a good house for their agent, and have called it Government House. By our industry and employing the people, the rates have been kept very low, to the advantage of the property. Mr. Moore and myself holding large farms, have employed the people to advantage. During the time of the famine, ours was the only barony in the county in which no sessions were held. We did all we could to employ the people, and the Irish society were called on only to a very small extent to assist us.

8114. Do you draw a distinction between the property of the Irish society and the property of the City companies, in regard to their effects upon that part of the country?—Yes; from the constant resident agency in the latter case, and also because deputations coming over are able to apply themselves steadily to their duties. Unfortunately, though some of the gentlemen of the Irish society have the greatest anxiety to help us, they are changed immediately, and we have not the benefit of their kindness or advice.

8115. The agents of the City companies have lived in great harmony with the most respectable inhabitants of the part of the country with which they have been connected, have they not?—They have. I have stated in the former part of my evidence that landed proprietors generally were not in the habit of charging their tenants for their buildings; the Irish society in some instances have done so. One of the tenants in my neighbourhood was encouraged to lay out 100*l.* in building a farm house, upon which the Irish society charged him 5*l.* per annum. That went on for three years; it was on a strong remonstrance afterwards remitted; but the man had paid 15*l.*, which he has never received back. Another tenant was charged 25*l.* for some buildings and machinery put up by him.

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ISAAC COLQUHOUN, Esq., having been sworn, was examined as follows.

8116. What situation do you hold?—I am a solicitor in the City of Londonderry, and general agent.

8117. Do you reside in Londonderry?—Yes.

8118. Has your attention been turned to the position of the Irish society with reference to the town of Londonderry?—Yes; very much so, from my position as a solicitor and land agent to some of the properties.

8119. Are there any observations which you desire to offer to the Commission?—The constitution of the society, which has been brought before you by the witnesses, who have been examined, I think, you must see yourselves, is very objectionable. It throws the entire government of this plantation into the hands of the London secretary. Of course, the members, from time to time, must receive their information from the secretary. I wish to mention some circumstances; one, particularly referring to the injurious effects of the standing orders upon the welfare of the City of Derry.

8120. Do you mean the standing order with regard to the renewal of leases?—Yes agent for Judge Torrens, who holds a small property in the City of Derry. When

I became agent, a part of it was an orchard, that had been in lease to an under-tenant of the Judge's, and the lease expired some time about 1842. Judge Torrens held a lease from the London society, for forty-six years, from March 1835, of which there would be now twenty-seven years to run. He projected two streets, one called Chamberlain-place, and the other Harvey-street. He applied to the London society, from time to time, for an extension of the lease, in order to enable him to expend a sufficient sum of money in erecting good houses. These applications generally received very laconic answers—sometimes a mere verbal answer, and the effect has been that a very minor class of houses has been built upon those two streets, which, perhaps, may last for the remainder of the term of about twenty-seven years. The operation of this rule appears to me to be very injurious to the improvement of the City of Derry. Another case, is one of a similar nature, though, I think, one of greater importance, because, as showing the extreme illiberality of the society. The tenant, under this lease, asked only what evidently must tend to the mutual advantage of both landlord and tenant. He asked only for an extension of his lease to the tenant who might be in occupation at the termination of his tenure and who had expended his money on the holding. This property had been the butter market of the City of Derry; but in consequence of the changes of the markets by the corporation, this butter market fell into the hands of the lessee under the lease. It is in a very prominent position in the City of Derry, at a place called Waterloo-place, which is a very rising part of the City. Mr. Beresford is the lessee, and he memorialized the Irish society, and after stating the term for which this lease was held, of which there are twenty-seven years to come from March next, he only requested them to undertake to grant to the tenant who might take the premises, and lay out his money upon them, an extension of the lease; the tenant, at the expiration of Mr. Beresford's lease, becoming a tenant of the society, at the ground rent which he was now to pay for it. The consequence of their refusal has been, that on one end of this plot of ground, (as I have said in a most prominent situation in Derry), is a shed, now converted into a butcher's shop. The other end of this ground a painter and glazier has taken a small portion of, to put up a house. If the London society had complied with the prayer of this petition, by granting to the tenant, so expending his money, and in possession, an undertaking to extend his lease for sixty-one years, after the expiration of Mr. Beresford's lease, good and valuable houses would have been built, to the improvement and beautifying of the City, instead of the miserable huts which, I suppose, will now be raised upon it. I bring forward those two cases in reference to the injury which this standing rule does to the City of Derry. I should now like to bring forward a case or two to show the grasping propensity of the Irish society. I am the land agent and the law agent for Mr. McCrae, who was a respectable merchant in the City of Londonderry, who has improved more upon the Irish society's estate than any other tenant upon that estate. This old gentleman happened to take from the Irish society a small triangular piece of ground, upon what we call the Strand, which is a very improving part of the City of Derry, in the year 1832. He bound himself to build a certain number of houses, of a certain class. His circumstances altered, in the meantime, from some mercantile occurrence. However, he was always able to meet his engagements, and he is now a gentleman retired from business, with a large house and quay property in the City of Derry. Circumstances occurred at this particular moment which rendered it almost impossible for Mr. McCrae to perform his covenant with the Irish society, and build those houses, which were, I believe, to be six in number. He built three of the houses. He invested the sum of about £474 in so doing; and in payment of rent for the period, he held this ground, which was to him profitless. The Irish society brought an ejectment for non-fulfilment of that covenant, and took the houses from him. They got 300*l.* for the houses, which he had built with his own money, from a Dr. Morton, a very respectable gentleman, and put this 300*l.* in their pocket. At all events, Mr. McCrae never saw any of it. He memorialised them from time to time, without effect. They ejected him from the houses, and so far as Mr. McCrae or I know to the contrary, applied the money to their own use. Mr. McCrae, in August, 1844, memorialised them again, asking them to refund to him even a portion of this money, which he had so expended; but they refused his application. I was unfortunate enough myself to relieve the society, at one time, of a predicament which they had got into with a Mr. Williamson. Mr. Williamson held a small house in the City of Derry, running back to the wall. This was a disputed property, between persons of the name of Young and the society. Mr. Williamson agreed to give Mr. Young the sum of 250*l.* and to become the tenant of the Irish society, at 1*l.* per annum. He was unable to fulfil that agreement, and he came to me and asked me to take it off his hands. I consented to do so, and Mr. Fletcher, the then local agent of the society at Derry, wrote me this letter: "I am in safe receipt of your cheque for 250*l.*, being a consideration for a sixty-one years' lease of the premises, lately held by Mr. Williamson, under the heirs of Dr. Young, and now in the possession of the Honourable the Irish society; the agreed rent for the said term of sixty-one years to be 1*l.* per annum. I believe it was fully understood between us that you "are to improve the premises by "an erection of a new house fronting the east wall, which is to be set back sufficiently to "make a square with the coign of the houses above it on the one side, and with that "of the Wesleyan minister, below it, on the other." I agreed with an architect for the building of this house, and I asked the society's agent to come and inspect the

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foundation, and to approve of it. He directed the foundation to be laid in the way he wished it, and the architect went on with his building. The first erection which had been made he disapproved of, and it was taken down. After the house had got up a considerable way the agent found fault with the position of it. The society then refused to complete the arrangement with me as regards the house, but the result was a paltry addition of 2*l.* a-year to my rent. It was not that they cared so much about the building of the house on any particular site. Here is their letter:—"In reply "to your communication relative to your premises, held under the Honourable Irish "society, between the east wall and Rosemary Lane, I am directed by the society to "inform you, that they will be willing to accept a rent of 3*l.* per annum, and permit the "house on the east wall to stand as built by you." So that they have got by this objection, which I do not like to style a trick, an addition to their rental of 2*l.* a-year That, I think, I have a right to complain of. I asked the deputation, who were sitting within two minutes' walk of the house, to come down and inspect it themselves, and if they thought I had not erected the house properly, I was quite willing to abide by their decision; but they refused to come. I happen to be the owner of a moiety of one of those old leases. In the year 1767, perpetuity leases were granted, of which you have heard to-day. By those leases a sum of three guineas was to be allowed to the secretary for preparing the leases and the counterparts. I applied for a renewal of that lease in 1832, and they furnished me with a renewal of the lease according to a new form which they had prepared, which obliged the tenant to pay those three guineas every seven years, as the secretary's fees. I refused the lease, for I said that they were bound to prepare the lease themselves. They submitted, for I do not think they could well avoid it, and they gave me a lease according to the terms of the original lease, which, I believe, is the only one held upon the estate. They prepared this lease themselves, and gave it to me without any costs. Now the system pursued generally, with regard to the tenants upon the estate, is this:—They not only charge them with three guineas every seven years, but they also charge them for preparing those leases to the amount of from six guineas to 10*l.* for every lease. I think that is taking an advantage of the tenants. There is a case of a Mr. Munn, who is one of our most respectable merchants in the city of Derry, I feel desirous to bring under your notice. He was, and is, a very enterprising merchant. He was very anxious to establish spinning-mills, or a spinning-mill. He brought a deputation of the society in the year 1836, to see his premises, that they might inspect the ground, and see how favourable it was to the erection of spinning-mills. The deputation of the society, in their report of the year, say—"We received a memorial from the Flax Spinning-mill "company, through Mr. Barber the secretary, praying for the grant of a site within, or "contiguous to, the city, for the erection of machinery. We are not aware of any vacant "spot at present; but if an appropriate place can be pointed out, which is in possession "of the society, we recommend that it be granted them on easy terms, as the establishment "of such works would afford employment to many poor persons, and would, in other "respects, be desirable in Derry, or its immediate neighbourhood." Mr. Munn, having such a spot, applied to the society for the extension of his lease. He had at that time only 26 years to run; however, the immediate tenant of the Irish society had a much longer term; Mr. Munn being a sub-tenant. The society told him, if he could possess himself of the interest of their immediate tenant, then they would grant him an extension of the term. I was agent for the gentleman who was the proprietor of this property. Mr. Munn applied to me, and I sold him the property for 2,700*l.* Mr. Munn possessed himself of this property; he expended a considerable sum upon it—7,000*l.* or 8,000*l.*, perhaps—in erecting upon it a spinning establishment. The deputation from the society, in the year but one following, that was in 1838, reported thus:—"On "the memorial of John Munn, for an extension of the lease of the premises which he "held under the Society, of which 43 years are unexpired, we visited the premises, and "find that he has expended a very considerable sum of money in building flax-mills, "where a great number of adults and children are employed. He is about to add very "considerably to those buildings, by erecting work-rooms, &c., so that a much larger "number may be employed. We, therefore, recommend that his present term be extended "to 61 years." Up to the present time Mr. Munn's applications to them have been treated with slight, I may say, with contempt. He sometimes gets a verbal answer, and sometimes a very laconic written answer, from the Irish society, to the effect that his application cannot be entertained.

8121. When communications are made by persons connected with the property to the society, are they generally made in writing to the society in London, or to the resident agent in Derry?—Generally by a memorial to the society in London, sent through the agent in Derry.

8122. Has the agent in Derry any discretion given to him in deciding small points?—Not the slightest; everything is referred to London; the agent in Derry receives the rents and accounts for them. I believe he has no more power than I have.

8123. Has not he the usual power which a resident agent has with regard to the property?—I do not think he has even the power of recommendation.

8124. Are you acquainted with the power which the Irish society has, with reference to confirming the bye-laws passed by the corporation of Derry?—Our bye-laws must be submitted to them.

8125. Have you found any practical inconvenience or evil to arise from that control? —I cannot say. *I. Colquhoun, Esq.*

8126. Do you think it objectionable in point of principle?—Certainly. 15th Feb. 1854.

GEORGE FRANKS, ESQ., having been sworn, was examined as follows. *G. Franks, Esq.*

8127. What connection have you with the town of Derry?—I am a citizen of Derry. I am a solicitor there.

8128. Have you any statement to make with respect to the Irish society?—I have with respect to the payment of the Irish society to the corporate body, after repeated solicitations, of the 1,200*l.* a year. I do not think you have been put in possession of the circumstances under which that occurred. The circumstances, I think, will show you that it was under a very unconstitutional coercion on the part of the society that such an arrangement was made. By the passing of the Irish Municipal Act the effect was to abolish the Court of Mayor and Recorder, which had been previously in existence, whose proceedings were conducted, in some instances, according to the course of the common law, with long pleadings and all that sort of formality, but had latterly become almost in disuse in consequence of the Civil Bill Court of the assistant barrister being in existence, having a concurrent jurisdiction in actions by civil bill, with a simpler mode of proceeding. When the Corporate Bill was passed there was a provision in it, that it was in the option of the citizens, if they thought fit, to continue such a jurisdiction to apply by petition to the Lord Lieutenant, and thereupon they were to intimate what salary they would pay the recorder, and if the Lord Lieutenant approved of it the recorder was to be appointed. It was discussed in the corporation whether it would be prudent or wise for this then apparently insolvent corporation to undertake such a thing, or whether any practicable benefit could result to the City from the continuation of such a court, seeing that they had other courts of concurrent jurisdiction that would not saddle them with any expense.

8129. Was there to be also a Court of Quarter Sessions?—Yes.

8130. If you petitioned for it?—The corporation did. But we had a concurrent Court of Sessions held in Derry as frequently as that court would be before the assistant barrister, a lawyer unconnected with Derry. I was examined by the corporation as a person who had long experience as a solicitor about the practical effect of the Mayor and Recorder Court, and the utility or inutility of continuing it. I gave my opinion then, and I still adhere to that opinion, that the continuation of that court was quite useless for any practical purposes; that all the advantages to the citizens could be as well obtained by that other court of concurrent jurisdiction without any expense; and it would be a most absurd thing for the citizens to saddle themselves with the expense of a recorder, whose salary, according to the Municipal Act, must be paid by taxing the citizens, who already felt the taxation grievous enough. Subsequently to that this negociation occurred, I understand, in London. The mayor has already stated that he remained in office some time after the Municipal Act, and did his duty without any salary. However, the gentlemen appeared to think that it would be much better to get something in support of the magistracy, and I understand they applied to the Irish society. The Irish society then made terms with them that if they would undertake to petition for a recorder they would contribute a certain sum to the magistracy and the support of the City, but they bound themselves in no way to continue that support. It was dependent upon their will and pleasure, and if the corporation or the recorder, who might then or hereafter be appointed, should displease the Irish society there was nothing to prevent their withdrawing this grant, which they say was purely gratuitous, and which they were not bound to make. That, I submit, is a practical instance of the working of what the English Commissioners alluded to as to the inconvenience of having a governing power over a civil community or a local corporation, which in its inception was intended to be independent. You will see by referring to the charter that great privileges were granted to the mayor of Derry. It was contemplated evidently that he was to support some state; he was given a mace bearer and sword bearers, and not only that, but he was granted the privilege of being associated with Her Majesty's Justices of Assize in the City of Londonderry, and actually to take precedence in the commission in the City of Derry of Her Majesty's Justices of Assize. All those things must necessarily have required a considerable provision for their support, and would be a mere mockery without such a provision to have conferred such privileges; and I cannot bring myself to understand on what principle the Irish society say there was no obligation on them; that it was at their good will and pleasure to give this 1,200*l.* a year. I am putting out of consideration the old documents, which we contend would show that they had occupied the property that was evidently intended for that purpose. I think you will find that King Charles the Second would not have granted a charter, contemplating an outlay for all those civic pageantries which were evidently contemplated there, unless he had been impressed with the idea that there was some fund applicable to the support of that magistracy, or, if there was not, it was the part of the Irish society, not as a favour, but a part of the duty of their trust to provide an ample fund for the support of the dignity of the mayor of

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Derry, the sheriffs of Derry who were to be appointed by him, and those different civic officers that were pointed out by the charter.

8131. Did the City of Derry petition for a recorder?—Yes. In consequence, as I say of this coercion, that the Irish society would not give them a farthing unless they chose to elect a recorder. The sensible people of Derry thought it was a useless expenditure, but the Irish society interposed as the governing body.

8132. After the Irish society had so said that they would grant this money, and yet at their will and pleasure only, so as not to bind themselves to give it in future; knowing that, did the people of Derry petition for a recorder?—Yes; and there is a recorder now appointed, and if the Irish society should take into their heads, which they can at their will and pleasure, to withdraw the grant, I do not see how the citizens could save themselves from being taxed to supply his salary, which they have pledged themselves to the Lord Lieutenant to furnish. By the Charter of Incorporation the citizens of Derry have the power of electing a representative to parliament. We see by their own reports that the Irish society did in former times take upon itself to interfere with the independence of the citizens there, and dictate to them who should be their candidates. Even in modern times, though persons disclaim being guilty of such a thing now, in this particular recent instance there was a great interference with the civic affairs in dictating to them the appointment of a recorder.

8133. The Irish society does not interfere in the election for members of Parliament now, does it?—No.

8134. It has been stated to us that they do not interfere in any manner; do you believe that to be true?—I believe they do not in the City of Londonderry. With respect to the renewal of leases and their liberality on that subject, I cannot agree with what has been said. I know instances myself in which they have exhibited great illiberality. About two years ago there was a deputation over here on other matters, who waited upon the solicitor for the Irish society. A number of those perpetuity leases are grants of houses with acres attached, the acres are a rural portion, intended originally as farms to the houses, the houses being in the city. Since that time those acres have passed into different hands; some sold their acres, and only retained a portion of the premises in their leases. A variety of very obsolete covenants that were introduced into the leases were inconvenient in the transmission of property or making out the title. We applied to the society, thinking that there would be no difficulty in getting grants in fee, like any other landlords, to say whether they would modify those leases in such a way as to be more suitable to the existing state of things. The Commission will observe that in most of the covenants of the leases, there are some of the most absurd things in the world. Some of the leases are confined to houses, yet they preserve in them covenants that they will not cut turf on the premises. Another is that they will not erect any mill on the premises. That, we think, is unsuitable to the present time, when steam mills and others are very necessary for mercantile purposes. Those prohibitive clauses were all included; but in addition to that, in those leases comprising the rural portions, those rural portions happen to be in different districts, under the management of the Poor Law Union; so that in one district there may be a poor rate struck of 2*d.*, in another district there may be no poor rate struck, while in the City there is a poor rate struck of 1*s.* When you came to pay your rent, it became very difficult to allocate the portion of the poor rate. One district pays nothing, one pays 2*d.*, and another pays the great bulk of it. We represented that to the solicitor and others. He heard us very patiently, and seemed to assent to the reasonableness of our observations; but he said that there was some leading lawyer who must be consulted, and he had no opportunity of interfering. Since that time I understand the answer has been that if we show them they are compelled to make those alterations, they will do it. We should say in Ireland that there was no great liberality in that. We ask them to modify their leases to suit the present time; and the way we are met is, show us that a court of equity will compel us to do it, and then we will do it. That we should say is an Irish mode of granting a favour. With respect to an individual case; I applied on the part of a Mr. Lacky to get a grant in fee, according to a printed form which had been prepared on the part of the Irish society, retaining the present covenants, which are unsuitable to the present time. Mr. Lacky thought it was unnecessary to make any objection to it, and he asked them for a renewal on their own terms. The answer he received was that, inasmuch as part of his premises that is the acres included in his lease of the City tenement which had been underlet, were out of repair; that he had thereby forfeited all right to any grant, and they would not grant it. The part they fixed on was what is called the *gazebo*, or stand-house of the race ground. The Irish society assented to the passing of an Act in which the race course and the stand-house are declared to be vested, or under the control of the corporation of Derry, and thus dedicated for public purposes; and this very statute is referred to and made part of the case of the Irish society in their suit with the Skinners' company; and this was the only part of the premises comprised in the lease of Mr. Lacky that they could fix on as being out of repair—that very gazebo which they had virtually in this Act of Parliament, at least, embarrassed Mr. Lacky in obtaining any control over. I apprehend, in the teeth of that Act of Parliament, Mr. Lacky might have been embarrassed very much if he had attempted to take it down or repair it.

8135. Are you prepared from the consideration you have given to this subject to suggest

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any practical course which you think it would be expedient to take in regard to the position of the Irish society, which would be advantageous to that part of Ireland with which you are connected?—I would remove the power of the Irish society to interfere in the appointment of officers of the corporation of Derry, and oblige them to give a permanent fund "for the support and good government of the city," to use their own words, the support of the civic officers. I think especially they should put the recorder in such a position as to be independent of any influence whatever.

8136. In your opinion any payments made by the Irish society towards the salaries of the municipal officers should be obligatory and not optional?—Exactly so. I can easily imagine a suit before the recorder, where the rights of the public and the rights of the Irish society may come into question; and that, although his decision might be just, still if in favour of the Irish society, popular opinion may think justice has not been done.

8137. Do not you think it would be desirable that some system should be devised by which the citizens of Derry should make a rate to pay their own officers, as is done in other places?—Yes; if the Irish society are not bound under the terms of their charter to do it themselves. With respect to renewable leases, the suggestions I would make would be, if they had not the power of altering those obsolete covenants, to apply to the legislature to authorize them to do so. I think there should be a power somewhat similar to what has been already alluded to in the Ecclesiastical Temporalities Act, to divide those rural portions at the option of the tenant from the city parts, so as not to make the landlord of the city portion answerable when he has long parted with the rural portion, for the default or rent of the occupier of the part so parted with; of course, so apportioning the rent so as to give the landlord full security.

8138. It has been suggested by one witness that it would be a great advantage to the town if all this town property of the Irish society were sold, and that in reality it would improve the town more than any system of management. Is that your opinion?—Certainly; we have the experience of the Incumbered Estates Act. It has created a new class of proprietary, who take a pleasure in spending their money and improving their estates; they have it as an inheritance; the house descends from one generation to another.

8139. Do you think a measure like that would have a great effect upon the prosperity of the town of Londonderry?—I am convinced of it. It would create an independent proprietary in Derry, and tend to the advancement of the people in a variety of ways.

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Sir Robert Alexander Ferguson, Bart., M.P., having been sworn, was examined as follows.

8140. You are member of Parliament for the city of Londonderry?—I am; and have been for nearly 24 years.

8141. You reside in the neighbourhood of the town?—I reside within about a mile of the town, on one of the perpetuity leases of the Irish society.

8142. You are, of course, well acquainted with the situation of the Irish society, with reference to that part of the country?—I am well acquainted with the situation of the property of the Irish society.

8143. Are there any points upon which you desire to offer any information to the Commission?—Some points were referred to in Mr. Anderton's evidence, in reference more particularly to the litigation between the Irish society and the Bishop of Derry. The litigation between them arose from proceedings which took place before granting the charter, when the Crown intimated to the corporation of London that it would bring up the right of presentation to the livings in the county of Londonderry, and grant them to the corporation of London. There was no evidence that the Crown had ever done so; but for, I believe, nearly 200 years this litigation had been going on occasionally as vacancies occurred in the livings. At last, in the year 1843, the Act which had passed ten years before for England, has extended to Ireland; it put a limit of time in contests respecting livings, except as to suits commenced before 1845; and so the Irish society instituted suits for all their livings. At the same time they were contending for one of the livings which was the subject of the verdict of a jury in Dublin. The action was tried in Dublin, and the jury found in favour of the bishop. The case was taken to the House of Lords, and after a solemn argument there was decided in favour of the bishop, and that put an end to all those suits. Of course the other suits which they had brought were on that judgment discontinued, and not, as Mr. Anderton seemed to think, from the stubbornness of the Irish juries in not finding for Englishmen. The fact is, both the foreman and the majority of the jury were holding under the Irish society by terminable tenures, and if either fear or favour could have influenced the jury, the effect would have been in favour of the Irish society. The jury were then made the subject of the most vituperative abuse, which the foreman was very anxious to bring before the Court of Queen's bench; but unfortunately he wrote a letter himself, abusing *The Times* for the leading article inserted, and the Court of Queen's Bench thought that having done so, he was not entitled to any relief from them. There is another question which was

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touched on by him, with respect to the free school. It was a part of the fourth proposition by King James to the undertakers in the six counties, that "in each county "there should be one free school at least for the education of youth in learning and "religion." When he made this arrangement with the City of London, and granted to them the whole of the district comprising what was then the county of Coleraine, and part of Tyrone, and the cities of Derry and Coleraine, which were outside the district between the two rivers, he seems to have expected from them that there should be a school. The parties sent over by the corporation of London also expected that there was to be a free school. In the extracts which have been read, it appears that Mr. Springham promised to build a school, and he says they had allotted 300 acres for the purpose. We find, in looking to the property of the Irish society, there is a small portion of that property, two townlands as we call them, which lie within the district between the two rivers. There is a strong impression that those were intended for the school; that, as such, they were reserved out of the division of the county among the companies, and that even if there were no legal obligation under their agreement with the king to support a free school, there was a moral obligation from their being in possession of that property.

8144. Upon what does that impression rest?—From papers produced during the proceedings against the Irish society by the Skinners' Company, we find that they were called on in 1624, which was ten or twelve years after the granting of the charter, to find the 700 acres which it was said had been reserved for a school. The reply is, they hope the 700 acres will be found, because they wish to get rid of the subscription they pay to the school; but the 700 acres never were found, nor is there any allusion to those 300 acres. We only, therefore, suppose and believe that that was the district intended for a school. In the time of King James, and again in the time of Charles the First, they are called on to find those 700 acres for a free school. In their reply, they do not say they are not bound to build a school; they only lament they cannot find the property for the purpose. The same thing took place in the different reports which were made by the committees of that body to the Irish society in 1781, in 1794 and in 1801, in which they deny altogether that they are the founders of the school they are called on to assist. They gave 40*l.* a year among the masters, and they stated that they "repelled the "suggestions of their being founders, by stating the said school to have been originally "erected by the bishop and clergy of Londonderry, in pursuance of the statute of the "12th of Elizabeth, and that it was afterwards repaired by the bishop and corporation "of Derry, and that when the school was afterwards rebuilt by a contribution of "the inhabitants, this honourable court had refused to join therein." That is their statement, that this was not a school for which they were liable. Now we know that this was a royal school, because the appointment of the master was in the Crown till the year 1808, when the bishop and clergy and parties in the neighbourhood were prepared to come forward and support it as a diocesan school, and the appointment of the master was then transferred to the bishop, and by a private Act of Parliament, the premises on which the school stood in the town were to be sold, and the proceeds applied to the building a new school in the immediate neighbourhood. Now while the Irish society were holding this language, and refusing to give more than an annual subscription, the Bishop of Derry gave 1000*l.*; the county of Derry presented 3000*l.*; the Goldsmiths', the Salters', the Cloth-workers' and Mercers' Companies, with Mr. Harvey and Mr. James Alexander, two merchants connected with Derry, all gave handsome donations. The annual subscriptions gradually diminished, and after 1831, when that change took in the appointment of the Irish society, finally ceased altogether, and since that, the Irish society have come forward. In 1846, when the address was presented to Mr. Anderton, they raised the payment from 140*l.* to 280*l.*, and now, with their exhibitions, it amounted last year to 430*l.* But the complaint respecting this, as everything else is, that it is merely a payment at their pleasure. If this is a payment which the school has a right to, it ought to be given to it as a right, and the parties should know what they have to depend on. It is now continued merely as a gift at pleasure, and with reason or without reason, they may at once stop the payment, and there is no remedy whatever while the trustees are obliged to enter into very considerable engagements.

8145. Do you suppose that it is competent to the Irish society to make a grant in perpetuity for the endowment of a school?—I believe they are not only competent, but they are called on to do so as a part of their trust.

8146. Is this school now deficient in funds for its adequate support?—Very deficient in funds for its support or for the repair of its buildings.

8147. Is it a school which is extensively useful?—It would be so. There is a very fine house, which is not one-fourth filled. There is everything there except funds to enable it to carry on competition with the royal schools of Armagh and Dungannon, Enniskillen, and Lifford, which are all round it, and are supported by public funds. The school estates left at that time in the different counties consist in Armagh of 935 plantation acres, producing 1,469*l.* a year; in Tyrone 2,381 acres, producing 1,547*l.*; in Fermanagh 3,435 acres, producing 2,142*l.*; in Cavan 590 acres, producing 557*l.*; and in Donegal 5,390 acres, producing 491*l.*; while in Londonderry there is nothing but this gratuitous payment of theirs. Those funds enable the royal schools not only to pay the masters, but a considerable sum is expended in exhibitions, so that there is a double weight against Derry in that respect.

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8148. Do you think it would be for the benefit of the town and county of Derry if the whole of the landed property of the Irish society and of the London companies were sold, and the proceeds invested according to the original trusts?—In order to answer that question I must separate the London companies from the Irish society. The London companies furnished the funds from the outlay of which the Irish society derive their income; the London companies furnished the funds from which the towns of Derry and Coleraine were first built, and the general expenses of the plantation defrayed. The London companies, in so doing, paid from time to time very large sums. They have got estates which they have held from the first, according to the promise that was given to them, that this district should be given to those to whom the corporation of London would give it as undertakers. As undertakers they have acted, and I look upon it that we have no more right to touch that property than to touch the property of any other undertakers who went over there and obtained property at that time. With respect to the Irish society I think the case is altogether different. The Irish society are strictly trustees for a particular purpose, the purpose of the plantation, and if they had a surplus in their hands, after performing what they are called on to do by their charter, I think they would be bound to give it among the London companies, who gave them the funds. It is therefore impossible, at least it is very improbable, that the Irish society ever will have a surplus in its hands; it cannot, therefore, discharge the duties of a landlord. I think, considering the manner in which it is elected by the corporation of London, and that those parties remain on it only for two years, it is impossible that it can manage the property beneficially either to its tenants or to the community. The constant change which takes place brings it to a perfect impossibility.

8149. Do not you conceive that the expenses of management would take precedence of the purposes of the trust?—The expenses of the management and the expenses of the works under the trust being fully carried out, then I think they are bound to divide any surplus among the companies, supposing there to be a surplus.

8150. Would not the duties of a landlord come under the head of expenses of management?—Not what I call expenses of management. The duties of a landlord in this country are supposed to be that he provides for the farm proper buildings, and everything of that kind. I do not think there are funds in their hands which ever could enable them to do that.

8151. Supposing those expenses take precedence of the purposes of the trust, what would be the case then?—I do not think they would have funds in their hands. You ought to purchase all the tenants' interest now particularly, as they wish to go upon the system adopted in this country, namely, that the whole of the improvements by the tenants are to belong to them at the termination of the lease. Now, as long as the system continues in Ireland, that a person having land to let, lets it at the bare price of the land, and the tenant has to build the houses, erect all the fences, and make the draining, I think the landlord should not be allowed to take possession of those buildings, and everything, without giving him any remuneration at all. It is, in my opinion, exceedingly unjust, and I do not see that the Irish society could get themselves out of that predicament.

8152. You think they would not be justified in managing the land as it is managed in England?—I do not think they would have funds for it after providing for the objects of their trust.

8152a. Do you think that it would be a breach of trust?—No, not a breach of trust.

8153. That is rather on the assumption that they are bound to divide any surplus among the companies?—Yes.

8154. The House of Lords cautiously avoided giving any decision upon that point?—Yes; but there seems to me a fair and equitable case for saying, that as those companies supplied their funds, any surplus should go among them. With regard to the Irish society, to show their difficulty in carrying out their trusts, I may mention that in the year 1733, they began with a standing rule that they would not renew any lease till within three years of its term of expiry. We find, a few years after, that in 1765, Alderman Alsop goes over to Derry as governor, and he reports to the Irish society that the whole of the town was in a state of ruin, and that they must, for the rebuilding of it, grant perpetuities. I contend that that shows that the Irish society have not power of doing their duties, because if they had they would have been enabled themselves to have re-built at that time. In the "Origin of the Irish society," the grant of these leases in perpetuity is very slightly alluded to, and almost all we learn about Alderman Alsop's report is in the case of the Skinner's Company in the House of Lords. It clearly appears to me that the society are not able to carry out their trust, and therefore the prosperity of the town and of the district requires that something of the same kind should be done with respect to them as was done in the case of ecclesiastical property and in the case of Trinity College of Dublin. Those two great corporate bodies were placed in this position, that the tenants were authorized to come forward and say: We require a perpetuity; we are willing to pay our present rent, and our present fines as rent, and if there be anything else to be paid for in reversion make your claim, and if it is too large we will go before the Privy Council to settle it. We know in every part of Ireland this has taken place, and that the Trinity College Act, passed the year before last at the wish of the tenants, and the Church Temporalities Act, passed twenty years ago, have been productive of the greatest possible advantage, and I think, for the sake of the prosperity of the district, that ought to be the course taken in the case of the Irish society.

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8155. You confine your recommendation to the property of the Irish society only; you do not include in it the property of the companies?—No. The companies have dealt with their property as property of individuals; some of them have been sold, one property is held under a terminable lease, and in others the tenants hold directly under them, the leases having fallen out.

8156. Do you think if such a measure as you have adverted to became law it would meet the whole state of the case, and that nothing more need be done in regard to the Irish society?—I think there must be a definition of what its trusts and its duties are. Reference has been made to the corporation of Londonderry. The corporation of Londonderry is now holding under them 700*l.* a year at will for the payment of officers, and 500*l.* a year for improvements. I think it ought not to hold those grants under them at will. If the corporation have a right to it they should get it, the right should be declared. They ought to be an independent body, for I maintain that since that 1,200*l.* a year was granted they have been treated in a manner in which those trustees ought not to have treated them. The first instance that I will state is in reference to the supply of water to the town. An inquiry was made about the increase of the city of Derry. By an extract which I obtained a few days ago from the clerk of the Poor Law union in Londonderry as to the increase of the city of Derry, it appears that the valuation of the city of Londonderry, in December 1849, amounted to 35,973*l.* upon the one bank of the river, and 6,973*l.* upon the other. In December 1853, the amount was 38,267*l.* on the one bank, and 7,470*l.* on the other, making an increase of 2,831*l.* That is not entirely an increase of new buildings, because this does not include wastes, and therefore there may have been more houses occupied in one year than in the other, but the increase of the town in that way made it necessary that the corporation should take steps for two important purposes; one was the supply of water, which was taken from the bishop's domain. That was not in the Irish society's ground, but it passed through the Irish society's ground, watering two or three meadows, and supplying what had been a distillery, but which was out of work, turning a thrashing machine on its way. The demand of the Irish society, when the corporation began these waterworks was to the amount of 5,000*l.* The matter went to arbitration, and the arbitrator, after long consideration, gave 510*l.*, and that 510*l.* they have taken out of the improvement fund for the city of Londonderry. That was for their reversionary interest, there being a lease of twenty-eight years against them of the distillery, &c. We were also obliged to look out for a cemetery, and the corporation of Derry bought all the tenants' interest and then went to them, and they, at first, required them to pay 1,500*l.* for this field, for which, if I am rightly informed, their tenants were paying them 14*l.* a year. Unfortunately the corporation had been so much employed in sewerage and other matters in the town that they had allowed the powers of taking by compulsion to expire, so that they could not go to arbitration, but after long bargaining, they were forced to give 1,000*l.* for it, and to pay the under-tenants' rents for the remainder of their term. I think that shows that they are not dealing with that liberality which they ought to do towards a town circumstanced as Derry was, of which they were in fact trustees.

8157. Even with the best intentions, must not it sometimes be a very difficult thing for the Irish society to reconcile their duties as owners of property with their duties as public benefactors?—I do not see what difficulty there can be in reconciling their duties as owners of property with their duties as public benefactors, when the corporation took this property for the benefit of the town.

8158. It has been suggested by one witness that the best thing the Irish society could do for the town would be to get rid of all its property, and employ the funds so raised simply as benefactors; are you of opinion that that would be a useful course?—I do not see the advantage of the society selling the rent, getting twenty or twenty-five years' purchase for it, and lodging it in the funds, where they would not get three per cent. I think the mode which I have suggested, namely, of their taking the same course as followed in the case of the Ecclesiastical Commissioners, and in the case of Trinity College, would meet all the objects; and if the Government afterwards chose to permit them to do what I inferred from his speeches that the late Sir Robert Peel would have done had his life been spared, namely, to settle in some other part of Ireland, a new field of usefulness would be opened to them.

8159. At present I believe a great part of the income of the Irish society is absorbed in expenses of litigation and management?—We consider an enormous part, and we consider that their litigation is not fairly carried on.

8160. Do you not think that it would be desirable that some mode of simplification should take place, which would obviate that evil?—I think if there were grants in fee-farm, in that way it would simplify it.

8161. If the property were sold and the profits invested in the funds, there would be no expenses of management?—No.

8162. Do you think three per cent upon twenty-five years purchase of the present, property would yield a larger sum than the net proceeds of the rental of those estates, subject to the present charges of management?—If the charges of management are to go on in the proportion they did between 1817 and 1847, 3 per cent would be a very good bargain for them, and there are valuable reversionary interests that would bring in much money. With respect to the litigation in which they have been engaged about the perpetuity leases, I think their mode of proceeding has been very unfair as regards their tenants.

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The Act of 1849 for the conversion of the leases for lives renewable for ever, into a tenure in fee was passed with great opposition on their part. When the Bill passed, the tenants applied to them that they should fix a form of lease, and grant them those tenures in exchange for renewable tenures, to which they replied that they would not deal with their tenants in a body, but that they would deal with any individual. It is necessary to state that owing to their former litigation they were, as nearly as we can make out, about 10,000*l*. in debt, and their security was not worth a rush. We then wished to deal with them as individuals, and they put us off from time to time, sometimes discussing the question as to what provision should remain in the leases and what provision should not. It appears that the leases were granted in the year 1767; the leases then having 28 years to run, they added to the leases, in the shape of increased rents and in the shape of renewal fines, something about 37 per cent, and they took credit to themselves that, so adding it, they were to look for nothing more from their tenants. Unfortunately, when the lease was granted, all sorts of clauses were put into it. Some of them might have been required in the former determinable leases, but were quite inapplicable to a grant in fee, such as that there should be no new road opened; that they should relieve them from all the penalties under the Timber Acts, which Acts had been repealed 20 years before, and all kinds of vexatious clauses were put into the leases. We applied that they should make one form of lease for the town and another for the country, as they were in different electoral divisions, liable to different poor rates; and as the "dozens of acres" as they were called, which were granted at the time of the plantation, in order to give a person residing in Derry a place to feed his cow on, had passed into separate farms. They refused, however, to leave anything out except the clauses about grinding at their mill, which they could not well keep in, for there was no mill; and they then handed us back this printed form of lease, and at the same time a printed form of commutation of fines into an annual rent. Things went on quietly till in June last, when they had paid off all their debt; and then, and not till then, they said, we require from you three years' improved value on your property, whatever the property is worth. The question had been raised before by Lord Donegal and taken to the House of Lords, where he abandoned it; and upon the first inquiry of any tenant for a renewal, proceedings were commenced in the Rolls Court, which they have announced their intention of taking to the House of Lords. I contend that, under the former decision of the House of Lords, the Lord Chancellor and the Master of the Rolls distinctly told them that they considered they were trustees for somebody or other and were liable to be called to account, though not by the twelve companies. The same opinion was given by Sir James Eyre, the Recorder of London, at the time of the granting of these leases in 1766. I need not read the case about these leases, but the opinion being short I will read it, "I am of opinion that the society have sufficient power "to adopt the proposition of perpetual renewable cases, in case they should think it a "benefit to the Estate committed to their care, to grant such leases." From the mode of wording that opinion, Sir James Eyre treats them entirely as trustees of a property committed to their care. The question which they have raised before the Rolls Court is, that they have the whole power over this property, and therefore have the right to receive something under the 5th clause of the Renewable Leaseholds Conversion Act. At the time they must know that they are trustees, and therefore the granting those leases, having accomplished the end for which they could as trustees exercise such a power, namely, the rebuilding of the City of Derry, and the town of Coleraine, they have no power further to grant the fee. Their only power of making those grants in fee, was under the Act, and therefore they were not entitled to anything.

8163. I suppose you do not mean to contend that it would be right to transfer any portion of this property, which is trust property, to the tenants of the Irish society?—Certainly not; I propose that the tenants of the Irish society should pay the full value whatever it is, partly in rent, and whatever difference there may be, in money.

8164. Though you think it for the public advantage, that the Irish society should be liberal landlords to their tenants, you do not mean to claim on the part of the tenants, from the Irish society, any peculiar privileges or advantages which would interfere with the general right which the community have to the advantage of the proceeds as largely and as full as they can be made, of the entire property?—No; but from the fact of their being in possession, and having expended such large sums of money upon the buildings, I think they should have the right of preemption, nothing more.

8165. Do you believe that those deputations which the Irish society are in the habit of sending over to Ireland are useful?—There is no doubt that deputations of the kind would be very useful if it were not for the constitution of the society. But the evil is that the members of the society fluctuate so exceedingly. They learn very little about it during the first year, the second year they come upon a deputation, and then they have not above a couple of court days to serve after that deputation has reported.

8166. It has been stated by other witnesses, that practically the control and management of the affairs of the society rest principally with the London secretary. Is that your impression?—It depends upon the extent of the interference of the governor. My opinion is that they rest with the secretary.

8167. Is the governor changed frequently?—He is elected annually, but I have never known him changed when once elected.

8168. Do you believe the governor takes personally an active part in the management

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of the affairs of the society?—I have known the society under three different governors, and some of them did take an active part in it. The governor however, must be an alderman, he has his aldermanic duties; and the duties of his ward, and he has his own business to attend to, whereas the secretary is always there and has nothing else to do and he must be the governing party, practically speaking.

8169. Is the governor in the habit of going over to the estates?—The present governor has gone over very frequently. My impression is, that the other governors did not go over as governors.

8170. Are the affairs of the Irish society of a very complicated kind?—Every Irish proprietor's affairs are of a complicated kind in dealing with a large tenantry. The questions of tenants' arrangements and tenants' rights are more complicated than any person without experience can form any idea of. If any person can imagine an Irish property changing its landlord every year, they can form an idea how overwhelmed the Irish society must be every time a new man goes over in meeting the applications made to them.

8171. Do you believe that the tenants which the Irish society have in the town of Londonderry are worse off in their relation to their landlord than tenants in Belfast?—The tenants of the Irish society living upon terminable leases in the town of Derry, are much worse off than those of any other proprietor whatever, whose estate I have ever known. They are worse off, not as regards their personal comforts or their expenditure, but they are worse off in the manner in which they are treated, and the uncertainty in which they are as to how they will be treated should anything happen. They cannot form the most distant idea why a thing is granted to one person, and why it is refused to another. A person in my own immediate neighbourhood, living upon part of their property, which at one time was under the corporation, had been for a long time memorializing them either to let him build, to give him a lease, or that they should build and that he would give them a per centage upon the building. The Irish society have given up for these last two or three years the practice of sending over deputations, but they send over what they call visitations. Five or six of their members, as many as their agent's house will hold, come over, go through the estate, examine it, and look at everything and talk with everbody. This man came when they were engaged upon this visitation. He thought he had made a favourable impression. When they went back this year, at the first court held after they went back, he got an answer to say, that having considered his memorial and the proceedings upon it, they had come to the resolution to give him a notice to quit. The man was in a great fright at this, and he came over to London to the next court. When he came to the court, instead of a notice to quit, they made some arrangement for building his houses, and sent him back again. I have heard the arrangement to be that they would lay out a certain sum of money in building the houses for him, but he was to hold them without any tenure whatever; so that this man was to work at the farm without a tenure, and with the distinct understanding that he was to be allowed nothing for his manuring, &c.

8172. You stated that you thought the present relation between the Irish society and the corporation of Londonderry objectionable. Is there any course which you can suggest by which it could be put upon a more satisfactory footing?—I think it might be settled and defined. If the corporation have a right to support they should get it.

8173. You think they should be put in a situation of independence?—Yes. We know, from the first, it was considered that the corporation had a right to a fair sum for the support of the magistracy. In their first proceedings, there was a certain district called the Fifteen Hundred Acres, allotted to the corporation; when the proceedings in the Star Chamber were suspended, the charters of the Irish society and the corporation being both in one, the Bishop of Derry, Raphoe, and Clogher, who was then chaplain to Lord Wentworth, got himself first appointed sequestrator, by which he got his hand over this property, and then he obtained a grant of those lands. The corporation were then in his power, either as sequestrator, or as having a grant of them. An Act of Parliament having passed, to enable bishops to grant terms of sixty-one years, they took a lease under him for sixty-one years, at 50*l.* a year. When that lease was out, the Bishop of Derry refused to renew the corporation; and the town-clerk of Derry, Mr. Moggridge, had been over with the society, and then at the expiration of the lease the society took steps to repossess themselves of it. The question was taken to the Irish House of Lords; they decided in favour of the bishop, and gave their orders to put him in possession. The mayor and the sheriffs resisted; they were taken into custody and carried up to Dublin. The Irish society appealed to the English House of Lords, and then was passed the Act of Queen Anne, which has a very extensive reservation at the end of it, "Saving, nevertheless, to "the Queen's most excellent Majesty, and to all and every other person and persons, "bodies politic and corporate, their heirs and successors respectively, (other than the said "Charles Lord Bishop of Derry and his successors, and the said society, and their "successors,) all such right, title, interest, claim, and demand whatsoever in, to, or out of "the said premises, as they, or any of them have or hath, or might claim in, to, or out of "the said lands, tenements, fishings, and premises, or any part thereof, as if this Act had "never been made." When this society got into possession, they wished to get a lease from him in that way; but after a considerable questioning as to the terms, the society at last said—We will give you a lease upon certain terms, provided you put a clause in it, stating that you will never claim under any other title but that of our lessees. Upon

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that the corporation said, " No, we will never give any such engagement ; we will break off the negociation." Then the society let it to individuals, binding them to defend their rights. These proceedings for the recovery of 1,500 acres were immediately after the siege, when the town was in ruins, and the corporation were struggling to rebuild it. I know, as having been a member of the old corporation, from the old books, in the year 1789, the corporation of Derry was quite independent ; not only was not it in debt, but it had lent money. In 1790, there passed an Act of Parliament, under which the corporation took upon themselves a great number of those duties which I contend ought to be performed by the society ; one was the building of the bridge. They got from the Irish society a grant in fee of the right of ferry, provided they built and kept up a bridge ; and they did more, they submitted to an Act of Parliament which made them bare trustees for that purpose, and were to have no gain for it. They took upon themselves the building of the quays, which was the duty of the Irish society ; and they also took upon themselves the supplying the town with water. The consequence of undertaking all these matters was that they got extremely into debt. When they were very much in debt, the leases under the Irish society, in the year 1820, dropped, and they then insisted upon the corporation raising their rent from 40*l.* a year to 500*l.*, thereby depriving them of the means by which they they had been enabled to support the magistracy and do these other matters. They did that, throwing aside altogether the provisions of an Act of Parliament which had passed four or five years before, by which the corporation of Derry were bound to pay to the government 750*l.* for the advance to repair the bridge, and to find 1,000*l.* a year towards the fund for building a new bridge. On making that arrangement with the Irish society, the parties entirely overlooked this engagement, and made no arrangement for carrying it out. The society put on them a rent which they could not pay, and the consequence was, that after struggling on a few years, the whole of their property was sold by the sheriff.

8174. I understand you to have suggested that a certain payment in aid of corporate purposes should be secured to the corporation out of the property of the Irish society. Secondly, that the principle of the Acts which have passed, with regard to tenants under estates of the Ecclesiastical Commissioners, and with regard to Trinity College, should be applied to the estates of the Irish society. Are there any other suggestions which you are prepared to state to us, in order to put the whole thing upon a proper footing?—I do not know that I have anything else to state, except with regard to the election of the Irish society themselves.

8175. Do you think if those two things could be secured, and supposing the internal constitution of the Irish society were made as efficient as possible for the management of their estates, everything which the inhabitants of Londonderry and its neighbourhood require would be met?—If those two points were secured, I think the inhabitants of Londonderry and its neighbourhood would be satisfied.

8176. What alteration would you propose in the constitution of the society?—It is very difficult to make an alteration in the election of the body if you keep up its connection with the corporation of London, which is itself an elective body. The property of the companies is well managed for this reason ; being associations in which the members remain for life, they study the management ; but if the corporation is annually or triennially elected and this body is annually or triennially elected by them, the same thing must go on, and the officers must be the real ruling parties.

8177. You consider the fluctuating nature of the Irish society to be its present evil?—I consider it to be fatal, and I do not see how you are to alter it if you retain its connection with the corporation of London.

8178. Would it be better to have an independent body unconnected with the corporation of London?—I think it would be better to make the tenants and parties there independent, and then you might arrange the corporation in any manner you thought fit, I do not know by whom the independent corporation is to be appointed ; I do not wish to see the property vested in the corporation of Derry ; I do not think a corporation in Ireland, with the attention which Irish property requires, can give satisfaction.

8179. What would be the effect of a corporation elected for life by members of the twelve companies?—A corporation elected for life by members of the twelve companies would certainly take away some of the disadvantages as to the absolute question of management, but I doubt how it would act. The twelve companies contend that they have no public duties at all.

8180. They have some knowledge of the subject have not they?—They have some ; they may have a certain knowledge of their own property, but that is derived by reference to their own agent.

8181. They are included in the same charter?—The grant of their lands is included in the same charter, but that was only as undertakers. The companies are not mentioned in it.

8182. On the whole you see nothing preferable to the present mode of election, by the corporation of London?—I do not pretend to recommend anything preferable. I see nothing worse than the present mode.

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8183. Might not the time of service be increased?—How can that be if the parties are compelled to go out of the society when they leave the corporation of London.

8184. Might not you give a power to the corporation to elect persons for ten years, and would not that be an improvement?—It might be, I do not say that it would.

8185. That would be an alteration that would meet your objection about the fluctuating nature of the body?—To some extent.

Adjourned to to-morrow at one o'clock.

Thursday, 16th February 1854.

THE RIGHT HON. HENRY LABOUCHERE, M.P., in the Chair.

D. McGonegal, Esq.

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DANIEL MCGONEGAL, ESQ., having been sworn, was examined as follows.

8186. In what manner are you connected with the borough of Coleraine?—I am an inhabitant and solicitor there, and I am secretary to the Commissioners of the borough.

8187. What Commissioners do you mean?—The Municipal Commissioners of the borough.

8188. Are there any observations which you are desirous to address to the Commission?—There are. If the Commissioners will allow me to read a few sentences from the report of the case made by the society in the House of Lords, in the year 1839, it will make my evidence more easily understood. "The property was granted to the society; and vast "privileges were conferred on them, in the words of the charter, 'for the better ordering, "'directing, and governing all and all manner of things for, and concerning the City and "'citizens of Londonderry and the county of Londonderry, and the plantation to be "'made within the said City and county of Londonderry, and other businesses belonging "'to the same.' The Irish society set up no claim to any beneficial interest whatever in "the property; but allege that, by the charters the rents and profits of the ferries, fisheries, "and town-lands are applicable, in the first instance, to the furtherance of the general "public objects of the plantation, under the supervision and at the sole discretion of the "society; and that the companies have not any right to demand a division of any part "of such rents and profits among them. The uniform course of proceeding has ever since "been, for the society to appropriate the rents and profits of the ferries, fisheries, and "town-lands, at their sole discretion, to the maintenance of the general operation of the "plantation, including everything which tended to the support of the corporations of "Londonderry and Coleraine; the maintenance and government of the towns and of "the port of Londonderry; the support of the Protestant religion by means of churches "and schools; and by contributions to public charities, and otherwise to the fulfilment of "what the society conceive to be the distinct objects of the charter." Bearing that in mind as the foundation of the society, the people of Coleraine complain very much of the manner in which the Irish society have managed the funds entrusted to them. They entirely deny the statement that they are expended in support of the corporations of Derry and Coleraine; inasmuch as the society have, in fact, done nothing for Coleraine for many years within the memory of any person living, except giving some trifling sums towards the repairs and building of churches, meeting-houses, their own school, and the like, and some small enclosures which they made on part of the slob.

8189. Does the Irish society give any assistance in the way of money to the corporation of Coleraine, in the same way that they do to the corporation of Londonderry?—None whatever; on the contrary, they have refused, or at least not complied with, several applications made to them by the Commissioners for aid to make water works, which were very much wanted in the town, to sewer and flag the town and make several other improvements.

8190. To what extent have the Irish society property in the town of Coleraine?—About 3,000*l.* a year.

8191. What is the general tenure by which that property is held?—A great deal of it is from fisheries which they have let on short leases, and also on lives renewable for ever. Other portions are on short tenures.

8192. Is there much on short tenures?—A good deal.

8193. House property?—Yes.

8194. Does this property constitute any large proportion of the whole town of Coleraine?—The whole town of Coleraine did belong to the society, but they have granted away a considerable portion of the town to parties on lives renewable for ever. As I stated before, the Commissioners erected gas works on a piece of ground which they leased from a gentleman of the name of Lyle, in perpetuity. Adjoining, or I should rather say surrounding the rear of that, was a small strip of ground, part of the ancient ramparts of the town and which was required for the gas works; they applied to the society to give them the same tenure of this small strip as the other. The society said, surrender your lease of this strip, (*pointing to a plan*) and we will grant you a lease of sixty-one years at a rent of 6*l.* a year; (they only paying at present 2*l.* 10*s.*, and have a lease for the life of

Lord Castlereagh,) with a covenant that you shall always use it for public purposes. The Commissioners thought that so very unreasonable that they declined.

8195. Did you resist this as a matter of principle, or because you thought it of any great consequence?—I give it as an instance of the conduct of the society towards the people of Coleraine, that they are seeking more than any private landlord would exact.

8196. What is the extent of the ground?—It is a mere strip of 40 or 50 feet in width, running partly round a piece of property which the Commissioners hold for the benefit of the people of the town, and which they hold in perpetuity. The people of Coleraine think that they are a very grasping, illiberal, and unpopular body of men. As an instance of that I may mention the case of a Mr. Galt, a gentleman in the neighbourhood, from whom the society took forcible possession of a part of his property. He was forced to bring an action against them, and after going to a considerable expense they were obliged to pay all his costs, and pay him for his land.

8197. Does the Irish society subscribe to any schools or charities connected with Coleraine?—They do. I have a memorandum of the receipts and expenditure connected with Coleraine for the last seven years. It will show that in seven years commencing the 10th of February 1846, and ending the 5th of February 1853, the whole amount in schools and charities of all descriptions, during which I should say the famine occurred, was 4,510*l.* 12*s.* 6*d.* In those seven years they received out of Coleraine, after allowing for their agent and poor rates, &c., 18,272*l.* 9*s.* 7*d.* Out of that 4,510*l.* they only gave, when applied to for aid to assist the poor during the famine, the small sum of 25*l.* The gentlemen of Coleraine put their hands in their pockets, and supported the poor themselves, and assisted in distributing the food. During that same seven years the expenditure in law, in deputations, and to themselves at meetings in London, amounted to 10,390*l.*

8198. What is the extent of land which the Irish society own in and near Coleraine?—As to the exact extent I cannot give it in acres.

8199. Is it considerable?—It is.

8200. Does the whole town of Coleraine belong to them?—They are the lords of the soil of the whole town.

8201. Does any rural property belong to them?—They have a little rural property in their own hands, but not much.

8202. Have they a valuable fishery connected with Coleraine?—They have a valuable fishery connected with Coleraine, which was granted to them along with Lough Foyle, for the benefit of Coleraine and the city of Londonderry, for their better encouragement; that is distinctly mentioned in the "motives and reasons" of the King for giving them the grant. They also claim the slobs on the west side of the river Bann. On that side, it is believed by the people of Coleraine, they have no right whatever. Part of the property there is leased to a very enterprising gentleman in Coleraine, a Mr. Gribben. He commenced to improve on those slobs, but they came in a short time and forcibly threw down his improvements, and owing to having public funds at their disposal to defend and prosecute actions, he was afraid to go to law with them.

8203. What was the nature of their claim? Did they claim the ownership of the soil of the river?—Yes, and the slobs where the tide ebbs and flows.

8204. They claim the ownership of the soil between high and low water mark?—They do.

8205. Do you know upon what that claim is founded?—Upon their charter.

8206. Is it granted under any name in the charter?—The ground soil of the river; on the side I speak of it is church land, and it never was forfeited.

8207. If there are owners of the bed of the river, it seems this must have been an encroachment upon their property?—It is a fresh-water river, but at this particular part the tide ebbs and flows.

8208. Why did the maker of this improvement think that he had a sufficient interest in the land between high and low water mark to erect any fixture upon it?—Inasmuch as it adjoined, and, he considered, formed part of the church lands, he having leased this particular part adjoining, though he had a right to go down as far as he could.

8209. He thought that as occupier or lessee of the adjoining land he had a right to make erections upon the bed of the river, between high and low water mark?—Yes; they also stopped up the passage to an ancient well. The inhabitants have lately been obliged to force an entrance to it.

8210. Where was the well situated?—In a part of their property. The passage had been used for a great many years. They endeavoured to deprive the people of Coleraine of the well, by shutting up the entrance to it.

8211. They stopped up the way to the well?—Yes.

8212. The well remained, but they forbade the public having access to it?—Yes.

8213. That was a question of right; why could it not have been tried?—I state that as an instance of the manner in which the Irish society have treated the people of Coleraine.

8214. Has the corporation of Coleraine any property?—Yes; there is no corporation at present, it was dissolved by the Municipal Corporation Reform Act; and the property vested in the commissioners under the 9 George 4, c. 82, for lighting, cleansing, watching, &c.

8215. Is their property considerable?—About 600*l.* a year, including tolls.

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8216. In land?—Yes. It is about three miles from Coleraine.

8217. Reverting to a previous instance which you mentioned of the alleged grasping conduct of the Irish society, if they have a legal right to the soil of the river between high and low water mark, can it be taken as a proof of grasping upon their part that they throw down erections made upon it without their leave?—I think it can; because they have never endeavoured to make that land of any advantage to the town or to themselves; it has been allowed to remain an eyesore to the town, in fact it is a common nuisance, and the moment a gentleman commences to improve it they stop him. The people of Coleraine complain that they have taken the commons which originally belonged to the people of Coleraine from them, a part of which was a bowling-green for the amusement of the town. They have taken that, and let it to a gentleman for private purposes, thereby depriving the town of what they consider their ancient rights, and the ground they had for public amusement. They also complain of the manner in which they deal with the tenants with respect to leases. Several parties have refused to build upon sixty-one years' leases, which are the only ones they will grant, and consequently the premises are lying idle. The improvement of the town is retarded in consequence.

8218. Is this property upon which the refusal takes place to grant extended leases waterside property?—Not all of it.

8219. What would be the proper duration, in your opinion, of a building lease in the town of Coleraine?—I think there should be every encouragement given to persons to improve, and, in my opinion, it would be for the advantage of the town to grant leases in perpetuity to encourage buildings for manufacturing purposes, and so on, and that good substantial buildings should be made.

8220. Do you think it would be impossible to obtain good houses unless leases were granted in perpetuity?—They will not be built to the same extent. There may be occasionally some good buildings in business situations, but generally they are not of as good a description as they otherwise would be.

8221. Is Coleraine a prosperous town?—Yes.

8222. Is there any manufacture there; any large mills, or anything of that description?—Nothing; and I believe it is partly owing to the want of a long tenure.

8223. There are no large mills in Coleraine?—None, except two corn mills.

8224. Is the milling trade extending itself at Coleraine?—It is rather extending.

8225. Is there any linen trade there?—Within seven miles there is. The gentleman to whom I referred just now has a linen trade, and has a great many weavers at work in Coleraine.

8226. Do you believe that part of the property now held in the hands of the Irish society, of which long leases are not granted, is peculiarly adapted for manufacturing purposes, and that manufactures would be likely to spring up there if the tenure were altered?—In the present position of the town perhaps it would not be the case on those particular spots. The Irish society have a holding in their own possession. The tenant occupies it from them without any lease, and it certainly is not creditable to the society or the town. The man has been obliged to take other premises to carry on his trade; he is a cabinet maker. I mention these instances in consequence of having heard that a deputy-governor had stated that the perpetuity leases could be known by the bad state in which the property appeared to be.

8227. Are you prepared to say that it is the other way; that that part of the town of Coleraine which is under perpetuity leases is more flourishing, and has more substantial buildings than that which is under a short tenure?—Most decidedly; there is no doubt of it whatever. With respect to the part which has been built on and held at short leases, the houses would have been much better had the leases been longer. The people of Coleraine would be anxious to get rid of the society altogether. They think that they have wasted the funds, and that they are incapable of managing them to the advantage of the neighbourhood.

8228. Do you think it would be for the benefit of the town of Coleraine if all the property of the Irish society were sold, and the proceeds invested?—Most undoubtedly. In saying that I do not only give my own opinion, but it is the general feeling of the inhabitants of Coleraine.

8229. Is that opinion founded upon the facts which you have mentioned?—Those, along with others.

8230. Your statement is that the general opinion of the people of Coleraine is, that the influence of the Irish society over their town through the property which they hold is not beneficial, but injurious?—Decidedly.

8231. Do you state with confidence that that is the prevailing opinion?—Undoubtedly. I think it is nearly a unanimous one on the part of the people of Coleraine.

8232. Have the people of Coleraine ever expressed that feeling in any authentic way?—Not by a public meeting, but they do so in general conversation.

HUGH BELLAS, Esquire, having been sworn, was examined as follows. *Hugh Bellas, Esq.*

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8233. What is your connection with the town of Coleraine?—I have been an inhabitant of the town of Coleraine for nearly forty years.

8234. You are a merchant?—Yes; a general merchant.

8235. Have you ever been connected with the municipal government of Coleraine?—I have been connected with the municipal commissioners of Coleraine for twenty years, and have been their chairman for three years.

8236. Do you hold that situation at present?—I do not. When I was chairman of the commissioners we applied to the deputation by memorial and personally in the town of Coleraine.

8237. You mean the deputation of the Irish society?—Yes. Mr. Davis and the governor were present. We applied for aid to supply water to the town, but we did not succeed in obtaining any grant.

8238. Are the town rates heavy at Coleraine?—Under the Act of the 9th of George the Fourth we cannot levy more than 1*s.* on houses above 20*l.* value; 9*d.* on houses above 10*l.* value; and 6*d.* on houses above 5*l.* value. That is the only municipal rate in the town.

8239. Do you levy the full rate?—We do not at present. When the corporation went out of office we obtained from land above 500*l.* a year, and from tolls about the same amount. Out of that sum we abated half of the rate; the interest of the money that was left upon the property is paid also out of that, and the officers connected with the late corporation are paid compensation out of the funds derived from the lands and tolls.

8240. A complaint has been made to us that the Irish society have not been willing to afford pecuniary assistance with sufficient liberality for objects connected with the local expenditure of the Commissioners of Coleraine; do you believe, looking at the state of the town and the amount of the local burdens, and supposing the Irish society ought to spend a certain sum of money on Coleraine, that would be the best way in which they could spend it?—I believe so. We hold that they are trustees for the town of Coleraine, and we claim a certain proportion of their funds, which they do not contribute.

8241. Is your complaint that you think they do not give sufficient in amount for Coleraine, or that they do not give it in a proper manner?—They do not give anything for municipal purposes; for religious and educational purposes they have given several donations; they have given sums of money for building churches; and, with respect to the free school, they support that school at an expense of about 150*l.* a-year. I was on the committee of the school for twenty years; it is very efficiently managed, and I would say that the funds that the Irish society give are principally the salaries of the master and the mistress; the other portion of the allowance, for the supply of books and matters connected with the school, is very illiberal. The poor children have to provide their own copy books. The committee have applied frequently for funds, and the money given for that purpose is not sufficient for the school itself.

8242. Without entering into the question of the sufficiency of the amount contributed by the Irish society to Coleraine, do you think it would be a violation of their trust if the Irish society thought that the best way of spending whatever money they did devote to Coleraine, was by giving it, not in relief of the local rates, but leaving them to be paid by the inhabitants, giving the money to the support of other public objects connected with the town of Coleraine, which would not be an aid of the local rates?—I think they are bound to contribute to the municipal purposes of the town.

8243. Do you conceive that the Irish society have a discretion in giving whatever sum of money they ought to devote to the assistance of a community like Coleraine, in such a manner as they think best, or that they are bound to give the whole or a part of it towards the specified object of relieving the inhabitants from a portion of their local rates?—I think they are bound to give it for municipal purposes as trustees. We maintain that they are trustees, and that they ought to give a portion.

8244. You mean strictly municipal purposes, distinguishing them from educational or religious purposes?—Yes. I mean a part of their funds for that object.

8245. Why do you say that you think you have a strict claim upon them for municipal purposes?—We conceive that the land which was given to them was given for civil and religious and municipal purposes. With respect to the leases which are granted on lives renewable for ever, I think they have had a most beneficial effect upon the town of Coleraine. I know, of my own knowledge, that several gentlemen have laid out large sums of money upon those leases; 2,000*l.* and 3,000*l.* have been laid out. I bought one of those leases, and gave 450*l.*; and I intend to build upon the ground, laying out about 1,000*l.*; so that long leases have had a most beneficial effect.

8246. Is the greater part of the property of the Irish society held under those long leases?—The greater part is held under long leases. The business part of the town is principally held under those long leases.

8247. Is that the result of those long leases having been granted for the purpose, or is it that it is more formed to be the business part of the town from natural circumstances?—I believe it is from natural circumstances.

8248. Is that the part of the town nearest the waterside?—No. It is the main streets. There are but few exceptions to those houses being on long leases.

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8249. Is there any valuable waterside property in Coleraine?—Strictly speaking, the waterside property belongs to the Clothworkers' Company. I was chairman at the time that the Commissioners applied for a renewal of the portion of land which was spoken of just now. I think that the Irish society acted very illiberally in asking 6*l.* a year for a strip of land, which is not worth five shillings, in my own opinion.

8250. Can you express any opinion as to what you think would be the best course to pursue with respect to the property of the Irish society, looking to the interests of the town of Coleraine?—I think the best course to pursue, would be to sell the property, and devote the receipts to the advantage of the town.

8251. You mean the house property?—Yes; principally the house property.

8252. Did you hear the statement of a former witness with regard to the general feeling of the town as to the influence of the Irish society?—The opinion of the town, generally, is, that they are very illiberal landlords.

8253. Is the general opinion of the town that their influence is not a beneficial one?—I think the principal part of the opinion of the town is, that it is not beneficial.

8254. When you say that they are illiberal landlords, do you mean that they are illiberal towards their tenants, or that the management of their property is not conducive to the general interests of the town?—The management is not conducive to the general interests of the town.

8255. I suppose, this being property held for public purposes, you would not contend that any sacrifice should be made of the property for the benefit of the tenants, except so far as that benefit is conducive to the general interests of the community?—Certainly not.

S. Wright Knox, Esq.

SAMUEL WRIGHT KNOX, Esq. having been sworn, was examined as follows.

8256. What is your connection with the town of Coleraine?—I have lived in Coleraine all my life. I am a solicitor there. I was town clerk of the late corporation; and have been continued as town clerk by the present Commissioners.

8257. You have heard the statement of the other witnesses. Have you anything to say in addition to what they have said?—I quite agree with the general statement of those witnesses. I have little else to say. The general impression is, that the influence of the society is not beneficial regarding them, either in the nature of landlords, or as trustees. My own opinion is, that it is inconsistent, in a great measure, with any expectation of liberality from them, in their character of landlords, to consider them as trustees of a public fund. I think it is impossible for them to act with any great liberality towards their tenants, and, at the same time, to act faithfully in the execution of their trusts.

8258. An individual may consult his own feelings in dealing liberally with a particular tenant. Trustees, for a particular purpose, are bound to administer their trusts?—Yes; and, therefore, I say, that the characters are inconsistent in the same body. In the next place, the Town Commissioners, who sent us here, complain of what they consider the wasteful expenditure of the public trust fund; and, perhaps, under the system of having a body governing the town of Coleraine resident in London, that cannot be avoided. We, therefore, think that some local body or agent, or some other plan than that of holding their meetings in London, would be much more beneficial to the interests of the tenants and the trust fund. Their accounts show, that if they are to be regarded in the nature of trustees, they receive from the town and fishery upwards of 3,000*l.* a year. Now as trustees, we consider that that sum should be expended for the benefit of the plantation.

8259. You do not mean that the whole of that sum should go to Coleraine itself?—Derry has from 7,000*l.* to 8,000*l.* a year; 7,00*l.* goes to corporate purposes, and 500*l.* towards public improvements. We certainly complain that we have no corresponding donation or benefit from our rents.

8260. Supposing that the Irish society ought to devote a certain sum of money every year to the interests of the community at Coleraine, do you believe that the money would be best spent in the relief of the local rates by helping to pay for objects which must necessarily be defrayed from those local rates rather than by leaving the ratepayers to pay their local rates, and devoting that money to other public objects which would be left undone unless the society assisted in doing them?—I think it is very probable that if proper discretion and economy were used, those funds might be as well expended for the general benefit of Coleraine as in diminishing the rates, which I, for one, cannot complain of. I do not think that a one shilling rate is one to be complained of as a heavy burden.

8261. The local rates are not excessive at Coleraine?—They are not.

8262. Then the complaint really is, that the Irish society do not contribute enough for the general benefit of the community, rather than that they do not assist you to support what may be strictly called municipal burdens?—I think, as far as the trustees are concerned, that it is the principle; and, I think, it must necessarily be so as long as the system is pursued, of what I may call foreign government—the governing body being in London. A deputation coming over to spend one single day in Coleraine, will cost 500*l.* That is what we consider to be an unjustifiable waste of a trust fund.

8263. Perhaps the support given by the Irish society at Derry to the municipal institutions there may be a cause of the complaint on the part of Coleraine why it is not

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done in the case of Coleraine?—Not only that; but we say, the society have got 7,000*l.* or 8,000*l.* a year from the Derry property by their own published accounts. They dispose of that to Derry as they please. We say, here, under the society's own hand they admit having 3,000*l.* a year from Coleraine; and, we say, the amount which they lay out for the benefit of Coleraine is much smaller than they ought to expend; whereas, we think, their expenses of management are much too large.

8264. What is the general amount given every year for local purposes connected with Coleraine by the Irish society?—I take this from their own printed reports for the last five years. They admit that in 1842 the Coleraine rents were 1,680*l.*; the fisheries 3,500*l.* I take 1,500*l.* of that as the proportion of the Coleraine fishery; making 3,180*l.* for 1848. All the charges that I can see, which I think are properly applicable against that fund, are, 39*l.* 18*s.* for a house, which the former witness spoke of; poor rates 130*l.*; Bishop of Derry's rent 50*l.*; making 220*l.* as the amount of annual charges. Upon the commons which had belonged to the corporation, but which had, by some means, got into the hands of the society, they erected a school; that school, it has been stated, costs 130*l.* or 140*l.* a year; and, no doubt, there are other small sums of 5*l.* or 10*l.* in the neighbourhood, many of them not upon the estate, some of them as far as Bush Mills, near the Giant's Causeway, on Lord Antrim's estate, totally unconnected with their own. I make the whole amount of subscriptions, 375*l.*; and donations, 196*l.*, as taken from their own published accounts. The proportion of the agent's fees for the Coleraine rents of 3,000*l.*, would be 150*l.*; making 941*l.* 14*s.* 10*d.* for that year. The balance in the society's hands after those deductions, would be 2,238*l.* 8*s.* 10*d.*, in favor of the trust fund for that year. In the next year, they give credit for 1,711*l.* 13*s.* 8*d.*, Coleraine rents. 1,500*l.* I propose as the Coleraine proportion of rent for fisheries; making a total of 3,211*l.* 13*s.* 8*d.* There are the same average charges, leaving a balance in hand, as I say, unaccounted for, as far as the trust fund is concerned, of 2,260*l.* 16*s.* 6*d.*, for that year; and amounting, in the five years, to the sum of 10,963*l.* 11*s.* 10*d.*

8265. How is that money applied, according to the account of the society?—The balance of Coleraine rents is mixed up in the general account with the Derry rents; so that it is not easy to say that the balance is accounted for; but it is partly made up of incidental expenses, paid to members of the society for their attendance at meetings and salaries to their officers, law expenses, &c. The balance we claim for the five years, say 1848, 1849, 1850, 1851, and 1852, on account of Coleraine rents, as I have said, appears to be 10,963*l.* 11*s.* 10*d.*; from which are to be deducted law and incidental expenses, and necessary expenses of management, not including agent's fees for receiving rents; they being allowed in the credits to the annual amount of 150*l.* in my statement.

8266. According to your statement the sum received in the year which you refer to was about 3,000*l.*, and the sum applied to the town and the neighbourhood about 940*l.*; you say the balance was 2,238*l.*?—I say in the balance there is an average of 500*l.* a year charged to the members of the society in London for their own fees. I submit that as trustees that is a totally unjustifiable charge a trustee cannot charge a trust fund with his own personal expenses, nor his trouble either.

8267. Is the income from the town and neighbourhood of Coleraine about 3,000*l.* a year?—Yes; including what I consider a fair proportion of the fisheries rents for the Coleraine fishery.

8268. Are the expenses about 1,000*l.*?—As far as their printed account goes, that, as the balance is, as I say, squandered in London, and under the head of incidental expenses, of which I cannot discover the items, as they do not appear in a printed account.

8269. It appears that there is a balance of about 2,000*l.*, which comes from the town and neighbourhood of Coleraine, which is not expended in that town and neighbourhood?—I think so from their own printed accounts.

8270. Do you believe that the whole of that 2,000*l.* is expended in the cost of management?—They carry forward a balance in the treasurer's hands of 1,300*l.*; that is carried forward to next year, and it might be 900*l.* in the next. It must be spent in some way in management.

8271. The society show no surplus, do they?—They have not done so latterly.

8272. The whole of the money is expended somehow or other?—Yes.

8273. Your complaint is that, according to the present system, only 1,000*l.* out of 3,000*l.* goes to the benefit of the town and its neighbourhood?—Yes.

8274. Do you think that the result of that system is owing to mismanagement on the part of the trustees, or that it is the necessary consequence of having a governing body in London to manage estates in the north of Ireland?—I think it is owing to both in a great measure. There is a great deal of mismanagement and an enormous expense in having the governing body 500 miles distant from the property.

8275. How would you propose to remedy those evils?—Taking the property at the same rate of purchase as the Goldsmith's property was sold at, I should think, being chiefly head rents, it would sell at from twenty-eight to thirty years' purchase. Even taking it at twenty-five years' purchase at the present rate of the funds, I think the income arising from the sale would be equal to the 3,000*l.* a year at present received.

8276. Are the head rents upon the leases in perpetuity?—Yes.

8277. Is there much of the land of the Irish society let upon perpetuity leases?—According to their account in the year 1851, the septennial fines were 1,154*l.* 18*s.* 2*d.* I apprehend

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that is the amount of the rents under leases held in perpetuity; the remainder of the 3,000*l.* is made up of the determinable holdings and rent of fishery. According to the estimate of the value of the property, secured as it would be, I think the produce of it would yield an income fully equal to the present rents, and that it could be administered, instead of at the average cost of sixty per cent., at no greater cost than other trust funds.

8278. I suppose that the property under perpetuity leases does not cause much expense?—The agent appoints two days to come to Coleraine, in the first week in June to receive the first half year's rents, and again in the first week in December to receive the other. I believe he gets the entire year's rents in those four days. The entire rents of the estates I should think taking for granted that the Derry rents are received as easily, could not occupy him a fortnight in receiving.

8279. I suppose the other part of the property, not held in perpetuity leases, may be of a more complicated nature?—It is not so in Coleraine, I imagine they have no actual rural property in the liberties of Coleraine, which is not held on perpetuity leases.

8280. You do not think that the house property which is held under short leases gives rise to any very complicated system of management?—None whatever. With regard to the value of the perpetuity leases as compared with determinable leases, I hold in my hand a lease which was granted to my father, it was a lease for either twenty-one years or sixty-one; twenty-one years if he only repaired the premises, which were small cabins in the town, and sixty-one if he would build a certain description of house set forth in the covenant of twenty-four feet high. My father, who had laid out upwards of 3,000*l.* or 4,000*l.* upon perpetuity leases, refused to lay out a shilling upon the property, and surrendered the lease in 1841; he would not expend his money, and that is the general feeling of the people of Coleraine. My brother has laid out about 3,000*l.* lately, in building handsome houses in Coleraine. He stated that if he had not purchased it upon a perpetuity lease, he would never have laid out a shilling of his money upon it.

8281. Sir Robert Ferguson stated in his evidence yesterday, an opinion that it would be a great advantage to Derry, if the principles contained in the Acts of Parliament which have lately passed in reference to the estates of Trinity College, and the church temporalities, were applied to the property of the Irish society in Derry; do you think that with reference to Coleraine it would be advantageous to pass such an Act?—I have no doubt of it whatever. I have made several purchases of church leases and bishop's leases, and it is quite evident that there is an impetus given to improvement by the improved tenure.

8282. You think the principles of those Acts would not have too much a tendency in the case of trust property, to give an advantage to the tenant at the expense of the value of the trust property?—I think the contrary. I think it would increase the value of the trust property.

8283. You have no fear that the property would diminish in value under the operation of such an Act?—I think it would be very much increased, both the trust fund and also the beneficial interest of the tenant. I think both interests would be increased in value.

8284. Do you think it would be for the benefit of Coleraine, if all the property of the Irish society were sold, and the proceeds applied to the benefit of the town?—I do.

8285. What is your chief reason for entertaining that opinion?—I think there would be much more improvement going on in the town. If I purchase my own rent I should be much more disposed to make improvements than if I have to look up to a head landlord, who has the means of giving me annoyance. In Belfast I received some rents. I was concerned for some persons who employed me there in purchasing the fee under the Marquis of Donegal; we purchased the fee in the Encumbered Estates Court, and gave twenty-seven years purchase for it, in both cases the parties were perfectly satisfied; both those cases were leases for two lives renewable for ever, with certain renewal fines.

8286. You heard the statements of the previous witnesses on the subject of the feeling of your town with respect to the Irish society; do you agree in those statements?—Most unequivocally. With Mr. Bellas, I waited upon a deputation of the Irish society, to show them the claims we had upon them. We were very graciously received and certain hopes were held out, but from that hour to this they have not been carried out.

8287. Do you believe in the description which the previous witnesses have given as to the general feeling of the town respecting the influence of the Irish society?—I do. The general impression of the town is, that they are not encouraging landlords, but quite the reverse. I cannot recall to my recollection a single instance of their giving the slightest encouragement to any improvement in the town of Coleraine, or the slightest favourable answer to any demand that was ever made, either by the tenants individually as tenants, or by the town commissioners as representing the town.

8288. Has the society any general agent in the town?—No; the agent comes over from Derry, and appoints two days for transacting business in June, and two in December.

8289. Are you not of opinion that, with proper arrangements, a single resident agent could do the business for the society both as regards the property at Derry and at Coleraine?—I think they would have to change their system before he could do that. I

know Mr. Green very intimately; there cannot be a man of kinder manners in the world, but he appears to me to have no more influence or authority to express an opinion with regard to the slightest thing than I have; he is a perfect automaton.

8290. That would not probably be remedied by the appointment of a resident agent at Coleraine?—I do not see, as far as that is concerned, that we have any right to complain, further than that the mere expenditure of a gentleman living with us as a resident landlord is always an advantage.

8291. How many inhabitants are there in Coleraine?—About 7,000. The present Commissioners are elected triennially by rate-payers, occupying houses rated at 5*l.*, or upwards. There are about 400 of them.

8292. Does the Irish society interfere in political contests in your neighbourhood?—They have done so some time ago. I see 3,000*l.* charged in the case of one election. I believe the candidate was Alderman Thorpe, the then governor of the society. We think it would be much better expended in building a higher class of school, founding libraries, and assisting in local improvements.

8293. It has not been the case of late years, that they have interfered in party politics?—I do not know that they have. In fact, they have no political influence. As long as they thought they could succeed, in any way, they tried it.

8294. I suppose if they chose to exercise influence, they might, like any other landlord, have some influence in politics?—They are so unpopular in Coleraine that I do not think they could do much. The present governor has been over. I do not know whether on any notion of that kind.

8295. Is there anything else which you wish to state to the Commissioners?—With regard to the deputations coming to Coleraine. I have lived in Coleraine during the last forty years, and I think it is the merest farce that could possibly be performed. I have here a narrative of an excursion to Ireland of one of these deputations.

8296. What book is that?—It is a book, stated to be "A Narrative of an Excursion to Ireland, by the Deputy Governor, Two Members of the Court, and Assistant Secretary of the Honourable Irish Society of London, 1825."

8297. Does that profess to be written by one of those persons?—By the Deputy Governor.

8298. Have you reason to believe that it was written by him?—I have not the slightest doubt of it. My object is to bring before the Commission the mode in which what we call our Trust Fund is spent. The result I may state to be this. This is a book of 100 pages, and there are not six pages devoted to the affairs of the Irish society. Out of twenty-five days they only occupied three, from the 29th of June to the 1st of July, upon their own estates. The charge for that deputation, in their accounts for that year, I believe, is 340*l.* We do not think that is an expenditure which ought to have been incurred under the terms of their settlement, which was for the promotion of the religion, civility, and morality of the people.

8299. Do you consider that a fair sample of the ordinary manner in which their deputations and visits are conducted?—Another deputation came, and they only remained one day in Coleraine. To say that they came for the purpose of viewing and examining the estates is absurd. Mr. Anderton said it was a very pleasant run over to the country. We consider the deputations anything but useful. They have not an opportunity of inquiring into the estates. Another deputation, I believe, cost 790*l.* The statements contained in that report may be very poetical; but, as far as any useful result arises from them, I think they are not an unfair sample of the deputations of the society in general.

8300. When those deputations come to Coleraine do they, themselvee, decide points, or do they merely receive information, and postpone their decision till they go back to London?—The latter in every case I am acquainted with. They never give the slightest opinion on any case, nor return any answer. In the case in which we waited upon them, to assist in the water-works, they held out very fair promises, but from that time to this, we have never got any assistance from them. Our complaint is, that there ought to be a larger fund applicable to those purposes. The navigation of the river is also very much neglected, and could be greatly improved. They claim to be owners of the bed of the river, and we think they ought to take some pains about it. Also, we think they ought to maintain a higher class of school. The school we have is a school for the poorer classes. It is a school for teaching reading and writing, and sewing to little girls. There is no grammar school, nor classical school. When a new Court House was to be built in Coleraine, last year, there was one site upon the Irish society's property, which was considered an eligible one, and an application for it was made. I understand that no answer was returned to the application, and the consequence has been that this handsome building is now in course of erection on the Clothworkers' property, on the opposite side of the Bann. The National Model School was built upon the property of the Clothworkers' company. The new Academical Institution, which is being established, is also to be built upon the Clothworkers' property, half-a-mile out of the town, the Clothworkers having given the site, and five acres, at a nominal rent. I think there has been more money expended on the Clothworkers' estate, within the last three or four years, both with regard to public buildings, and the improvement of the property, as far as the tenants' interests are concerned, than by the Irish society, perhaps in 50 years, on the Coleraine property.

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8301. Are the London companies generally popular in the north of Ireland as landlords?—I think they are. My brother is agent for two of the companies. He is agent for the Clothworkers' company, whose property extends along the western banks of the river; and certainly, since they became possessed of the estate, in January, 1840, as well as I remember, on the death of Colonel Jackson, a very great portion of their rents has been expended in improving the tenants' holdings. Very large sums have been spent. A splendid hotel has been built in Coleraine, at their expense alone, and an entire street built, and now they have an estimate to lay out, as I understand, about 4,000*l.* more in building handsome houses, all on the opposite side of the river.

8302. What is the duration of their leases?—They have granted very few leases, because all their improvements are made by themselves. I believe, in the case of the hotel, they laid out upwards of 2,000*l.* The tenants are allowed for every shilling they expend in drainage. I understand from the agent that if they bring a certificate from the company's land surveyor that they have spent 10*l.* in draining, and the rent is only 8*l.*, they have a receipt for their rent and they get 2*l.* in money.

8303. You have expressed the opinion that the Irish society are often placed in a difficult position, from their double capacity of owners of property and administrators of a trust fund, which is for the purpose of the public benefit in Coleraine?—My own opinion is that they are inevitably placed in that difficulty as trustees; any trustee must be so placed. There are not, perhaps, any rents which are more easily received in England, than those of the Irish society.

8304. Ought not trustees who apply the produce of a trust fund to the benefit of a property, to be more popular than companies who do not apply their surplus rental for the benefit of the estate, and may if they choose consume it themselves?—I think not. I think the tenants of landlords who are trustees would look upon it as a right. We conceive we are under no obligations to the Irish society; if they give us the fund they only do their duty, and act fairly and honestly by us. If I am a tenant upon the Clothworker's estate, and they give me 20*l.* for putting up gates upon my farm, and 50*l.* for erecting a house, it is entirely a gratuity upon their part, and I shall feel grateful to them.

8305. Still trustees are more likely to expend a large portion of their surplus revenue upon the estate than if they were not trustees?—In theory you would say so; but we find in practice it is precisely the reverse; from my own knowledge of the Clothworkers' company, for whom I am solicitor, I do not think the entire law expenses of that estate have amounted to 15*l.* a-year, since they got it in 1840, though they had the entire reletting of the whole of their farms. There is more expense and more litigation in the Irish society's estate than with any other, and I look upon it, it is because they are trustees, and it costs them nothing to fight those battles.

8306. You think the interest of a proprietor leads him to avoid expensive litigation?—I do.

8307. Trustees having no interest in the property are reckless about litigation?—Their own accounts lead me to that conclusion, where 33,000*l.* appears to have been in litigation in twenty years. Also I think a proprietor naturally takes greater interest in the parties whom he looks on as his tenants and who look up to him for protection, and for a certain kindly feeling to a much greater extent than where the party is acting merely in the character of trustee.

8308. Do you think it would be for the benefit of Coleraine if the Irish society held their property discharged of trusts?—If they adopted the system that the companies do certainly it would be very beneficial; but at present there does not appear to be any prospect of that. If therefore *they were relieved from the trust*, I think it would be very desirable. It is a property which is at a great distance from those who manage it, and about which they do not take, and perhaps cannot be expected to take, much interest. With regard to Mr. Gribben's case, my father and co-partners let him a lease after they had obtained the fee under the Church Temporalities Act; he came to an agreement with my father for a lease; he first offered him a term of 99 years, but he refused to lay out his money upon it. He said he must have a longer term—I believe 999 years' lease. It was thought advisable to grant it to him at the small rent of 6*l.* a-year, the same rent that was paid before, for the same holding on a determinable lease; the property was bounded by the Bann. This man wishing to have the advantage of his lease, and to increase the ground for spreading his yarn, built his wall a few feet beyond where it had been before. I suppose the bailiff of the society, who lived on the opposite side, saw this improvement going on, and he communicated with the agent, and the means the society took to assert their right was to employ a parcel of workmen with crow-bars who levelled the wall. Mr. Gribben did not like to go to an expense in a matter that was of very little value to him, but my opinion was that he had a perfect right to build there because these were church lands, which never had been forfeited. And I see in the report of the Irish society it was specially mentioned that the *temporal* lands were the only escheated lands to James I., and he only proposed to grant the temporal lands of the county of Coleraine, as it was then called. This wall which was being built did not do the society the slightest harm. The embankment a little further down the river juts 40 feet further into the river than this. This was merely a flat slob that only the full tides could rise to. In the case of Mr. Galt, he had let a field which was joining the fishery at Cranagh, near

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Coleraine: he holds under the Irish society by perpetuity. The Irish society's tenant of the fisheries required the accommodation of a road; he applied to Mr. Galt's ancestor; he got this road upon paying 20*s.* a-year for it; he paid the rent as long as he was the tenant; when it fell into the Irish society's hands the road continued for two or three years. Mr. Galt had been abroad; when he came home he claimed it. I complained of this as the mismanagement of the society with regard to their instructions to their agent. It was a piece of ground that was not worth more than a pound a-year. Mr. Galt is one of their most extensive tenants, and pays them nearly the highest rent. He demanded possession of this piece of ground; they refused to give it. After a great deal of negotiation he was obliged to bring an action against them. He first built a wall which they in their usual style levelled to the ground; he re-built it, and they levelled it again. He then brought an action of trespass; they contested it till we were ready for trial, and then they struck, paid us our costs, paid Mr. Galt for the value of the land, and had to pay a very large sum to their own solicitor for costs. I give this as an instance of gross mismanagement and waste of the trust fund, but it cost them nothing. If it had been any private gentleman's property, his agent would have gone there, and there could have been no dispute on earth about it. He would have arranged it without any expense to his employer. It was not worth 20*l.* a-year to any mortal. With regard also to that piece of ground for the gas-works, we supply the gas to the public lamps, and do not ask any profit upon it; besides that we supply it very cheaply to individuals. For this small patch which surrounds the gas-works, which I do not think any man in Coleraine would give 5*s.* a year for, they demanded 6*l.* a-year for the lease, and required that it should be kept and preserved entirely for public purposes. Now, if they had been giving it at a nominal rent, they might have said,—"As long as you have it you must use it for public purposes," but it is a monstrous thing to say that a landlord is to charge his tenant the utmost farthing, and yet impose those terms, that it must be occupied as he pleases. We consider that it is very illiberal treatment to a body composed of twenty-one of the principal inhabitants of the town, and naturally brings the society's conduct in very unfavourable contrast with that of other landlords. There is scarcely a landlord there who would not have given it readily for the purpose on better terms.

8309. Two courses have been suggested to the Commission with regard to the property of the Irish society; one is, that it should be all sold and the proceeds invested, and that they should be applied to the same purposes to which the property of the society ought now to be applied; the other is, that facilities should be given to the tenants of the Irish society to exchange their tenure for a perpetuity tenure, in the same manner as is now done under the Trinity College Act and the Church Temporalities Act, together with other alterations. Which of those two courses do you think would be the expedient one?—I do not see that they are very different. If you sell them as they are at present they will produce a large sum. In the other case, if you allow the individual tenants to purchase their respective interests, still a large fund will be produced. In either case I think a very large value would be obtained for the Irish society's present interest, and if such were realized by either mode, I think 10 per cent. would be quite sufficient to distribute and apply that fund, whereas according to the accounts under the present system the expense averages at least 60 per cent. If the fund were properly applied either course would be a great advantage to the trust.

8310. And to the community?—Yes. I think it is impossible that gentlemen, living in London, can properly deal with property of that kind there, any more than twenty-one commissioners in Coleraine could arrange the affairs and manage the property of the London corporation.

8311. Has the Irish society any jurisdiction in Coleraine with regard to sanctioning byelaws, or anything of that kind?—No; no power of that kind is possessed by them at present. They certainly exercise no power or influence over the governing body of Coleraine now.

8312. Is there anything else which you desire to state to us?—With regard to the renewable leases; I was employed by one of the tenants, and, in fact, I believe the only one yet who has been able to obtain a fee-farm grant from them under the Act of Parliament. Under the original leases, in 1767, the renewal fines were payable septennially; every seven years an additional year's rent was paid, and a fee of three guineas was reserved to the secretary in London, upon the grant of each lease, and two counterparts. The leases now are for twenty-eight years and two lives. From some of the society reports, I believe the renewals are only made out once in twenty-eight years. It is for twenty-eight years certain and two lives, with a fine payable every seventh year; but renewals are not actually made out or granted every seventh year. The payment of the fine considered is sufficient, under the covenant of the original lease, to preserve the title, and at the end of twenty-one years or twenty-eight years, when you came to take out your renewal, three guineas was to be paid. However, the society introduced into the first or subsequent set of renewals, which was granted probably twenty-eight years after, that upon payment of a year's rent every seventh year, and also three guineas as the secretary's fee every seventh year, the term should be renewable, thereby increasing their rental by three guineas every seventh year, and imposing that additional penalty upon those tenants who hold by renewable leases, instead of charging them only when the leases were actually prepared and taken out at the end of the twenty-one years. In the

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leases which I succeeded in getting the other day for Mr. Hazlet, I went to the agent in Derry—the last septennial payments were payable at the September gale of 1851—the three guinea fee was paid, though no renewal was asked for or granted. When we came to take out our fee-farm grant last week in Derry, Mr. Hazlet was charged eight guineas a piece for his leases, though he had paid the three guinea fee two years before, and had paid the three guineas each preceding seven years; so that he has paid six or nine guineas upon each lease, besides the eight guineas charged for each fee-farm grant. He was charged those fees, and on coming to settle last week they charged him, (he having paid his rent regularly under a renewable lease,) the additional commuted rent; that is the proportion of the septennial fine in addition to the rent he had paid, and they charged him two years' proportion of the three guineas, the fee for making the renewals, though they had charged him three guineas on each lease, in 1851, as secretary's fees besides. We consider that that is a contrivance for mulcting the tenants of their money, which no public body and no private individual, that I am aware of, would think of attempting. They charge the septennial fine every seventh year; they charge the three guineas as the fee to the secretary for doing nothing; and they charge, when you come to take out your renewal, ten or twelve guineas; besides, one of Mr. Hazlet's leases is at the rate of five shillings Irish, or four shillings and sevenpence halfpenny English a year. Every seventh year he has had to pay his four shillings and sevenpence halfpenny, and three guineas as a fee to the secretary for nothing. Now he has got his fee-farm grant of that, he has been charged eight guineas costs for that, independently of the three guineas which he had been septennially paying over and above the stamp duty, and fees to his own solicitor; and he has been charged the two years' proportion of that three guineas since 1851, though he had a receipt for his rent in his pocket.

8313. When you speak of the secretary, do you mean the London secretary?—Yes.

8314. How can this be done legally, if it is against the conditions on which the original lease is granted?—The cause I take to have been simply this: these leases are all prepared in London, and though the tenant has to pay for them, they will not allow the tenant to employ his own solicitor to prepare them; they insert, therefore, what covenants they please, the tenants feeling their inability to resist.

8315. What is the date of the alteration of which you complain?—I do not know the date of its first occurring.

8316. The practice of which you complain is one of old standing?—It is. There have certainly not been more than two or three sets of renewals since they granted them, in 1767, to the present time, so far as I can ascertain. The renewal fine being paid, there is no equity against the tenant. We complain that they have by this means added to their own income, at the expense of the tenant, and contrary to, and in direct violation of their own proposal, as contained in their secretary's letter of the 30th day of August 1766, when they first granted these renewable leases, to save the city of Derry and the town of Coleraine from being absolutely ruined, as appears by their own published report.

8317. The effect of this charge has been an increase of rent?—Yes; it is so much more money out of the tenant's pocket for nothing.

8318. If those payments were remitted now, the only effect would be to make a present to the tenant of the money?—Certainly.

8319. To the diminution of the receipts of the trust?—Certainly; if these fees are included in the rents, and accounted for by the society, of which I am not aware.

8320. I suppose the property has changed hands very often, subject to this rent, has not it?—It has done so in all cases. With regard to the tenure of the leases, the same opinion has been expressed by the Derry deputation; and I consider it most injurious to the property and to the interests of the tenants that no application will be received for the renewal of a determinable lease till within three years of its expiration. It is calculated to prevent the outlay of money, and improvements upon the property.

8321. Is the property held by the Irish society under the two descriptions of tenure mixed up together?—It is in many cases mixed up together. One complaint that we have is, that what we called the corporation holdings, that is the commons which belonged to the corporation, the old court house, and some small tenements which were leased to the corporation for forty-one years, have been usually renewed to the corporation as a public body; but in 1820 I think the lease expired, and the society then refused to renew the lease, took the commons of the town into their own hands, and have let them out to private tenants, I believe, all on determinable leases.

8322. Have these commons been inclosed?—The school which Mr. Bellas, the last witness, has mentioned, has been built upon the property. The bowling green they have let to a private individual, and receive the rent. The corporation and the town get no benefit further than that the trust fund, if it be one, is increased by those rents.

8323. Does the population of the town of Coleraine get any means of enjoyment or recreation from those commons?—No, not at present.

8324. When they were in the hands of the corporation, were they used for public purposes?—The bowling green was so used.

8325. Was that a public ground?—Yes; a man was kept in charge of it, but the country people came and used to play bowls there. That is now all converted into the private property of the society.

8326. Did the Irish society ever give any property to the corporation of Coleraine?—Not that we have ever been aware of. There is no doubt that the corporation have 500

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acres; but it is not situated within the parish of Coleraine, except a small corner of one of the townlands; nor is it surrounded by the Irish society's property; and, we believe, from a report of their own, that it was obtained from Sir Randall M'Donald.

8327. Is not it known, with precision, in what manner the corporation of Coleraine became possessed of this property?—In a letter to Mr. Church, the society expressed their surprise "that the corporation of Coleraine should have been enabled to make grants and "dispositions of lands, seeing that it did not appear by the corporation charter that any "lands were thereby granted to them, nor do they find that the corporation were possessors "of any lands or holdings in or about Coleraine, by or under, any grant from the society, "except the court-house and the gaol, and some wastes in the town and suburbs, with "several cabins and cottages erected thereon, which they held by lease, which would expire "at Lady-day 1733."

8328. What has become of the court-house and gaol?—They have been let and houses built upon the site. We think, under those circumstances, the funds are extremely badly managed, most wastefully squandered, and the law expenses alone amounting to 33,000*l.*, in twenty years, in illegal fees to the members of the society as trustees, and in those tavern expenses which have amounted in twenty years to 7,000*l.* We see that that is nominally discontinued in the list now, in consequence of the proceedings in the case of the Skinners' company. I may state that we should have been better prepared with the case, but we were only appointed as a deputation to come forward here, upon last Friday evening, at an evening meeting of the Town Commissioners, who are elected by the rate-payers of the town.

8329. Was the opinion of the Town Commissioners unanimous as to the necessity of appointing the deputation?—The meeting was unanimous. We must give forty-eight hours' notice of a meeting of the Commissioners, and it was only on hearing that the Derry deputation was coming, that they thought it was important that we should also appear here.

8330. Was the attendance of the Commissioners numerous?—It was much as usual. The Board consisted of twenty-one, and I believe, there were eleven present.

8331. Were there any general instructions given to you as to the course you should take in making statements here?—They desired us, at a previous meeting of Commissioners, to prepare a report, detailing whatever we considered to be the points of which we should complain. We drew up a short report of that kind, showing the amount of annual rents, and the amount which we considered was properly brought to the credit of the fund.

8332. Is there anything else which you wish to state to this Commission?—The society are patrons of the living of Coleraine. It appears from the history of the church that it was built by the society in 1613. It became necessary, within the last two or three years, to enlarge the church. An application was made to the society for funds. It was looked upon as their church, and after a good deal of negotiation they consented to subscribe a sum of 300*l.*, if the parishioners would raise 500*l.* In consequence of that the rector came round the parish to his friends and acquaintances and raised the necessary sum. The society then consented to subscribe their 300*l.*, to this church, which we consider their own. The work was commenced, and before it was finished an expense of 1125*l.* or 1127*l.* was incurred. What the rector seems to complain of is this: that when he was called on to pay this money the society refused to pay their subscription, till they had a certificate that the church was completed and ready for public service. He was called upon by the contractor for the work, and threatened with legal proceedings if he did not pay. We consider that this is a very ungracious proceeding, and the rector had actually to raise the 300*l.* on his own security, to pay this subscription of the Irish society's in the mean time.

Wm. Haslett, Esq.

WILLIAM HASLETT, Esq., was further examined as follows

8333. Is there any addition which you wish to make to the evidence which you have given to this Commission?—With regard to the charge of three guineas for the renewal of leases, the clauses in the society's leases are of such a nature as to throw a great deal into the power of the society. In illustration of that I will state one case with which I had something to do. It is the case of a house tenement, with land attached, held at a rent not much exceeding ten guineas under the society; there was, I am sure, as much as 4,000*l.* to 5,000*l.* laid out upon the City portion of the premises, but because one small house on the land was out of repair we were kept without a renewal for several years. I wish also to bring before you another case with which I have been connected, which I state rather with a view of showing how the business of the society is managed, than with any idea that the case which I now mention can by possibility be persevered in. In the year 1836 a clergyman of the Presbyterian congregation, in which church I worship, applied by memorial to the Irish society for a piece of ground on which to build a school.

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8334. Is this in Derry?—Close by Derry, within two and a half miles; we have not a copy of the memorial; I asked the secretary for it to-day, but he could not in the discharge of his duty give it to me without the consent of the court. The answer to the memorial, addressed to the Rev. William M'Clure, is in this form: "My dear Sir, I have "the pleasure to inform you that the society have granted the prayer of your memorial. "I have directed Mr. Beresford to allocate what ground you wish. I presume "Mr. Stephenson has ere this called upon you and pointed out the ground, which I hope "will meet your approbation." The ground was pointed out, the school was built, the society subscribing to it, and the funds were obtained under the auspices of the congregation. And a very good and efficient school has been established. It is now under the control and management of the Board of Education in Ireland. The Rev. Mr. McClure is the patron of the school; he is in correspondence with the national board. A master has been appointed, and the school is as efficient as any school under the national board. The master has deserved and received the hightest testimonials, and is receiving the highest salary of any schoolmaster under similar circumstances from that board. We were very much surprised some time ago on getting, not a direct communication, but hearing through the agent casually that they had granted the school to another body altogether without any intimation to the party with whom Mr. Davis had been in correspondence. Mr. McClure had been paying the insurance, and treating it in every way as the patron of a school would do. Yet without any communication with us they have received rent from another party for it, and directed that other party to take charge. Another Presbyterian congregation has been established in the neighbourhood, and they (the society) have thought it better to hand it over to them. We say they had no right whatever so to do. True we had no lease, but they have served us with no notice to quit. No courtesy has been extended to us in any way; no communication whatever has been made to us that the society intended to take it away; no fault has been found with the management, nor anything of the kind. In reference to our position and the questions which the Commissioners have been asking as to the disposition of those funds, and how far they ought to be applicable to municipal purposes, I was going on yesterday, when you thought I was pursuing a subject which was not within the scope of your inquiry, to show how we became possessed of the property, and how we have been dispossessed by the society; not with any view that you could remedy it, because at law the evil has certainly gone beyond the reach of any remedy except this—that I hope to impress upon the Commissioners that these facts with the words of the charter, and of the articles which preceded the charter, forms a *primâ facie* case, showing that the corporation of Derry are entitled to some substitute for the 1,500 acres for the common holdings and for the sheriff's mountain, which have been taken from them. I may say that the Municipal Commissioners for Ireland examined into these matters, and commented upon them with considerable severity.

8335. You suppose those transactions to which you have referred constitute the ground upon which the society now makes that allowance for municipal purposes in Derry which they do not do in Coleraine?—Yes. Coleraine has its own property, and is independent because of that property. Then, with regard to the subject of the remedies to be adopted for the future, I would respectfully suggest that the plan of granting leases in perpetuity upon the same basis as ecclesiastical leases are granted in Ireland, is not at all inconsistent with permitting the sale of the property to tenants either before those perpetuities are completed or after. In Coleraine the quantity of leasehold property is much smaller than it is with us. The question as to leasehold property with us is a very important one, much more important than it is in Coleraine. We have all the property pointed out yesterday which is in the state deecribed. In 1613 or 1616 at the time of the original allocation of land to the uses of houses in Londonderry those 1,500 acres, the sheriff's mountain, and the common holdings, were in possession of the corporation. Therefore the society had not the power of allocating them as they have done in Coleraine. In 1766 when the plan of leases for lives renewable for ever was adopted, the society carried it out in reference to the original allocation; the consequence was that a large amount of land in Derry and the neighbourhood is in a different position from that which is about Coleraine, that is to say, the quantity in Coleraine is very small compared with ours. It would be most important to those gentlemen who have made improvements in those properties, or who might be disposed to make improvements, to give them, in the first place, the power at a fair rate of commuting for perpetuities, and, in the second place, to enable those who are able from time to time to purchase and allow the money to be invested. I would respectfully submit, therefore, that both plans might be carried out at the same time. Legislation for Ireland for several years past has been directed to the purpose of making tenures as simple, as easily transferred, and as easily divided as possible. The whole policy of the Irish society on the other hand has been in an opposite direction; they give no facility for the division of their leases; they give no facility for turning them into fee-farm grants. You have heard of the difficulties which they have thrown in the way, and when I referred to those difficulties yesterday it was not for the purpose of referring to a matter which is before a legal tribunal, but for the purpose of showing the terms on which the leases were granted, namely, that by granting those leases the society precluded themselves from the benefit of all future improvements, and having received thirty-seven per cent. as increase of rent at the time as a consideration for so doing, it seems very ungracious in them to ask

a sum of money for those renewals equal to twice the purchase of the fee of the society's interest in those leases, retaining at the same time the full amount of rent, fines, and fees to which they are at present entitled. £2,500 is all the rent they derive from those leases, but they ask a sum which their own counsel states amounts to from 100,000*l.* to 150,000*l.*

Wm. Haslett, Esq.
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I. Colquhoun, Esq

ISAAC COLQUHOUN, Esq., was further examined as follows.

8336. Is there anything which you wish to add to your evidence of yesterday?—I mentioned yesterday that certain houses had been taken by the society from Mr. McCrae, and sold to Dr. Morton for 300*l.* I wish to say that those houses were never taken down, but are still standing. The society have made use of them. I wish also to mention a circumstance that occurred shortly before I left Derry. Mr. Munn's son and Mr. Munn himself took an active part in bringing the complaints of the citizens of Derry before this Commission. Mr. Green, the society's agent, waited upon Mr. Munn, junr., with a view, as I thought, to frighten him and his father from taking any part. They came to my parlour together, and I said to Mr. Green, "Are you coming with a view to benefit us, "and to give us some information that will prevent us from getting into difficulties with "the society; or are you coming to make use of whatever information we may give you "on behalf of the society?" or words to that effect. He replied to the effect that he would make use of the information we should give him. He alluded to a clause in all the society's determinable leases to the effect that the lessee shall not alienate the land without the society's consent; that Mr. Munn had alienated a portion of the land held under such a lease to a railway company, which Mr. Munn and I considered was mentioned to intimidate him from coming forward against the society. I mention this, as I think the subject was introduced by Mr. Green with a view to intimidate. The corporation of which I am a member have been influenced, I think, to remain at home (though I believe we have their good feelings with us) in consequence of this 1,200*l.* a-year, which it is in the society's power to take from them when they please. If it were not for that circumstance I am quite satisfied you would have the mayor and a large portion of the corporation here as a deputation. With respect to the alteration which Mr. Knox has mentioned to-day in the lease with regard to the secretary's fees, I may mention that I was fortunate enough to refuse to take a renewal of the original lease according to the new form which I had seen. In consequence of my refusal the society gave me a lease according to the old form, without charging other costs than the 38*s.* for secretary's fees, and I believe it is the only one upon the estate. I scarcely expected it, because I thought I should be met with a threat of litigation on the part of the society; however they did not litigate with me but gave me the renewal according to the old form.

8337. When was this?—About twenty-two years ago. I also wish to mention that Mr. McCrae, for whom I am agent, holds a lease of lands in perpetuity, that is, for lives renewable for ever. He also holds another lease of lands adjoining, which is a determinable lease. The Presbyterian meeting-house and some very good houses stand upon the property which is under the perpetuity lease; whereas upon the determinable lease they are small, poor houses, which will scarcely last to the termination of the years for which it is held. I mention that to show that by the rules which the society adopt the progress of valuable improvements is entirely stopped in Derry upon the society's leasehold property.

Adjourned to to-morrow at 12 o'clock.

Friday, 17*th February* 1854.

The RIGHT HONOURABLE HENRY LABOUCHERE in the Chair.

J. Humphery, Esq.
17th Feb. 1854.

JOHN HUMPHERY, Esq. having been sworn, was examined as follows.

8338. You are an alderman of the City of London?—I am.

8339. How long have you filled that situation?—Between eighteen and nineteen years.

8340. You are at present governor of the Irish society, are you not?—I am at present, and have been so since 1843.

8341. How are the governors of the Irish society elected?—According to the charter, the governor must be an alderman of London. He is elected in the Court of Council assembled in February in every year. The new members of the Irish society are also elected, the governor being the first who is elected, and it has been the practice for years to re-elect the governor. He is sworn in with the deputy-governor and the other new members of the society upon that occasion.

8342. Is it the practice to re-elect the deputy-governor?—No. The deputy-governor is elected in the second year of his membership. The Court of Assistants go to a ballot for the deputy-governor at their last meeting in February, and whoever gets the majority of votes is recommended to the Court of Common Council to be the deputy-governor for the year ensuing, and the party is generally elected at the recommendation of the assistants of the Irish society.

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8343. Is it the habit of the governor to take an active part personally in the management of the affairs of the Irish society?—Yes; ever since I have been in that office I have invariably been at their meetings; last year there was not a single meeting at which I was not present, both of the courts and of the committees.

8344. What are the provisions of the charter with respect to the other members of the Irish society?—The charter calls upon the Court of Common Council to elect five aldermen and eighteen members out of the commonalty of the City of London. They were formerly appointed from the twelve chief companies; but subsequently that has been altered, and they now elect from all the companies, and also from the freemen of the City of London, the assistants to the governor and deputy-governor of the society.

8345. They hold their offices for two years?—Yes. The charter says half of them must go out every year, and they are not re-eligible till a year has passed. There is nothing to prevent their being then re-elected. And it so happens that gentlemen connected with the corporation having heard a great deal of the Irish society wish to belong to the society. Therefore it does sometimes happen that they do get re-elected.

8346. How often do those committees of the Irish society meet?—There are two committees, one is the law and parliamentary committee; that committee is formed at the beginning of the year of nine members and the governor and deputy-governor. If there are any solicitors in the society they are always put on this committee. The persons on this committee are considered those most conversant with law and also parliamentary business. This committee does not change. The same gentlemen remain upon it all the year. Then there is a sub-committee, consisting of eight members with the governor and deputy-governor, who consider every memorial and all other matters connected with the business of the society. That committee is partly changed every month; I believe half the committee go out and an equal number are put on, who meet every month or oftener if required.

8347. What is the usual length of sitting of those committees?—Sometimes two hours or three hours and more.

8348. Once a month?—Yes, and oftener if the business requires.

8349. What is the nature of the business they transact?—They take all the memorials of different parties connected with the society's estates, &c., into their consideration, and they go through all applications for money, for donations, and for any improvements in buildings, drainage, railways, bridges, churches, chapels, &c., &c., that may be required.

8350. I suppose the business chiefly consists in such small details as arise in the management of an estate?—Yes; sometimes it is more irksome to go through them than at other times, on account of the various and unaccountable applications made. There are many memorials requiring things to be done which the society cannot go into at all. With respect to the 1,500 acres, we had that subject before us for a number of days; and in the years 1847 and 1848 the corporation of Derry sent a memorial with a deputation to the society respecting claims which I thought we could not receive until it was ascertained that the deputation had full power to enter into such an arrangement as might be mutually agreed upon, so that no dispute might afterwards arise on the part of the corporation of Derry. The deputation went back to Ireland and returned with the following document, sealed by the corporation of Londonderry, viz:—"Council Chamber "Corporation Hall, Londonderry, 22nd January 1848; Alexander Lindsay, mayor. "The mayor having informed the council that whilst lately in London, he had several "interviews with the honourable the Irish society respecting the claims of the corporation "upon that body, and that the governor of the society had informed the mayor that "the court of the honourable the Irish society had agreed, that provided the mayor of "Derry should come fully authorized by the corporation of Derry to put an end to all the "disputes alleged to exist between the two bodies, the society would be prepared to enter "into a negotiation with him, acting on behalf of the corporation of Derry: It was "resolved by the council that the deputation appointed by the corporation on the 23d of "November last be requested to proceed to London, to confer with the honourable the "Irish society on behalf of the corporation of Londonderry; and in the event of such an "understanding being agreed upon as shall be satisfactory, the deputation or such of "them as may find it convenient to go, be and are hereby authorized and empowered to "settle all disputes between the two bodies, and adjust all claims of the corporation upon "the honourable the Irish society, and finally settle, confirm and ratify the same, in "witness whereof the seal of the corporation is hereunto affixed," which is witnessed by William Gregg, the town clerk of Derry. We had a number of meetings with respect to that subject and without going into all the arguments pro and con., we agreed at last to the following resolution, which was signed by myself, the deputy governor, and all the members of the Irish society present, and also by the four gentlemen who came from Derry authorized with that document. "At a meeting of the deputation from the corporation of Londonderry, appointed under the seal of the said corporation, dated the 22d "day of January 1848, to hold a conference with the honourable the Irish society, with "full powers to act on behalf of the said corporation, in respect of the pending differences "between the society and the corporation, a copy of the resolutions passed by the "court of the society, was read in the following terms:—'At a court of the honourable "'the Irish society, held in the Irish chamber, Guildhall, London, on Monday the 31st day "'of January 1848. The Mayor of Londonderry, (Alexander Lindsay, Esquire) Alderman

Seal.

" 'Pitt Skipton, Alderman Mehan, and Town Councillor McArthur, being a deputation
" 'from the corporation of Londonderry, appointed on the 23d day of November last,
" 'attended and produced an order under the seal of the said corporation, passed on the
" '22d day of January 1848, authorizing the said deputation to act for and on their
" 'behalf. The mayor and deputation having been heard, it was resolved: That this
" 'court, having taken into consideration the communication made to the society by the
" 'mayor and deputation of the corporation of Londonderry, is willing upon the
" 're-establishment of the recorder's court at Londonderry, to grant and to recommend
" 'the society from time to time annually to grant from its funds the sum of 700*l.* towards
" 'the payment of salaries to the officers of the corporation and recorder's court, namely
" '300*l.* to the mayor, 200*l.* to the recorder and the officers of his court, and the remaining
" '200*l.* to be applied from time to time subject to the approval of this court; and also
" 'will consent to the power of attachment exercised by the recorder's court being altered
" 'so as to be made applicable only to parties who are removing out of the country, if such
" 'be the desire of the majority of the inhabitants of Londonderry. It was also resolved:
" 'That this court would consent to the Londonderry Improvement Bill being passed,
" 'provided the rights of the society are properly reserved and protected, and clauses
" 'introduced for the due protection of the society; and will assist the corporation of
" 'Londonderry on the Bill receiving the royal assent, in carrying out the objects of the
" 'Bill by a grant of 500*l.*, to be annually proposed to the society, in aid for effecting the
" 'improvements contemplated by the Bill.—Signed by order of the honourable the Irish
" 'society, John Davies, Secretary.' The deputation having duly considered the foregoing
" resolutions, it was resolved: 'That, in the exercise of the powers conferred upon us by
" 'the said corporation, we do hereby agree that all differences between the said society and
" 'the said corporation shall be finally ended and determined upon the terms contained in
" 'the said resolutions; Resolved: that a copy of the foregoing document, signed by the
" 'members of the deputation, be transmitted to the Irish society in exchange for an
" 'authenticated copy of their resolutions, to be preserved by each party as a lasting
" 'memorial of the terms on which the said differences have been finally arranged.'
"Dated at London, the 31st day of January, 1848," and signed by each of the deputation. That was the arrangement made between the corporation of Londonderry and the corporation of the Irish society, and from that time to the present we have fulfilled our engagements with them.

8351. Do you consider that agreement as pledging the Irish society to this grant?—I do.

8352. Do you believe it to have legally that effect, or does it merely constitute an equitable claim upon you?—As the Irish society is constituted I do not believe there would, on their part, be a moment's hesitation in paying the money. From my knowledge of the corporation of London and of the 130 members elected to the Irish society since I have been governor, I can speak positively of the deep anxiety always felt to fulfil their obligations; and though this grant may be said to be, from time to time, subject to the approval of the Court of Assistants, I feel quite sure that they would always feel themselves legally and equitably bound to pay the 1,200*l.*

8353. Do you suppose this agreement was made between the Irish society and the corporation of Derry on the ground that there was reason to believe that the corporation of Derry had, in equity if not in law, some claim upon the Irish society?—There is no doubt the society felt they had a claim in equity upon them Being trustees, as they are, for the benefit of that part of Ireland, the society believed, and still believe, that there was an equitable claim upon them for the benefit of the corporation.

8354. Do you mean that there was no other equitable claim than that which was derived from the circumstance of Londonderry being a large town in the district which the Irish society was bound to take care of?—Formerly the corporation of Londonderry was part and parcel of the corporation of London. Their byelaws were sent up to London to be approved of by them.

8355. Do you think the business of the 1,500 acres had anything to do with this agreement for the payment of this stipulated sum?—Partly. They had been for years claiming those 1,500 acres, although we always showed, by the Act of Parliament passed in the reign of Queen Anne 3 & 4, that they had no legal claim in any way or shape whatever. However, they have always tried to put their claim forward, and we considered that the only way of getting rid of this claim, which had been settled 150 years ago, and that we might not have continual memorials and complaints respecting it, was to endeavour to settle it amicably.

8356. Do you believe that that constituted the main inducement to make this grant of 1,200*l.*—Yes; and also a wish to come to a harmonious understanding with the corporation of Derry.

8357. You have made no agreement with the town of Coleraine to devote a stipulated sum for public purposes there?—None whatever. I will now state what passed when those gentlemen arrived at Londonderry. To show that the town council were not alarmed at the idea that this was to be only annually voted, at the first town council held at Londonderry, Mr. Lindsay being the mayor, it was moved on the 11th of February 1848, by town councillor Miller, seconded by alderman Baird, and resolved unanimously: " That this council think it due to the honourable the Irish society to record, by a vote " of the corporation, their great satisfaction that the disputes for some time past so

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" unhappily existing have been terminated, and that in such a manner as to exhibit the " good feeling and the liberality of the society, and to lead to the reasonable expectation " of the speedy improvement and prosperity of the borough. Signed, Alexander " Lindsay, Mayor." This resolution was remitted to us after the deputation returned to Londonderry, and we have not heard any complaints since; now and then some people are apt to complain without cause. Sir Robert Ferguson told the Commission that we made a claim for 5,000*l.* in the case of the water-works. It is quite true, as he knows as well as any man in Ireland, that claims are made for compensation before committees of the House of Commons to a much greater extent than it is anticipated the parties will ever get. Our water mill there was to be greatly injured by taking away the water. The corporation gave our tenant who held the lease under us 1,500*l.* for his interest in the water, and at the end of his term we shall be deprived of the greater part, if not the entire of the water of the mill. I think there are about twenty-nine years of the lease to run, and they gave us 510*l.* So in the case of the cemetery, they took away from us near seventeen acres of land in the best part of Derry, producing a rental of near 50*l.* per acre, and it will produce a large revenue to the corporation of Derry, it being a public cemetery. We asked 1,500*l.*, not the full value of it; they said they should not mind giving 1,100*l.*, and I suggested to the court that they should take 1,000*l.*, it being for public objects, and 1,000*l.* was accepted and paid. We immediately put that 1,000*l.* out to interest, to do what? What we never had an opportunity of doing before, because we had been in debt until the present year, namely, to pull down all those horrible mud cottages which are filled with large families, of the most wretched description, and to lay out 1,000*l.* every year to rebuild all those poor people's cottages, that the society may have model cottages throughout their estate, as an example to the county, and that we may give them the opportunity of living in a different style to that in which they now live. We could not do that before, because when I came into the society, in 1843, there was owing of money borrowed about 15,000*l.* Sir Robert Ferguson has said that we borrowed it without any security, but, thank God, if we did so, we have been enabled to repay the same with interest. We have paid all the law expenses which were owing when I came on to the society, to the amount of nearly 20,000*l.* The great point is, what is the society doing now; and what have they done since they got out of debt? They only got out of debt last year; they paid off their loans and their solicitor's bills, and they do not now owe one shilling; and whilst doing this they have never forgotten their obligations to all their charities and their schools, &c. They have not reduced one of them, but have still kept them up, and considerably increased them; and, now coming into our rental free from debt and law expenses, we shall be enabled to confer greater benefits in improvements, schools, &c., &c., both at Coleraine and Londonderry. To show that we wish to do that, I will mention a little circumstance connected with the bequest of Mrs. McGee, a lady in Dublin, who left 20,000*l.* to establish a Presbyterian college, for the education of young men in preparation for the Christian ministry of the Presbyterian church in Ireland.

8358. When was that?—About eight years ago. She left this sum of money to erect a Presbyterian college in the north of Ireland. There were three trustees, Dr. Dill, Dr. Browne, and James Gibson, Esq., a barrister at Dublin. They considered whether it should be at Belfast, Coleraine, or Londonderry. The Belfast people were very anxious to get the college there; so were the people of Londonderry and Coleraine. They asked the inhabitants at Coleraine what they could do to help them to build this college. They came to us, and asked us what we could do. We said we had no land in our possession that we could give them, but we would agree to give them a sum of money. They, the trustees, could not get sufficient of the inhabitants of Coleraine to make it so valuable to them, and they then went to Derry, and said to the inhabitants there, "What can you do for us?" The inhabitants of Derry, I believe, came forward rather liberally, and the trustees then came to the Irish society, Sir Robert Ferguson, I believe, being at the head of the deputation of the trustees and others. After urging the matter, they said, "What will you " do? Here is a splendid improvement which may be made in Londonderry; we are going " to build an immense Presbyterian college." After hearing the whole of the statement of their case, we agreed to give them fifteen acres, not to exceed twenty acres, of land, at the end of the town, near the cathedral. That they seemed inclined to take, but after going back they found it was not in a situation that they should like; and they said, "No, that will not do for us; cannot you give us some other land?" At last we agreed to give them twenty acres of land down by the lower part of Derry, more suitable, as they said, and more convenient to the town, as the town was increasing in that direction. We said, " We will give those twenty acres pointed out by you, in Penneburn, in this way. There " are some gentlemen who have determinable leases upon those lands, from whom we are " receiving somewhere about 30*l.* a year, and which we agreed to give to the college to the " end of the lease term, which expires in the year 1881; we shall then come into possession " of those twenty acres, and you shall have it, for ever, at a small nominal rent, provided " you build your college there, and keep it for college purposes." That was agreed to; they went away perfectly satisfied, having agreed to make arrangements with the persons that held the leases on those twenty acres. About three or four months ago, they came back to us and said, "Now we are in another difficulty; we cannot get possession of this land. " There is some little difficulty about the present occupiers; they are not able to convey to

"us as we anticipated," therefore, they said, they had made, what I think was rather a foolish bargain. They have bought land on the opposite side of the road, of a Mr. Gilliland, and given a large sum of money for it. I believe they gave 1,800*l.* for less than seven acres, and rent about 20*l.* per annum; and they wanted us still to convey to them the twenty acres of land, that they might use it for the benefit of the college. We had agreed to give them 30*l.* a year, for the whole term of our lease, say 1881. It was then suggested that as we could not agree to give them that land, I think the deputy-governor recommended that we should give the trustees a sum of money instead. I think it was 500*l.* But I thought that was not sufficient, and I suggested that we should at once recommend to the county to give them 1,000*l.*

8359. Instead of 30*l.* a year?—Yes. They went over to Mr. Gibson, and he thought they were wrong in not endeavouring to get possession of the twenty acres of land. They afterwards sent us a letter, thanking us for the grant; and they are to receive 1,000*l.* when the building is completed, according to the plan shown to the society. There is no doubt when they get the building up they will not remain satisfied with this 1,000*l.*; they will come to us to get a yearly donation out of the funds of the society; but at present they are quite satisfied with our giving them 1,000*l.* in aid of the building.

8360. How is all the detail business of the estates of the Irish society managed. Is it by this committee which you speak of?—Yes; the agent in Ireland, Mr Wm. Green, manages the house property and the farms. He receives all the rents except the fisheries rent and slob reclaimed, which are paid into the banks of Derry, Coleraine, and London.

8361. When any small point arises with regard to the detailed management of the property, by whom is that point decided; is it decided in Ireland or sent over here to be decided?—If there is anything which they require, either in Derry, Coleraine, or any part of the county, they memorialize the society; and that memorial is sent to our agent Mr. Green, in Derry; he reports upon it, and gives his opinion in writing upon every memorial that comes, whether he thinks it is advisable to entertain it or whether he thinks it unadvisable, and that report, when it comes to London, the committees go into and form their opinions. Generally speaking, though, we rely a good deal upon his (Mr. Green's) opinion, at times we do not agree therewith.

8362. Is any discretion at all left to him upon trifling points?—I do not know whether there is any discretion. I think he has some discretion, but I think he would not like to do anything without first consulting the society.

8363. When those questions come over here involving details of the management of the property, by whom are they in fact decided in London, is it by a numerous committee?—The committees are not numerous, as I before said. The Law and Parliamentary committee consists of the governor, the deputy governor, and nine of the members; the sub-committee consists of the governor, the deputy governor, and eight of the members.

8364. Is it this committee often by whom those small points are considered?—They are sent up to the secretary, and the secretary lays them before the committee when they meet, and they are discussed and decided on. The committee state what their opinion is to the court, and the court ratifies or not the report of the committee.

8365. Has your London secretary any knowledge of the management of landed property, or of your Irish estates?—I do not know that he has much knowledge of landed property, but he knows all the property which belongs to the society; he knows whereabouts it is situated, and the condition of it in its different localities.

8366. Are you in the habit of consulting him with regard to those improvements, which arise, involving the details of the management of your estates in Ireland?—Yes; he is consulted. It was said the other day, that he was elected for life, that is not so. The secretary and the general agent in Ireland and all the other officers are elected annually. The secretary is consulted very much certainly by the members, with respect to the whole of the society's property in Ireland.

8367. Do you yourself happen to have much knowledge of the management of landed property?—I have some little amount of landed property which I have managed in this country, also a considerable amount of house property.

8368. Have you sufficient personal acquaintance with the Irish estates to be able to form a judgment yourself upon those points when they arise?—I think I have.

8369. Where do you think really and practically the decision lies in London upon those points when they come over. It is hardly possible with regard to the management of a landed estate, that there should not be some person who follows the matter up and takes a general view of the subject; is that done by your London secretary, or by whom is it done?—That is rather a complicated question. It was very properly said here, that that the society are a moveable body. If we get a society to understand the claims of the parties and they afterwards go out in February and new ones come in who may be prejudiced in some way against the opinions or decisions of the former members of the society, that being so, sometimes little difficulties arise in the management of the affairs of the society. We have a surveyor in Ireland, who is annually elected; he advises with Mr. Green, our agent, upon all matters relating to the estates.

8370. I suppose almost as a matter of course, you follow the advice of your resident agent and surveyor with respect to small points of detail?—I think, generally speaking,

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we do so. Mr. Green is a very kind-hearted man and I dare say, sometimes he gives an opinion in favour of the tenants, more than the Irish society think is required; we do not therefore always agree with his recommendations. For instance, Sir Robert Ferguson mentioned one of our farms held by Mr. Osborn, who holds 150 acres of land as a tenant at will, and he pays us 179*l.* a year. His house, barns, and the whole of his farm buildings and offices are very much out of order, and our surveyor and agent reported that they ought to be rebuilt by the tenants, who would have to borrow the money of some parties to build, &c. Mr. Osborn, not having money at his command to rebuild as we liked, and we wishing to have the farm house and buildings properly erected, so that they might be a pattern to the neighbourhood, and show that the Irish society in future intended to have all their farm buildings, &c. &c., to be so erected that they might be a credit and ornament to the county, after a good deal of *pro* and *con* he came to London. and we agreed with him in this way. We said, "Mr. Osborn, we will first of all give you all the draining "tiles which are required to drain your farm, and we will pull down the whole of your "buildings and rebuild them all for you. The surveyor says it will come to from 1,100*l.* to "1,200*l.*; at any rate whatever it comes to we will have an estimate, and you shall super- "intend the whole of these buildings with our surveyor. Having given you the tiles and "laid out 1,154*l.* or 1,200*l.*, we will increase your rent for twenty-one years, from 179*l.* to "230*l.* a year; you may have it either upon lease or as a tenant at will." He agreed with us; and seeemed, as I thought, exceedingly satisfied to think that he should have made so good a bargain, to have a new house and farm buildings, &c., and 150 acres of land for 230*l.* a year. Sir Robert Ferguson, in his evidence before the Commissioners, says that he, Mr. Osborn, was very much dissatisfied, and considered that he was very badly used. Now this opinion I cannot agree with; he also disputed our right to expend our trust money on farms or buildings.

8371. You stated that you considered the prospects of the Irish society were very good?—I think at the present moment they are so, being out of debt.

8372. You are free from debt?—Yes; we do not owe one shilling, and we hope to have a considerable surplus yearly, which we intended to expend in the improvements of the property in the county of Derry, which comes under our trusteeship.

8373. What do you expect will be the annual gross income of the Irish society for the next few years?—We brought over a balance last year, which must not be considered in our present rental. Our rents during the last year in Coleraine, and in Derry and its liberties, have been about 7,060*l*; the slob reclaimed, 794*l.*; the fisheries, 2,271*l.*; that is rather more than 10,000*l.* a year.

8374. Do you anticipate any material reduction in the expences of management which have heretofore taken place with regard to those estates?—Formerly the expences of management were much greater than they are now; and I am of opinion that they might still be reduced.

8375. What do you calculate the expences of management at, upon this gross income of 10,000*l.* a year?—The expenses of management at present are, 116*l.* for general agency and petty expenses; salaries to agent, and deputy vice admiral and surveyor, 840*l.* I do not think I should put down the expence of a deputation, because we do not contemplate one this year. That is all we have down for expenses in Ireland. In England there are incidental expenses, such as the wages of a clerk and messenger, taxes, coals, gas, printing, stationery, &c. &c., 376*l.*; secretary's salary, 500*l.*; the fees to members, &c. &c., according to the standing order, must not exeeed 600*l.*

8376. Do you contemplate any expenditure for legal expenses in this year?—There are always expenses for law.

8377. Do you know what will be the probable expenditure under that head for the current year?—We have only one case before the courts, the case of the perpetuity leases. The society came to a resolution that they would take the best opinion they could get, whether they should pass any more perpetuity leases into fee farm grants without compensation, according to the 5th clause 12 & 13 Vict. c. 105. I think therefore we may put down the law expenses at about 300*l.*

8378. Does not even the sum of 2,000*l.* appear to you a very large expenditure for the management of a trust fund of this description?—I have no doubt of it; but considering the low rents and the immense extent of property under the management of the society, the case is altered.

8379. Are you able to suggest any means by which that could be diminished?—I am not aware of any, unless you had all your establishment in one place.

8380. Substantially the government of the society is in London, and not in Ireland?—Yes; it is so provided in the charters of James and Charles.

8381. Your principal establishment must be in London?—Yes; if you have a body of twenty-six gentlemen forming a society like this, they expect to receive some small remuneration for their attendance, and they are paid to a certain extent. For instance, whenever we meet at a court I get 1*l.* for my attendance, and ten shillings on each of the committees. What I have received averages from 18*l.* to 30*l.* a year. The deputy governor has nearly as much; the amount of line money paid last year to all the members was about 204*l.* The next point is the salaries of our officers, they seem to be only the other large amounts which could be reduced.

8382. It would not be desirable to under-pay them, I presume?—You would run the risk of those gentlemen jobbing in some other way if you did.

8383. It has been suggested that, in order to avoid this great expense it would be desirable that the property should be sold, the proceeds invested, and the interest of the money administered in the same way as the proceeds of the estate are. The proceeds would be received in the way of interest, and the funds of the society would, therefore, go further?—I have heard that suggested; and I have heard all the gentlemen who have given evidence say that it would be a benefit to that part of Ireland. I disagree with them entirely upon that point. If we were to put up the whole of our property in Ireland for sale of course, there would be many competitors with them for the property they wished to purchase. The property could not be sold by the society without public competition. They (the tenants) would get different landlords than they now have, who would exact every shilling of rent from them. In the case of Mr. Babington and Mr. Moore, who have each a lease, with forty-one years to come, I do not think, if these farms were sold, they would be able to get renewals upon such good terms as they could from the Irish society.

8384. You are now speaking of the interests of the tenants, not of the community, for the benefit of whom this fund was originally instituted?—I do not think they could be sold to produce as much money at three per cent. as would enable the society to confer all the benefits which it now does on the community, for which the society was created.

8385. Do not you think that if the expenses of management were altogether saved, as they would be under such arrangements, the net sum to be distributed for public purposes would be larger?—I do not think that the whole of the expenses could be saved. I should think you must put down at least one-half for the expense of management in Ireland, so that the trust might be fulfilled.

8386. Another suggestion has been made to the Commissioners, that the system which has been applied to ecclesiastical property in Ireland, should be made applicable to your property, and that the tenants should have the power of obtaining their land in perpetuity. What do you think of that suggestion?—I think the society would be disposed to give, to persons really anxious to improve the property, as long leases as they could. If it was for the benefit of the towns of Derry and Coleraine, I am of upinion that the tenants ought to have long leases, and would have them. It is, however, quite a different question if the tenant asks for a lease in perpetuity. Many leases of this sort were formerly granted; I believe nearly the whole of Coleraine and a great part of Derry is at this moment leased in perpetuity, and the society think that the parties, generally speaking, have not carried out the covenants; and as the society has not itself power, under leases in perpetuity, to make the proper improvements, the consequence has been that the improvement of the property has not taken place to the extent which the society could have wished to see.

8387. A complaint has been made with regard to the water-side property at Derry, which is stated to be particularly applicable for the erection of buildings of commercial importance, that owing to the refusal of the society to give an adequate length of tenure, that property is not in as good a condition as it otherwise would be. Have you any observation to make upon that?—There is our tenant, Mr. Munn, who holds a lease of that description; but it is such a mixed property, part houses and part old warehouses, called water-side premises, of a very bad description, that the whole of it ought to be pulled down and rebuilt in a substantial and proper manner. I have no doubt, if he would do that, the society would give him a long lease, at a moderate rent. But on bad property a long lease ought not to be granted, unless very stringent clauses are introduced to compel the parties to pull down and rebuild in a substantial and uniform manner. The warehouse he has built as a spinning-mill, is one which I should not be allowed to erect on the City property in London. Having a lease for sixty-one years or ninety years, it ought to be done in a substantial and architectural manner. In Belfast there are buildings of that sort carried up in a very spirited manner. The answer is, "We in "Derry have not money, and cannot do it here." What I should like would be to see the city of Derry copy the buildings in Belfast.

8388. Do not you think if the property is well situated and the tenure is permanent, that property, either in the hands of the present proprietor or some other proprietor, to whom he would part with it, is sure to become valuable, and sure to produce improved buildings?—I am sorry to say I have not seen any valuable buildings, on long leases, belonging to the society, except in the case of Mr. Moore and Mr. Babington; they have improved their farms, and put buildings on them which are creditable to them and creditable to the whole of the county.

8389. Is there any of this property on the water-side, which is actually now held under a permanent tenure which is neglected?—Mr. Munn has a long lease. He first of all wanted a sixty-one years' lease. He thought we were inclined to give longer leases, and he raised his idea up to ninety-one years, upon terms to which we could not agree. The society, I am sure, are quite willing to give Mr. Munn a sufficient term, upon which he might improve his property at the water-side, if so inclined.

8390. A great complaint has been made to us respecting the rule introduced of late years by the Irish society, not to allow a renewal till within three years of the termination of the lease. What is the reason which induced the society to adopt that rule?—There

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was an old standing order made in 1832, and printed and published in 1847, the object of which I presume was to improve the property as much as possible and to prevent jobbing. As new members of the society are admitted, a tenant who has a lease expiring in ten or fifteen years becomes known to them, and prosessing a desire to make great improvements, obtains by a little management a renewal of the lease long before it expires, and thus jobbing goes on. Speaking, however, from my own experience, I am sure that the society has been and is prepared to grant long leases if they are assured of the improvement of the property.

8391. Have longer leases actually been given in the case of improving tenants?—Yes; Mr. Moore's first lease was forty-one years, and the society added twenty years to it; that is the case with a farm which he holds, he having built a new house and new buildings upon it, and he now wishes for a further term of twenty years.

8392. Is that much the case with house property in Derry?—I am not prepared to say with respect to house property.

8393. Does not it seem to you, that that rule if constantly acted on would be an effectual bar against all improvements in the hands of a tenant?—I think it would, but I say that the society is prepared now, and has been ever since I have been upon it, if a man has a lease with ten or fifteen years to run, to grant him such an extension of his lease as would give him sufficient opportunity of repaying himself for the money which he has laid out.

8394. Do you think that that disposition of the society has been sufficiently known in Derry to induce those who may take advantage of it to do so?—I think not. It is difficult to get the twenty-six gentlemen who compose the society to agree at all times to long leases. The majority carries everything of that kind.

8395. Do you mean that there would be a discussion and a decision on each particular case, but that they would not act on any general principle?—They would discuss every case.

8396. Would they act upon a general principle?—I think they would if any man could show that he had a house in Derry, the lease of which had ten years to run out of sixty-one years or whatever term it might be, and that he intended to pull down the house and improve the property for the benefit of himself and also of the city of Derry, they would give him a sufficient lease to do it.

8397. If that is so, is not it most desirable that that disposition should be generally known in Derry, and acted on steadily in all cases, not as a matter of favour but as a matter of principle?—Yes; but suppose the society have a house in Derry, with twenty years of the lease to run, at the end of that lease the house would be worth to them 100*l.*, per annum instead of 30*l.* or 40*l.* per annum. The tenant, however, says "I have twenty "years to run; I wish you to increase my lease to sixty-one years," but he does not wish to pay us any more rent. The society would naturally say "We do not think we can consent "to give you a further extension of the lease on the present terms."

8398. Do you think that the corporation of London has any beneficial interest in the property of the Irish society, or that it is purely a trust property to be administered for the good of the north of Ireland?—My own opinion is that it is a trust property, to be administered for the benefit of the city of Londonderry and the town of Coleraine, and also for the maintenance of the protestant religion in the whole county. We never look merely to the city of Londonderry and the borough of Coleraine, but we invariably give donations throughout the whole of the county, for the purpose of building chapels or endowing schools for the education of all classes. With respect to the free school, which has been spoken of, we pay towards that 430*l.* a year; we keep a school also at Coleraine, where we give the master 65*l.* per annum, and the mistress 40*l.* per annum, and other sums to the school amounting to upwards of 250*l.* a year.

8399. Complaint has been made, on the part of the inhabitants of Coleraine, that they do not receive a fair share of the funds you have to distribute; have you any observation to make on that subject?—I do not think that that complaint can be justified by the facts, for nearly the whole of Coleraine is on perpetuity leases, and therefore we have no power to improve the property. With respect to the fisheries, I may mention that Sir George Hall paid us, when he had them, 1,250*l.* per annum., and he under-let and mortgaged them. At the expiration of the lease we took them into our own possession. We found out that Englishmen were not the best people to manage Irish fisheries. We now let them to Mr. Robert Allen for five, seven, or ten years. He pays us 2,325*l.* a year. With respect to the difficulty which the society has in dealing well with Irishmen, I wish to mention how we have been obliged to pay for law expenses. Our solicitor in Dublin we have paid a large sum to, for fighting the battle about the advowsons of the bishop of Derry. After paying him 3,000*l.* and some hundreds, we received a bill from him up to 1842, for 5,762*l.* 7*s.* 4*d.*, that was the balance of his account against us. He had deducted all the money out of pocket. We thought it was an enormous sum of money; and to show you that it was so, after a long dispute, he at last agreed that we should pay him 3,000*l.* in discharge of this 6,000*l.* bill, which we paid him; and he gave us a receipt in full for his account up to that time. That shows the difficulty we have in defending our rights in Ireland.

8400. Do not you think that property involving all this litigation is an unfortunate possession for trustees to hold?—Having been in possession for so many centuries, I should

say not; and I do not think that any one could better manage our estates, being so large, than the society does.

8401. Do you believe that the Irish society has exercised the same degree of caution in avoiding litigation, as a private proprietor would?—No, I do not think they have. When I became governor, in 1843, they would, I think, have got into an expense from 8,000*l.* to 10,000*l.* more in the advowson's suits, if I had not set my face resolutely against it, and with the support of the then society, put a stop to litigation.

8402. Do you think the affairs of the Irish society are now clearer, and that you may fairly look forward to not being involved in this continuous litigation in future?—I think at the present moment nothing could be better than the position of the society. We are now out of debt, and we are in a position to do all the good contemplated by the charter, and all that we can possibly do as trustees. If the expenses of management were reduced, the money saved would also go to the improvement of Londonderry and of Coleraine.

8403. You have one important law suit at this moment going on, have not you?—Yes. That law suit was the consequence of the decision of the majority of the court to try whether they could not obtain some benefit from the perpetuity leases being converted into fee farm rents. It was carried by the majority of the society that they should obtain the opinion of the law officers of the Crown, which led to this law suit, and we have this morning received a letter from our solicitor to say the Master of the Rolls has decided that we have an equitable right in these leases, and that it will be referred to the master to decide whether the society is entitled to a large or small sum for compensation. I hope that that suit may still be amicably settled. I do not quite agree with my brethren upon this matter, but I still think it might be amicably settled.

8404. You are aware of the original objects of the society, as laid down in the charter of King James; to what extent do you consider that those objects have been satisfied up to the present time?—At the time that part of Ireland was confiscated to the Crown, the money that the corporation of London required to erect and build the city of Derry and the town of Coleraine, the companies were compelled to find the money, which was paid to the City of London, and the City of London created the city and town. After that was done, the London companies required some return for the money so advanced; and there was a distribution of the lands between the twelve companies; they divided the whole of the country into twelve districts, one of which was given to each of the companies. Some of the companies gave long leases; others, I believe, gave leases in perpetuity; some short leases; and some sold their right. After apportioning their allotments of land in Londonderry, the charter gave to the corporation of London the right to the city of Derry and borough of Coleraine, with the fisheries, and certain other things which they had to manage in trust, to the benefit of those two places.

8405. To what extent do you think that the original objects of the trust imposed upon the Irish society have been satisfied and fulfilled?—I suppose the original object was to create and improve those two towns of Derry and Coleraine, and to encourage the Protestant religion in those two places, so as to establish the Protestant faith throughout the country. In the first instance, the Scotch and English settlers were exceedingly rigid in the profession of their faith, and the Roman Catholic was almost prohibited from possessing any church or chapel in the country; but as religion has become more tolerant, they now erect churches and chapels indiscriminately with the members of the Presbyterian church and the Church of England.

8406. Does the Irish society give any contribution towards Roman Catholic chapels?—Generally speaking, it does not. Latterly, however, we have not restrained ourselves entirely from giving to Roman Catholic chapels and schools.

8407. Are the tenants of the society exclusively Protestant?—No; generally, but not exclusively.

8408. There is no preference given to one religion over another in the choice of tenants?—No, not at present. I dare say formerly there was, but I do not think it would be the case now. If we had a farm at libert v and a Roman Catholic were to offer for it, I think we should take his case into our consideration, without reference to the question of his religion.

8409. Do you conceive that the original objects, as expressed in the charter of James, have been substantially fulfilled?—I think they have.

8410. Were you a member of the Irish society at the time when the suit of the Skinners' company was commenced?—I was not.

8411. Can you state what were the circumstances which gave rise to that suit?—To the best of my knowledge they were these: The society, instead of laying out, as I have ever contended they ought to do, their surplus rents and profits in the improvement of the city of Derry and the borough of Coleraine, unfortunately had accumulated a sum of money, which they divided among the twelve companies, about 500*l.* to each company.

8412. At that time was the society in debt?—No, they got into debt since then; but, as I before said, we are now free from debt.

8413. At the time they made the division among the companies, they had a surplus beyond their debts?—Yes; which surplus I contend ought never to have existed. I contend that the surplus which they have every year should be expended in the improvement and benefit of those two towns. The Skinners' company, finding that no

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further surplus was coming, brought an action, and said that we, the Irish society, were merely trustees for the companies.

8414. That action was brought in consequence of the discontinuance of the practice of dividing the surplus among the companies?—To a certain extent. The corporation, moreover, threw open, about twenty-two years ago, the election to the Irish society. Formerly, and for centuries before, the governor and assistants must have been members of one of the twelve companies. They found that in practice they had not a sufficient number of men in the corporation belonging to the twelve companies, and then the corporation threw the election open, and said "we will not agree that the twelve companies shall have "possession of the Irish society," and they allowed any person to be elected who was a member of any other of the City companies, or a freeman of London. That continues to be the case up to the present day. There are some members of the society now who do not belong to any company at all, but are only freemen of London.

8415. Was that alteration made by a change in the practice, or by any resolution of the Court of Common Council?—By a resolution of the common council.

8416. The decision of Lord Langdale, confirmed by the House of Lords, was to the effect that the Irish society were trustees, only for public purposes?—Yes.

8417. Did that decision make any alteration in the practice with respect to the distribution of the surplus among the companies?—No; when Lord Lyndhurst had given his judgment in the House of Lords, I immediately said "this certainly confirms my "opinion that the surplus money that we have from rents and other sources in Derry and "Coleraine, must and ought to go to the benefit of those two towns, and it ought not to accumulate, to be given to the companies at all; because, if it does accumulate, the "companies would claim the surplus."

8418. Should not you think yourselves at liberty, if there were preferable objects, for disposing of your funds in other parts of the Irish plantation, to give a portion of them to those other places?—We do so.

8419. It has been alleged that you have given money out of the plantations which were originally instituted; for instance, in the county of Antrim. On what ground was that done?—We may have done so now and then. Poor Presbyterian clergy may have come to us and applied for a donation for building or improving a chapel. We have taken that into consideration, and at times given donations for those purposes.

8420. You do not consider that to be beyond the fair powers entrusted to you?—I do not think so. It may be said that we have no right to expend a shilling out of the county; but when you come so near the borders of the counties of Antrim and Donegal, we think we may do so on good cause being shown; Derry having been taken out of Donegal, and Coleraine out of Antrim.

8421. According to the present practice, the whole of the annual income is distributed for the benefit of the Irish plantation?—Yes.

8422. No portion is intended to be applied to the benefit of the twelve companies?—None, as far as the present Court of Assistants are concerned. I cannot answer for what any other Court of Assistants might do.

8423. Those are the present views of the governing body?—Yes; that the whole of the income should be appropriated for the benefit of the County of Londonderry.

8424. Do the Irish society conceive that they are justified as trustees, in erecting buildings on their property?—I think so. That is my opinion. Sir Robert Ferguson says that it lies out of our trust; that we have no right to do so. We are going to erect farm buildings for Mr. Osborn, our tenant, of a character which will show to other parts of Ireland what the the society can do. If Sir Robert is right we have no power to do that. We are also going to demolish some shocking places, where there is an accumulation of filth and wretchedness beyond all idea, and to drain and lay out the district and build model cottages for the people who live there. If Sir Robert is right we have no power to do that also, but must let the poor people remain in their present wretched state.

8425. What has been the practice of the society with respect to its agricultural property. Has it ever erected buildings, or made repairs or drained?—No; the tenants get their property at rents which should enable them to do it themselves. They have their farms generally on long leases and on very moderate terms, and they ought to lay out their money according to the covenants of their leases. Mr. Moore and Mr. Babington have laid out a great deal of money for improvements in their two farms.

8426. Has it been the practice of the society, in respect to its agricultural property, to expend anything in buildings, or repairs or draining?—Not to any extent, in my time. We have not had money.

8427. I suppose it is quite clear that the common council have no power of applying any portion of the rents of the Irish society to any purpose, either relating to the corporation or any other?—None whatever.

8428. Has any attempt ever been made by the corporation, to interfere with the disposition of the funds of the Irish society?—None. With respect to Mr. Alderman Alsop, a sort of idea has run through the corporation that Mr. Alderman Alsop, and some members of the twelve companies, and others, received a pretty good compensation for all these perpetuity leases; it was a sort of job that was perpetrated. A dream has run through the society that there was a *quid pro quo*.

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8429. Even supposing the transaction was a corrupt one at the time, has it not been beneficial to the town of Derry, that so much of the town has been held under perpetuity leases?—I do not think so. I should have given them good long leases, which would have afforded them a sufficient opportunity to gain all their money back, but I would not have given a perpetuity lease.

8430. The Irish society do not meddle in politics, do they?—They have not done so in later times.

8431. They did in former times, did not they?—On one occasion I hear from a witness that 3,000*l.* was put down as having been spent in an election at Coleraine, when Mr. Alderman Thorpe was a candidate. I could not have believed that the society would have done any such thing.

8432. Do you believe it to have been the case?—I enquired whether it was so, and I am told that a sum less than 1000*l.* was taken out of the funds of the society, and expended in Coleraine.

8433. In what year was that?—About 1830.

8434. Was Alderman Thorpe governor of the society at that time?—He was. With respect to Mr. Babington's farm, he desires to show that we have used him very ill. Mr. Babington has a good long lease at a very moderate rent, and if Mr. Babington were to say to the Irish society, "Whatever the value of my farm is now, will you give me a "longer lease," I am quite sure the society would be prepared to renew his lease from 40 years to 61 years, provided he would pay the increase value, if any, of the farm from the end of his present term. I do not think the society would give him a 21 years lease at the same rent; but if at the end of 41 years he would pay the improved value of the farm as it is now, I have no doubt the society would consent to it. Dr. Miller has been mentioned also. He has two farms, one his uncle's and one his own. He wished to have the two farms put together. When I was over there, I suggested that if the farms were put together, the society would be inclined to give him a 61 years lease. Dr. Miller, like all other gentlemen in Ireland, the moment he thought he could get a 61 years lease, said, "I cannot take a 61 years lease; unless I have a 99 years lease, I will not take it." I said, "I do not think the society will give you a 99 years lease, but they will be inclined to "give you a 61 years lease," and they were inclined to give him one, but he would not accept it. When he found he could not get a 99 years lease, he memorialized us last year, and said he would take a 61 years lease. Then the society said, "No; we cannot agree "to that, you shall have 20 acres of land to build upon for 61 years, but the remainder "you can have at the present value for 21 years." Then he considered himself very much aggrieved, and said that we did not give him an opportunity of improving the property.

8435. Do not you think that it would be desirable that, as far as possible, the management of the society should be conducted on uniform principles?—You cannot conduct all properties upon the same uniform principle. There is always something to prevent your doing so. There is no doubt if it could be conducted on uniform principles, it would be better.

8436. Do not you think that a want of uniformity may be produced by the varying nature of the body which has to decide these questions?—I think the body would be better if they remained longer upon the society. I think they should remain at least four years. I think it should be even longer than that.

8437. Would you reduce their number?—I think the number might be reduced. I think the present number is too great.

8438. Under the present system, is not it the case that in each particular instance you have to decide, there is scarcely any opinion which you can rely upon very much, except that of the Irish authorities, the surveyor, and the resident agent?—Yes. I think the society, as a body, pays some little deference to what I suggest; and at times they pay a good deal of deference to our secretary.

8439. Are you able to judge very well of the character of a tenant living in Ireland; must not you form your opinion very much from the agent?—I know them all pretty well. I have been often there, and I know all the tenants, and understand their wishes and their wants. If I had individually the management of the property, I would undertake that they would be all happy and contented under my management.

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The Right Hon. James Archibald Stuart Wortley, M.P., was further examined as follows.

8440. Are there any observations which you wish to address to the Commission in reference to the Irish society?—There is only one point to which I wish to refer, as it has been alluded to in the course of the evidence, and it throws some light upon the position of the corporation with reference to the Irish society. The Commissioners have heard that there have been from time to time complaints made with regard to what is called the 1,500 acres. I find that an application was made to the corporation in the year 1834, and a threat made at that time of a petition to the House of Commons. Whether that petition was ever presented or not I do not know, but I believe no committee was appointed, and no inquiry took place; but at that time I find a statement was drawn up in two columns, in one of which appeared the substantive petition, and in the other appeared the answer;

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and if the Commissioners wish to see that document, it affords a statement of what was the answer to all those allegations at that time.

The same was delivered in, and is as follows:

OBSERVATIONS upon a printed Paper, which has been extensively circulated, and which purports to be a Copy of a Petition about to be presented to the Honourable the House of Commons from the Inhabitants of Londonderry and its vicinity, against the Honourable the Irish Society of London.

PETITION.	OBSERVATIONS.
1. That a Charter was granted, in 1613, by King James the First, incorporating a part of the Common Council of London, by the title of "The Society of the Governor "and Assistants, London, of the New Plan- "tation in Ulster," and granting to that Society (commonly designated as the Irish Society) almost the entire of the City and County of Londonderry.	1. The incorporation of the Honourable the Irish Society first took place in 1613, under King James the First, under the title of the Governor and Assistants, London, of the New Plantation in Ulster, within the realm of Ireland, in consideration of the aid which the City of London gave to the Crown in suppressing the rebellion in the north of Ireland, headed by Tyrone, and for the purpose of establishing a Protestant Colony in that country. It was afterwards re-incorporated in 1662 by Charles II.
2. That by the same Charter the Corporation of London was also incorporated, with power to elect a Mayor, Recorder, two Sheriffs for both city and county, Magistrates, &c., &c., but no lands or funds were granted to them for the support of the Magistracy, or to defray the necessary expenses of the Corporation.	2. The Charter names the first Recorder, and provides that the King shall name all future Recorders.
3. That in the "motives and reasons" brought forward by His Most Gracious Majesty, King James the First, to induce the City of London to undertake the Plantation, he proposed that 1,000 acres be allotted to each of the towns of Derry and Coleraine for their commons, rent free, and that the Salmon Fishing of the Rivers Bann and Lough Foyle should be purchased by his Majesty and bestowed *upon those towns for their better encouragement*, and in the agreement entered into on the 28th January, 1609, the second article specifies "that four "thousand acres lying on the Derry side, "next adjacent to Derry, should be laid "thereunto, bog and barren mountain to be "no part thereof, but to go as waste for the "City."	3. All these were granted to the Irish Society by the Charter, on whom also devolved the government of the two cities, the corporations being declared to be local managers under the Society.
4. That soon after the granting of the Charter almost the whole of the county of Londonderry, then producing not more than 1,800*l.* *per annum*, was divided among the twelve Companies of the City of London, who had contributed 60,000*l.* towards the Plantation, and the Irish Society retained the City of Derry and Town of Coleraine, with the lands adjoining, and the fisheries (which last alone produced above 800*l.* a year) for the general purposes of the Plantation, and the support of those towns, over the corporation of which they had considerable powers, by means of the veto on their bye-laws granted them by charter.	4. The Charter gave to the Society the veto on all the bye-laws and acts of the Corporation of Derry.
5. That it appears by the answer of the Society to the Privy Council, in 1624, that they had then granted to the Corporation of this City, 1500 acres for the use of the Mayor and other officers. These 1,500 acres, comprising the Quarterlands of Molenan, Ballyoughery, Termonbacca, Killea, Creevagh, and Ballynagowan, situate in the liberties of Derry, north-west of the river Foyle.	5. These 1,500 acres are part of the 4,000 acres granted to the Society in their Charter, nd were leased at any easy rate by the Society to the Corporation of Derry, who, in return for such kindness, combined with Bishop Bramhall to deprive the Society of this property, and gave over the same to the Bishop, reserving to themselves only a profit rental of 90*l.* 10*s.* Irish.

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6. That the Charter of the Society was forfeited for various neglects, and these lands passed, by Royal Grant, into the possession of the Bishop of Derry, and the Corporation were obliged to take a lease of them from the See, and, at the expiration of that lease, they gave the Society every assistance to recover those lands, believing it was the intention, as it was the duty, of that body, to restore them to their original purpose: the Society, however, have ever since kept possession, though in the Act of Parliament terminating the dispute between the Bishop and the Society there is a special reservation of all other rights, whether of corporations or of individuals.

7. That these lands now produce the large rental of 1,700*l.* *per annum*, while the Society pay to the Corporation the small acknowledgment of 90*l.* 10*s.* *Irish.*

8. That the Society granted to the Corporation leases, for terms of years, which afterwards increased much in value, in consequence of the large sums of money which had been expended on them; of this improvement the Society took advantage, and made it a pretext for increasing the corporation rent from 42*l.* to 600*l.* annually, thereby depriving them of the funds by which they had paid the expenses of Watching and Cleansing, and part of the expense of Lighting the City of Derry; for all which purposes a heavy assessment is now levied off the inhabitants thereof.

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6. The Bishop, by the aid of the Corporation of Derry, having unjustly got possession of these lands, refused, at the expiration of their lease, to grant them a renewal. The Corporation then discovered their fraudulent conduct to the Society; by letter dated 30th January 1693. (See Appendix A.)

7. The Society took steps to recover their property, and having succeeded, it was settled by Act of Parliament of Queen Anne in 1704 (See Appendix B). The Corporation of Derry requested to have a clause inserted granting to them the 90*l.* 10*s.* *per annum*, independent of the will of the Society. This the Society refused (see Appendix C.); yet, as a matter of grace and favour, the Society have allowed the Corporation of Derry this 90*l.* 10*s.* to the present day. The Corporation afterwards requested the Society to lease these lands to them; this the Society refused from experience of their former conduct, and preferred letting them to the brave Defenders of the walls of Derry, many of whose descendants occupy them at the present day.

8. The Society, soon after their incorporation, independent of the 1,500 acres beforementioned, also leased to the Corporation other important properties, lands, dues, tolls, &c., at rents nearly nominal, for the support of the magistracy, &c., and renewed them from time to time, at or before their expiration. In 1808, twelve years before the leases granted in 1759 expired, a negotiation took place on a proposition made for a renewal on the part of the Corporation, when a certain increased rent was mentioned as the rent to be paid after the expiration of the then existing term; but no final arrangement was made. In 1819 a Deputation went over to Derry from the Society for the purpose of bringing this negotiation to a conclusion, by finally arranging the rent to be paid by the Corporation to the Society, under leases to be granted from 1820. On inquiring fully into the circumstances of the property, and finding that several of the holdings had been leased in *toties quoties* to members of the Corporation and their connexions, the Deputation reported the same to the Society, who refused to include such leases in any renewals to be made, inasmuch as the benefits to accrue would not go in aid of the Corporation funds, for which purpose they were originally granted. (See Appendix D.) In addition to these *toties quoties* leases, the Deputation found that all the other then existing leases, though without a *toties quoties* clause, yet were granted for the full term of their existing interests to members of the Corporation, or their in-

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9. That upon part of the land so demised, were built the quays of the said City which the Society, as your petitioners contend, were bound to add to and increase as required, as will more fully appear by the instructions delivered to the Deputation in 1615, and their Report.

10. That the Society totally neglected to build the additions necessary to such quays; but, anxious to save themselves any expenditure thereon, joined in an application to the Irish Parliament in 1763, whereby was obtained a sum of 4,590*l.*; and also joined afterwards in procuring the passing of 30 Geo. III. chap. 31, whereby the Corporation of Derry were empowered to levy a Tonnage Duty of all vessels frequenting the Port; and under this Act above 15,421*l.* have been collected and expended in additions to the quays, thus causing an outlay

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mediate connexions. The value of these properties had been much increased, and, indeed, was very large; not by the outlay of the Corporation (for they had not in their corporate capacity expended one farthing on them), but by the expenditure of those persons who were lessees of the Corporation or their sub-tenants. The Deputation thus finding that the Corporation were likely to realise a large additional rental from the outlay of others on the before-mentioned properties, considered the Society were entitled to a proportion thereof; but they decided on regulating the increase on the principle of leaving the Corporation an income fully adequate to all their wants, and acccordingly required from them an account of all their annual outgoings, which was handed to them. It contained the account of their debts, the interest payable annually thereon, the salaries of the chief magistrate and other officers, pensions, &c., and having estimated the annual value of the various holdings upon a scale acquiesced in by the Corporation, and which was afterwards fully realized by the lettings, they deducted not merely the computed amount of their annual outgoings, but made a handsome allowance of several hundred pounds *per annum* for contingencies, and fixed the amount of the increased rent out of the residue. It is a well-known fact that, so far from the Society depriving them by such increase of any existing funds from which the expenses of watching, &c., had formerly been paid, the annual revenues of the Corporation from these renewals were materially augmented. That this arrangement was deemed at the time highly liberal and beneficial by the Corporation appears by their declarations and addresses to the Society, together with the compliments they paid to those deputed to arrange the business, at the time of presenting them with the freedom of their city; and that they proved so appears from the large sum (near 40,000*l.*) these beneficial leases granted by the Society produced in 1831 under all the disadvantages of a forced sale under an execution.

9. The Society were not bound under any obligation whatever to build quays; they originally granted the Corporation sufficient landing places, being all the ground between the London and Chichester bulwarks, but which the Corporation of Derry converted to their own profit by leasing for building purposes.

10. The quays were chiefly built by parliamentary grant, as fully detailed in Report of Select Committee of the House of Commons on Acts relating to the Derry Bridge, &c., printed 22d July 1833, to which reference is made. The profits which the Corporation realized by the wharfage, quayage, and cranage leased to them by the Irish Society at 6*l.* 13*s.* 4*d. per annum*, were far more than adequate, during the existence of the former lease, to have reimbursed them for any and every expenditure which they could have made.

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of 20,000*l.* to the benefit of the Society or their lessees.

11. That the Society have, in like manner, neglected the various public duties required of them, such as the endowment of the free school with lands, the building of Markets, &c., which last the Corporation were obliged to undertake, and by their profuse expenditure thereon, and on other public works, have become so reduced in circumstances that they have no means to support the magistracy of this City; and yet the Society, though deriving great emoluments, as well from the improvement of such corporate property as from the general increase and improvement of the City and its vicinity, have peremptorily refused to grant any assistance whatever towards the support of the magistracy.

12. That from the nature of their constitution the Society is incapable of rendering any permanent benefit to this country, as it is composed of merchants and tradesmen in the City of London, whose business require their constant residence therein, whereby they are, of course, ignorant of the local circumstances and wants of the inhabitants of this district, and besides, being elected for only two years, cannot possibly acquire the information proper to qualify them for the due discharge of their duties;

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11. The Society were not called upon to grant lands to the free school, but their liberality to that institution is well known. The ground upon which the markets were built was granted by the Society at 1*l. per* year to the Corporation on the condition of their building the markets upon the same, according to a plan proposed by themselves; the tolls being applicable to defraying the expense thereof, to the which purpose they should have been applied long before they were, but were otherwise appropriated by the Corporation. There is no doubt *the expenditure of the Corporation of Derry has been most profuse*, both before and subsequent to this arrangement: but it was not upon the markets nor any other beneficial works or buildings which they were obliged to erect, but on such unnecessary buildings as the large Public Rooms in the Old Market Place, and other such expenditure, that they have been brought into their present difficulties. In October and November 1831 the Corporation of Derry sent a Deputation to the Society to solicit pecuniary aid, stating to them that the sale of the Society's leases to the Corporation by their creditors had left them without funds to support the magistracy. After repeated conferences with the said Deputation, which consisted of Sir Robert A. Ferguson, William Boyd, and George Hill, Esqrs., the Society consented to vote 750*l.* for one year, for the support of the magistrates, officers, &c., agreeable to Resolutions passed 3d November 1831 (see Appendix E.), and in reply received the thanks of the Deputation (see Appendix F.) The Society granted it for one year only, because a Deputation from their body was to visit Derry in the following year, and would be able to inform themselves thoroughly as to the embarrassments of the Corporation. The Deputation visited Derry in July and August 1832, and went most fully into all the circumstances of the Corporation: they also convened a meeting of the landed proprietors, &c., on the subject of the Bridge. The proceedings of such Deputation were printed and published; the Deputation, under all the circumstances of the case, considered it to be their duty to recommend to the Society not to grant the Corporation any further pecuniary aid until they became emancipated from their debts. The Society came to a resolution to that effect. (See Appendix G.)

12. The Society are annually elected agreeably to the Charter, and whether the colonization of the County of Derry from the City of London, and the different ramifications of the plan prescribed by the charter were theoretically wise, is not a matter to be argued at the present moment; it is obvious it has been practically beneficial, and the present state of that county, which is the most peaceable and orderly in its conduct, and is an example to be pointed out to all the other parts of Ireland, plainly

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and, accordingly, it appears by the accounts printed and published by them, that in the course of the nine years ending March 1833, they have received no less than 77,000*l.* from their estates in this country, while not more than 8,000*l.* have been expended in it —a sum not equal to the amount divided among the members, or expended by them in taverns.

13. That this sum is stated to have been expended on schools and public charities; yet your petitioners believe and confidently assert, that no sum has ever been expended by them to improve the farm-buildings or houses of the tenantry on their estates.

14. That your petitioners had hoped that all these subjects would have been inquired into before the Corporate Commission lately issued, but have learned with astonishment that the agent of the Society, by their directions, declined answering to the Irish Commission any questions relative to their property or duties, and that the Society have not given any information to the English Commissioners on those subjects.

15. That your petitioners are the more pressing in bringing this matter under the consideration of your Honourable House, hoping that the contemplated changes in the constitution of corporations will tend to make them more efficient.

16. Petitioners therefore pray that your Honourable House, either by a Select Committee, or in any other manner that to you may seem best, will institute an inquiry into the Constitution, Funds, Expenditure, and Duties of the Irish Society, with a view to ascertain whether the property committed to their superintendence should not be applied to the support of the magistracy, and their obligations towards the City of Londonderry generally, which may tend to promote the further improvement of the City, and a diminution of the local burthens of its inhabitants.

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shows the benefits which have resulted from it. The present unfortunate state of the Corporation of Derry is certainly an exception, but it has been clearly shown not to have been produced by the Society, *but by their own profuse expenditure and gross misapplication of the funds confided to their management.* The nine years account referred to, instead of 8,000*l.*, show that upwards of 35,000*l.* have been expended in Ireland by the Society.

13. The Society let their lands upon such easy rents, and upon such leases, as to make it the interests of the tenants to build.

14. No prior instructions were given to the General Agent, or sought by him; it was on his own responsibility that he refused to be examined until he received directions; he then informed the Society he had been applied to to be examined by the Irish Municipal Commissioners; they directed him to say the Society were an English Corporation, and that if the Society were to be examined, it should be before the English Municipal Commission, which was then sitting in London, where all the books and papers were. The Governor of the Society waited on the Commissioners, and offered them every information they might require, which they declined.

15. The Society do hope that Government will introduce such a measure of Irish Municipal Reform as will render the Corporation of Derry efficient; and not permit a repetition of such gross mismanagement as has reduced them to their present unfortunate position.

16. The Society, being conscious of having always acted correctly, do not object to any inquiry being made into their conduct; at the same time they deprecate the idea of any committee being appointed upon the *ex parte* allegations and inaccuracies contained in this petition. There is no doubt but that the Corporation of Derry have been mainly instrumental in getting up this petition; but as it purports to be the petition of the Inhabitants of the City and its vicinity, they ought to be reminded that extreme care has been taken, from the earliest days by the Society, to render them accommodation and protection. They provided for them ground whereon to build within the fortilage, gardens in the perches under its protection, and farms sufficient for all their household purposes, protected between the City and the fort of Culmore; and they afterwards granted them leases in perpetuity at rents that may now be termed nominal; and also the inhabitants must know the large sums annually granted to public institutions for education and charities; and the readiness with which they have at all times granted donations for public buildings, places of worship, schools, &c.

APPENDIX.

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A.

May it please your Honours, Londonderry, 30th January 1693.

This poor little city, by the many hardships which in all times (since its being built) it suffers and conflicts with, seems to have some fate peculiar to itself; and not to speak of past times, we are now but just crawling as it were out of a wreck, and likely by a new billow to be again overwhelmed.

From the building and name of Londonderry it had very little to support its magistracy or public affairs, &c., but what your predecessors bestowed upon it; and, of all their favours, the lands by them laid aside for the use of this Corporation was, as the most useful and convenient, so most beneficial, for those lands furnished the citizens with fire and water, grazing for horse and cow, and the tenants thereon, on all occasions furnished us with labourers for all public and private works by sea and land. On those lands our youth and children disported, and the aged walked and rid to refresh themselves; and on some of those grounds the militia and garrison on all occasions mustered and disciplined; and, in short, on those very lands our city and suburbs stand, and the perches are parts thereof.

They are reputed 1,500 acres, but are not so much, except bog and barren mountain be reckoned as part, and such by the letters patent to the Society, and first articles of the Crown, ought to be cast in as waste.

Our present title to these 1,500 acres is by lease from the See of Derry, determinable the 14th July next, and the bishop resolved not to let us be his tenants, but will choose others, as we have very good reason to believe; and then we shall want all conveniences, and so be forced to dispense with, or at least purchase them perhaps at such excessive rates as the Bishop's tenants please to impose, which may be such as few can pay; and so also the citizens must dislodge.

Your Honours, if you consult your own right, may have it in your power to prevent those evils to us and at the same time to advantage your own interest; for it is certain that, by the same letters patent whereby he claims the lands about the town, he may as rightfully claim every house in it; and Bishop Bramhall's lease to this Corporation shows that he understood it so.

We have, as a memorandum enclosed, sent you a hint of the case relative to these 1,500 acres, and how this See first became interested in them, to which, with what else lies before you for farther information, we humbly refer to your Honours; and do most humbly and passionately beseech your Honours to give us your advice and full direction in this matter, which we shall punctually observe and follow.

We remain your Honour's most humble and faithful Servants,

(Signed) James Lermox, Mayor,
John Harvey,
John Crookshanks, } Sheriffs.
John Moggridge,
(And sixteen other persons.)

B.

Act for settling certain Rights between the Bishop of Derry and the Society. 1704.

Whereas several disputes having formerly arisen between the Bishops of Derry and the Society of the Governor and Assistants London of the new plantation in Ulster within the realm of Ireland, and the same are still depending between Charles Lord Bishop of Derry and the said Society, concerning the right of certain parcels of land and other tenements, and concerning the right of several fishings and tythes of fishings in the rivers of Bann and Loughfoile, in the County of Londonderry and in the Counties of Antrim, Tyrone, and Donegall, in the Kingdom of Ireland, which have caused great trouble and charge to the said Bishops and Society, and been the occasion of great heats and animosities among several of the inhabitants of the said counties: Now, for the settling and quieting all difference between the said See and Society and for remedying the said inconveniences, and for preventing the like for the future, the said Lord Bishop of Derry and the Governor and Assistants of the said Society do most humbly beseech your Majesty that it may be enacted, and be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and the Commons in this present Parliament assembled, and by the authority of the same, that the said Governor and Assistants London of the new plantation in Ulster within the realm of Ireland, and their successors, shall and may for ever hereafter have, hold, and enjoy, to their own proper use and behoof, all those several quarters or parcels of land called or known by the names of Termonbacco, Mollenam, Ballygan *alias* Ballygowan, Ballywirry *alias* Ballyougry, Creevagh, and Killeigh *alias* Killeagh, and sometimes known by the name of the fifteen hundred acres, and by some called or known by the name of Termonderry, or by what other name or names the same or any part thereof be called or known, situate, lying, and being in the county of Londonderry, in the county of the city of Londonderry, or one of them; and also all that fishing called the Gull or Gut near Ballynass, together with the wear and mill of Ballynass, with the appurtenances, and the small piece of land thereunto adjoining and heretofore enjoyed with the same, containing

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by estimation two acres and a half more or less; and also all the fishings and rights of fishings; and also all and all manner of tythes of fishing belonging to the said Bishop, or see of Derry, of what nature or kind soever, in the rivers of Bann and Loughfoile, within the county of Londonderry, or of or in any other rivers, waters, or fishing places within the said county of Londonderry, or in the counties of Antrim, Tyrone, or Donegall, and which have at any time heretofore been claimed or enjoyed by the bishops of the said see of Derry for the time being; and that the lands, tenements, fishings, tythes of fishing, and all other the premises subject to all former charges, issues and payments, charged or chargeable upon any of the premises, or upon the said Bishops of Derry, for or in respect of the same, be and are hereby vested in the said Governor and Assistants London of the new plantation in Ulster within the realm of Ireland, and their successors, and shall be held and enjoyed by them against the said Bishop of Derry and his successors, and all persons claiming by, from, or under them or any of them. And for a full and ample compensation to the said Bishop, and his successors Bishops of Derry, be it enacted by the authority aforesaid that the said Bishop, and his successors Bishops of Derry for ever hereafter, shall have and receive, and shall be seized in the right of their said bishopric, of and in one annuity or rent charge of 250*l.* *per annum* to commence from the feast-day of the Annunciation of the Blessed Virgin Mary, 1704, payable quarterly at the four most usual feasts or quarterly days of payment in the year; that is to say, the feasts of the Nativity of Saint John the Baptist, Saint Michael the Archangel, the birth of our Lord God, and the Annunciation of the blessed Virgin Mary, by even and equal portions, at the mansion-house belonging to the said Bishop of Derry, situate in Londonderry aforesaid, issuing out of, and chargeable and charged upon, all and every the premises hereinbefore mentioned, and all other the messuages, lands, tenements, fishings, tythes of fishings, and all other the estate whatsoever of the said Governor and Assistants London of the new plantation in Ulster within the realm of Ireland, situated, lying, and being in the said province of Ulster in the said kingdom of Ireland. And be it further enacted by the authority aforesaid, that when and as often as the said yearly rent of 250*l.* or any part thereof shall be behind and unpaid by the space of thirty days next over or after any of the said feast-days whereon the same ought to be paid as aforesaid, that then it shall and may be lawful to and for the said Lord Bishop, and his successors Bishops of Derry, into all or any of the premises charged or chargeable with the said rent to enter and distrain, and the distress there found to take and carry away; and in case the arrears then due, together with all the costs and charges of taking and keeping such distress, shall not, within five days after the taking the said distress, be fully paid and satisfied, it shall and may be lawful to and for the said Lord Bishop of Derry, and his successors Bishops of Derry, to sell and dispose of the goods and chattels so distrained, and thereout pay all the said arrears then due, and the costs and charges of such distress and sale, for non-payment thereof, rendering the overplus to the owner or owners of the goods and chattels so distrained; and in case no distress or not sufficient distress shall be found, that then it shall and may be lawful to and for the said Lord Bishop of Derry to enter into and upon all and every or any part of the said premises, charged as aforesaid, and to hold the same, and to take and receive the rents, issues, and profits thereof, to his and their own use, until thereout and thereby he and they shall be fully paid and satisfied for all arrears of the said rent, together with all damages, costs, and charges which he or they shall be put to, by reason of such entry, for non-payment of the same. And be it further enacted by the authority aforesaid, that the fee and inheritance of and in one large mansion-house, with the scite of the same, commonly called the bishop's house, with the gardens, orchards, stables, out-houses, and all other the appurtenances thereunto belonging, now enjoyed by the said Charles Lord Bishop of Derry, under a certain rent, payable to the Society, and situate in or near the said City of Londonderry or liberties thereof, from and after the determination of a lease thereof now in being, purchased by the said Charles now Lord Bishop of Derry, shall be and are hereby vested in the said Lord Bishop of Derry, and his successors bishops of Derry, for ever, and shall for ever hereafter be held and enjoyed during the said term, by him the said Charles Lord Bishop of Derry, his executors, administrators, and assigns, and from the determination of the said term, by the said Lord Bishop and his successors, free from all payments to, or claims or demands of or from, the said Society and their successors; saving, nevertheless, to the Queen's most excellent Majesty, and to all and every other person and persons, bodies politic and corporative, their heirs and successors respectively (other than the said Charles Lord Bishop of Derry and his successors, and the said Society and their successors) all such right, title, interest, claim, and demand whatsoever, in, to, or out of the said premises, as they or any of them have or hath or might claim, in, to, or out of the said lands, tenements, fishings, and premises, or any part thereof, as if this act had never been made.

C.

REPORT of the Committee of the Irish Society, to whom it was referred to inquire into the Allowance of Ninety Pounds Ten Shillings to the Corporation of Derry, presented to the Court of the Irish Society, held the 27th day of July, 1714.

To the Honourable Society of the Governor, &c.

WE of the Committee of Accounts and Correspondence, whose names are hereunto subscribed, in pursuance of an order of this Court made the 24th day of May last, have

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made examination into the grounds and reasons of the allowance of Ninety pounds ten shillings, annually paid by the Society to the Corporation of Londonderry; and, in order to our more clear and full information of that matter, we have looked back into the first constitution and settlement of that Society, as also into the late proceedings and controversies between the Society and the Most Rev. Father in God Doctor William King, the present Lord Archbishop of Dublin, late Bishop of Derry, during his incumbency in the said See of Derry, in relation to the 1,500 acres of land adjacent to the said City of Londonderry, and have perused two manuscript writings, drawn by Mr. John Mogridge, deceased; the one entitled "An Historical Narrative of Matter of Fact as it is in the case between the Lord Bishop of Derry, plaintiff, and the Governor and Assistants London, &c., defendants;" the other entitled "Animadversions on the Bishop of Derry's pretence to some lands of the City of London's near Londonderry," entered in a folio book, whereon is this inscription, "Mogridge's Works;" the said historical narrative is in page 36 to 37 of the said folio book, and the said animadversions are on page 98 to 195 of the said book; by which the Society's right and title to the said lands, called the 1,500 acres, are clearly and largely set forth and derived.

We observe that by the Act of the 25th of King Henry the Eighth for the Dissolution of Monasteries, the said lands became forfeited to the Crown, as part of the Abbey of Columkill; that several surveys were taken, and particularly one, called the Grand Inquisition, was taken at Derry in the beginning of King James the First his reign, A.D. 1609, pursuant to a commission issued to inquire into the escheated lands in Ulster, addressed to Sir Arthur Chichester, the Archbishop of Dublin, Bishop of Derry, and other bishops and lords of the Council, Lord Chief Justice, Attorney General, and Surveyor General, for the better distinguishing and ascertaining the Crown lands from the lands belonging to the Church, by which inquisition the said lands are found to be a part of the lands and inheritance belonging to the Abbey of Columkill aforesaid, and vested in his said Majesty King James the First, by the said Act for the Dissolution of Monasteries.

That, by the articles entered into between the Crown and the City of London, dated the 28th January 1609, it was agreed, *inter alia*, that four thousand acres of land lying on the Derry side, next adjacent to the City of Londonderry, should be laid out and granted to the Society.

That, in pursuance of the said articles, letters patent, dated the 29th day of March, in the eleventh year of the reign of his said Majesty King James the First, were passed at Westminster, in which the hill on which the City of Londonderry is now built, and four thousand acres of land next adjoining to the western part of the city (whereof the said lands called the 1,500 acres were a part), with several other lands, &c., were granted to your Society, who, by virtue of the said grant, became seized in fee of the City and County of Londonderry, and particularly of the 4,000 acres of land adjoining to the City of Derry, and soon after set out and assigned the said 1,500 acres to the Mayor, Commonalty, and Citizens of Londonderry, at a small rent, for support of the magistracy of Londonderry, who accordingly entered, and by themselves and under-tenants quietly enjoyed the same under the title of the Society till the 13th year of the reign of King Charles the First, without any interruption or claim whatsoever of the then Bishop of Derry, or any of his predecessors.

We find that, in or about the year 1625, the Lord Wentworth was made Lord Lieutenant of Ireland, and that Dr. Bramhall went over to Ireland as chaplain to his lordship; and that in the year 1630 divers informations were sent from Ireland against the Society, by the instigation of the said Dr. Bramhall, and several crimes and breaches of articles were charged against the Society; whereupon and after several proceedings had been taken in the Star Chamber, a sequestration was issued, and the County and City of Londonderry was seized into the King's hands, and the said Dr. Bramhall, then Bishop of Derry, was was made the chief, if not the only sequestrator for the Crown.

And in the year 1657, in the 13th year of the reign of the said King Charles the First, the City of London being then in some disfavour with his said Majesty, his said Majesty, in the beginning of November, in the said 13th year of his reign, ordered a *scire facias* to issue against the Society, for a pretended breach of covenants in the letters patent, and rules of plantation; and in Hilary term following, before the Society could be heard to make their defence thereto, judgment was entered against them by default, that the said letters patent should be void and cancelled.

We further find that the said Dr. Bramhall, then Bishop of Derry, by his interest at that time with his said Majesty, and by and with the connivance of the City of Londonderry, prevailed with his said Majesty, by letters patent dated 4th August 1637, in the said 13th year of his reign, to grant to him the said Bishop and his successors several lands and tenements belonging to the Society, whereof the said 1,500 acres were part; which grant was made about six months before judgment was given against the Society on the said *scire facias*, when the Corporation of Derry was in the actual and peaceable possession thereof, under a title derived to them under the Society, and when the King had no title or estate in the lands granted, so that the said afore mentioned letters patent were *ipso facto* void.

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That in the said grant made by the said letters patent to the said Bishop of Derry, there is a reservation of the yearly rent of 90*l.* 10*s.* payable out of the lands aforementioned to the Mayor, Commonalty, and Citizens of Londonderry, and their successors for ever, which is the first rise or foundation for the said Corporation's claim or pretence to the said annual payment or allowance, and is built as well on a void grant (as before is set forth) as on an unjust and fraudulent design and contrivance in the then Corporation, in conjunction with the said Bishop, to deprive the Society of their just rights; and the same is made manifest by a certain lease which the said Bishop made to, and was accepted, by the Corporation of Derry, dated the 11th June 1638, whereby the said lands, called the 1,500 acres, were intended to be demised to the said Corporation of Derry, for sixty years, to commence from the 14th July 1634, which was four years before the date thereof, at the yearly rent of 50*l.*; at the expiration of which lease, which was in the year 1694, the Corporation of Londonderry discovering to the Society the fraudulent contrivances and practices before mentioned of their predecessors and the said Bishop Bramhall concerning the said lands, the Society asserted their just and lawful right and title to them, which occasioned divers law-suits, and very great contests between the said Dr. William King, the present Archbishop of Dublin, then Bishop of Derry, and the Society, which continued until the Right Rev. Dr. Charles Hickman succeeded him in that see, between whom and the Society a happy agreement was made, confirmed by Act of Parliament in the year 1704, and about which time we find, by a letter from the Corporation dated 28th July, 1704, to the Society, that the said Corporation did humbly sue and request that as the Society had hitherto allowed that Corporation 90*l.* 10*s.* *per annum* out of the 1,500 acres for the support of the magistracy, walls, gates, and defence of their rights and privileges, they would please that the same might be ascertained to that city, by some clause in the Act of Parliament then intended to be passed for settling the agreement between the Society and the said Dr. Charles Hickman, then Lord Bishop of Derry. To which said letter the Society, by their answer of the 26th September following, *inter alia* acquaint them that they had no reason to expect that the society should at that time more particularly declare themselves, or comply with their request in their said letter of the 28th July, in relation to the ascertaining or settling the said 90*l.* 10*s.* *per annum* therein mentioned, independent of the Society; but that whilst they promoted the Society's service and the real welfare of the city of Londonderry, the services during the memorable siege of Londonderry should not be forgotten.

And afterwards the said Society, by their letter of 2d February following, in answer to three letters from the said Corporation of 14th October, 5th December, and 16th January preceding, assured the said Corporation that whilst they continued their endeavours for promoting the Society's service, and the real interest and welfare of the said City of Londonderry, they should not entertain a thought of withdrawing the allowance of 90*l.* 10*s.* *per annum*, given by the Society for the support of their magistracy. Whereunto the said Corporation, in their reply dated the 23d of March next following, return the Society their most hearty thanks for the assurance they were pleased to give them of the continuation of the 90*l.* 10*s.* *per annum* for the support of the magistracy, and again assured the Society that no people should more zealously and heartily promote and maintain the real interest and welfare of the said City, nor more cheerfully act in the Society's service, than they should at all times, when there should be occasion or opportunity.

From all which foregoing matters it evidently appears that the said 90*l.* 10*s.* *per annum*, allowed by the Society to the said Corporation of Londonderry, had its first rise from the fraudulent contrivance and practice between the said Bishop Bramhall and the then Corporation of Londonderry, and by that means came to be inserted in the said Bishop's before-mentioned letters patent of the 13th of King Charles the First, which were void for the reasons hereinbefore mentioned, and also that the said Society, when the said Corporation of Londonderry made their application to them upon passing the said Act of Parliament for settling the differences depending between the said Dr. Charles Hickman, late Lord Bishop of Derry, and the Society, to have the said allowance settled on them by the said Act without dependence on the Society, did not think fit to grant the same, but were only pleased to promise the continuance thereof to them during the pleasure of the Society, and the good behaviour and endeavours of the said Corporation for promoting the Society's service, and the real interest and welfare of the said City of Londonderry. All of which we nevertheless submit to the judgment of this Court.

(Signed) Samuel Clarke, Deputy Governor.
John Taylor, Treasurer.
Robert Alsop.

Dated 27th day of July, 1714.

Which said Report, being now read, was well liked and approved, and ordered to be entered in the Journals of this Court, and performed accordingly.

D.

Those leases were Cloughlast, leased to Thomas Lecky; Springtown, to Alexander Lecky; and a large plot of ground near the Cow Market, leased to the ancestor of Mr. Justice Torrens; all of which were valuable interests. A lease had also been granted in *toties quoties* to Mr. Alexander Lecky of the tolls of the Ferry, which contained a clause

of renewal *toties quoties* till a bridge was built over the Foyle ; this lease rendered it his interest, and that of his numerous connexions in the Corporation, to prevent that accommodation to the public, lest he should be deprived of this valuable interest ; this lease became void by the Bridge Act, but it was probably more from the desire of another party to get rid of it than any feeling of civic duty in the Corporation of Derry that the building of the bridge was owing.

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E.

RESOLUTIONS of the Irish Society on the allowance to the Magistracy of Derry, passed 3d November 1831.

RESOLVED,—That the Irish Society will sustain for one year the expenses (not exceeding 750*l.*) prayed for by the Corporation for the support of the magistracy, on the condition that immediate measures be adopted within the succeeding year for decreasing the tolls of the bridge to the scale of the year 1800, so as to benefit the whole community trading to Derry, as well as the whole province of Ulster ; and that the same he paid half yearly.

Resolved,—Also, that this Society cannot view with indifference the non-residence and inefficiency of some of the members of the Corporation of Londonderry ; and, in offering pecuniary assistance to the Corporation, this Society express their desire that these evils be speedily cured by the removal of all those who from inability or absence, have ceased to be efficient ; that thus the Corporation of Londonderry may be restored to the vigorous state contemplated by the Charter. This Society also conceive the Recordership is an efficient office, and ought to be filled by a resident officer.

F.

NOTE of the Deputation from the Corporation of Derry to the Irish Society. 1831.

The Deputation have the honour to receive a copy of a Resolution passed by a Committee of the Society, and confirmed by the Court on the 3d instant, whereby the Society have granted a sum of 750*l.* for the support of the magistracy of Londonderry for one year, on certain conditions stipulated therein.

The Deputation accept gratefully the aid which the Society has thought proper to afford the Corporation, though limited to the duration of one year, in the full hope that, if the Corporation fulfil the expectations of the Society, it will prove the forerunner and foundation of a more permanent endowment.

To find that the Society has recognised the principle that the magistracy of Londonderry is placed under their care and protection is alone sufficient to impart confidence to the Corporation, and to animate them in the discharge of the duties for which they were created.

The Deputation will feel it their duty, upon their return to Derry, to impress upon the Corporation and on the public at large, the great importance of this Resolution, as proving that the Irish Society will not suffer the Corporation to fall, so long as it can be sustained with benefit to the community.

The Deputation will further impress upon the Corporation the necessity of meeting the wishes of the Society in relieving the public from the pressure of local taxation, and will lend their own best endeavours to devise some plan which, without injuring the rights of creditors, and thereby working great individual mischief, may best effectuate the objects of the Society.

The Deputation respectfully receive the suggestions of the Society towards effecting a reform, in the Corporation ; and feeling that the Society has spoken in the language of patrons and, friends, they will represent to the Corporation the propriety of adopting such reform as shall prove themselves worthy of the Society's continued pr oection.

The Deputation cannot take leave of the Society without expressing their sense of the patient and laborious attention bestowed upon their affairs ; of the diligence and perseverance by which difficulties were met and overcome ; and of the courteous and hospitable reception which has distinguished their visit to the parent city.

(Signed) R. A. FERGUSON.
WILLIAM BOYD.
GEORGE HILL.

London, 3d Nov. 1831.
To the Honourable the Irish Society.

G.

RESOLUTION passed at a Court of the Irish Society, held 17th September, 1832.

And, inasmuch as we find that the Corporation of Londonderry have not funded the respective sums of 500*l.* for the year 1831, and 500*l.* for the year 1832, towards the building of a bridge pursuant to their engagement heretofore made with the Society, it is resolved that in future no sum whatever be allowed by the Society towards the support of the magistracy ; as we consider the said Corporation to be so involved in embarrassment that they cannot be of any efficient service to the public till they become emancipated from their debts, and reincorporated upon a better system. And we recommend that, in such case, it should be assimilate to the Corporation of the City of London.

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—Then came the municipal inquiry, first in England and then in Ireland, in the year 1837; and subsequently came the Municipal Reform Bills of the two kingdoms, both of which interferred with any further proceedings about this matter. It was not till 1847 that the corporation of Derry came again with complaints to the corporation of London. They then presented the petition to the common council, which I now hold in my hand. The statement they made on that occasion in reference to the 1,500 acres is this; namely, after setting out the usurpation of the Bishop of Derry by the assistance of the Star Chamber under Charles the Second, they go on thus: "These lands continued "in the possession of the corporation of Derry until the expiration of the said demise." That is, they took a lease under the Bishop of Derry, notwitstanding his usurpation; he being powerful, they yielded and took a lease under him. Then it appears that when that lease expired the Bishop of Derry refused to renew it; and this is the way in which they stated it: "These lands continued in the possession of the corporation of Derry until the "expiration of the said demise, which was shortly after the period of the siege, when the "corporation applied to the society, then reincorporated, to aid them in resisting the claim of "the bishop to the lands in question; and after a long course of litigation, the matter was "at last set at rest by an Act of Parliament passed in 1704, establishing the rights of the "society as against the bishop, but reserving the rights of the corporation of "Londonderry." That reservation, I should say, is a mere general reservation; and such a reservation is of very little value unless it specifies something which it reserves. What its effect would be here would be a very fair question of discussion. Then the petitions states that, "The Irish society having thus obtained possession, which they could not "have done without the strenuous support of the corporation of Londonderry, refused "to recognize the rights of the city of Derry; and to this injustice the citizens, not having "yet recovered from the losses sustained during the siege, were compelled to submit; "but the Irish society offered to let these lands to the corporation of Derry if that "body would renounce all claims thereto, except that which they would derive from the "lease; and on the refusal of the corporation to accept a lease on those terms, the society "have since paid to them the annual sum of 90*l.* 10*s.* before referred to." So that this is the statement; that in the year 1704 after the passing of that Act of Parliament, which settled everything between the Irish society and the bishop, those lands passed into the possession of the Irish society; and from some reason or other the corporation of Derry were obliged to acquiesce at that time, and they have since received 90*l.* 10*s.* per annum from the society. When this petition was presented to the common council the petitioners thought that body had the power of rendering them redress. Nothing can be more conclusive to show how distinct the Irish society is from the corporation than the course of proceeding which then took place. The petition from the mayor and corporation of Derry was presented on the 25th of February 1847. The usual motion was immediately carried upon its presentation, "Resolved and ordered, that the petition be printed, and a "copy sent to every member of this court, and the consideration thereof adjourned; and "that in the mean time the petition be referred to the City solicitor, to advise with "counsel as to the proper course to be pursued." Then, on the 12th of April, that having been done, it was again taken into consideration by the Court of Common Council; and then there is this entry, "Mr. Solicitor attending in his place did this day deliver "into this court a report in writing under his hand, with the opinion of counsel "in relation to the petition of the mayor and corporation of Londonderry, which "was read." The opinion of course was also read. "Resolved, That a committee "be appointed to investigate the allegations and matters contained in the petition "of the corporation of Londonderry respecting the Irish society, and to report "thereon to this court. Committee appointed accordingly." Then there are the names of the committee, beginning with the Lord Mayor and four aldermen; the committee consisting of the principal gentlemen belonging to the corporation. The usual course was then taken; and, in the course of time, the committee made their report to the common council of what had happened. It is a long report; but the effect of it is this:—that they met and communicated with the Irish society, and informed them of the petition which had been received; that the Irish society thereupon met—that they resolved to attend the committee by a deputation, attended also by counsel, to meet the complaints which were made on the part of the city of Londonderry. The committee met with the expectation that the corporation of Derry would come represented by the Mayor and others to attend that committee. However, when the corporation were ready, or the committee were so prepared to receive them, they received a letter from Derry, of the date of the 6th of May 1847, to this effect. It is from Mr. Prichard, who was then town clerk of the City of Derry:—"At a meeting of the sub-committee the "following letter from Mr. Prichard to the City solicitor, intimating the intention of the "agent of the city of Londonderry not to attend your committee on the subject of their "petition, was read as follows:—"'Irish society, Sir, The city of Derry having "'petitioned the corporation of London, the petition was submitted to Mr. Turner, (that "'is the present Lord Justice Turner,) Mr. Martin, (that is the present Baron Martin,) "'and Mr. Lloyd, (a gentleman of great distinction at the Equity bar,) for advice as to "'the powers of the Court of Common Council. The city of Derry are advised that the "'corporation of London have not power to rectify the subject matters of the petition, "'and that it would, therefore, be unnecessarily wasting the time of the Court of Common

" ' Council to attend them. Mr. Crawford, of Derry, was to have been in London on the " ' part of the city of Derry to attend the Court of Common Council; but, acting under " ' such advice, he will not now be in attendance on the first of May; and, I hasten, at " ' his request, to inform you of the same, to prevent inconvenience to the Court of " ' Common Council.'" I bring this before the Commission for these purposes. First, to show that there was every disposition on the part of the corporation of London to entertain these complaints and investigate them, as well as perfect readiness on the part of the Irish society to meet them fairly; and also to show that the corporation of Derry were advised, at that time, by the highest authority, in perfect conformity, I believe, with the opinions which had been given to the corporation of London, that those two bodies are distinct. Though there may exist some visitorial power in the corporation of London, yet, when the members of the Irish society are once appointed, the corporation cannot interfere, and cannot regulate their proceedings or redress any grievance which there may be.

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8441. What is the power which is possessed by the corporation?—I am really unable to say. If the Irish society were to be guilty of any direct infraction of their charter, there may rest in the judicial body of the corporation some power to rectify such an abuse; but it has never been put in practice, and I am unable to define what their powers are.

8442. You do not think that it affords any practical means of redress for any misconduct on the part of the Irish society short of some complete breach of trust?—I am of opinion that it does not; and I have brought these proceedings before the Commissioners to prove it. Here, though the corporation were willing, and the Irish society made no objection, the parties themselves were obliged to repudiate the interference of the corporation, because they were advised that it would be futile.

8443. I suppose there would be this power in the Court of Common Council, that if they had the impression that members of the society had misconducted themselves, they could refuse to re-elect them?—The governor is elected annually; they might refuse to re-elect him. With the exception of the recorder, who is permanent, the other members are elected to serve for two years, and are re-eligible only after an interval of a year. There have been various occasions on which propositions have been made in the Court of Common Council for an alteration in this constitution. With respect to the complaint, that the members are compelled to retire as soon as they have made themselves acquainted with the interests and duties of the society, frequent attempts have been made to alter the system, but it has been found to be impossible, owing to the terms of the charter. A gentleman has been, within a few days, elected to the Irish society. One of the members of the common council thought there was an objection to that gentleman being on the society; and gave notice of a motion to rescind that election. In my capacity of recorder, I was obliged to advise the Lord Mayor that this gentleman could not make the motion, because the common council, having already made the election, they could not rescind it, or put any other person in his place; that they were, in point of fact, *functi officio*.

8444. This state of things can only be altered by an Act of Parliament?—That is the only means of altering it.

8445. I suppose you are yourself unable to take any very active part in the affairs of the Irish society?—I stated on a former occasion, that though I was a permanent member of the Irish society, my other duties were so multifarious, that I had not time to devote to the affairs of the society; and I rather consider myself to be placed there for the purpose of being specially summoned when any difficulties occur. Since I have been on the society, I have been very kindly invited to attend; but I never have been specially summoned; and, I think, with the exception of two occasions, I never have been present.

8446. Would they consult you before any law proceedings were instituted?—I should rather have expected that they would, but I have not been consulted.

8447. Whom do you suppose they do consult?—On the last occasion, with respect to the perpetuity leases, they took a course which was unexceptionable. They took the opinions of the first men in the profession, and they added, " We wish you to advise not only upon " the point of law; but also as to the course which as trustees you think it right for us to " pursue." I have seen the opinions of counsel so taken in which they say that the society would not be justified in not enforcing their rights. To illustrate the position in which the recorder stands with reference to the Irish society, I wish to call your attention to what took place in the society itself, with regard to the proceeding of 1847. A deputation from the corporation of Derry appeared several times, and the result was that there was a negotiation. Though the society could not allow that there was any claim to the 1,500 acres, yet at the same time they felt that there was a claim upon them for assistance. It appeared that the affairs of the corporation of Derry had become very dilapidated, and they were without resources to maintain their courts or improve their town. They were going to Parliament for an Improvement Bill, and required assistance in that way. The result of the interview was that there was a negotiation for some settlement, by which the society should give them some assistance; and they should take that in lieu of their claim. One object was, that there should be a recorder appointed, more particularly with a view to maintain the custom of foreign attachment which prevails in London, and which prevailed

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also in Derry. The Court of the Assistant Barrister, which I believe is mentioned by one of the gentlemen as being sufficient for all purposes, would have been sufficient for all except the administration of foreign attachment. The inhabitants of Derry were of opinion that it was desirable to maintain that custom which could only be done by maintaining a recorder. The result was that the Irish society agreed to give them 700*l.* a year, towards maintaining their corporation and paying their officers, and 500*l.* a year towards the improvement of the town. The question then was how that was to be done? The corporation of Derry pressed very much that it should be done by some permanent arrangement. A complaint has been made that the grant is made only from year to year, and it suggested that that was done for the mere purpose of keeping the corporation and the inhabitants of Derry in the power of the corporation of London; but I am anxious to show that it was not done with that view, but done under the obligation of the law, from which the society could not escape. Upon that occasion Mr. Recorder Law was then in office; he was called upon to assist the society in those deliberations; but unfortunately in the middle of them he was taken ill; he promised however to send his opinion in writing, which I now have before me. It is dated "Eaton Place, 31st January, 1848." It is addressed to Alderman Wilson, who had been requested to see the recorder and to communicate with him. This is the language in which he speaks; "Looking to the nature of the "public trusts of the society, and their permanent objects and the present state of their "finances, I think it would be highly improper to charge the estates in perpetuity and to "grant to the corporation of Derry, the power to encumber or alienate such rent or other "charge. The 700*l.* proposed to be given year by year to the support of the mayor, "recorder, and other corporation officers of Derry, does not fall within the above "objection. Secondly, I think, after a careful review of the state of the finances of the "society and the debt incurred by legal expenses and from the other causes, it will be "right to determine with caution, what sum the Irish society can at present spare in aid "of the corporation or city of Derry and of the improvements contemplated there; but "the Irish society must not bind themselves beyond the current year, or at most two "years in advance, and must not consign to others the management of their funds, nor "delegate to others the trusts that are confided to themselves." They acted, therefore, upon that opinion of the recorder, which, without having had an opportunity of considering it as he had, I see no reason to think I should have differed from. The terms of the resolution are, "that the court will, in each year, recommend the society to grant the sum of 500*l.* and 700*l.*" and though they were thus advised that they could not bind themselves beyond two years at most, I think it would be a gross breach of faith if the society did not annually propose that sum and do their best to pay it over. If it be thought desirable that the city of Derry should receive these sums from the Irish society, it may be a great question whether Parliament might not regulate it and make it permanent; I only wish to show that it was not with the motive which has been alleged that it was done, but that it was under the obligation of the law that they refused to make it permanent. I may take this opportunity of saying that I certainly feel, as regards my own position in the society, that if I were called on to advise them, it would be much less agreeable to have to consult with a body of so fluctuating a character, than if it were permanent. I cannot help concurring with the gentlemen who have said that a more permanent board would be a much better means of carrying on the affairs of the society.

8448. You are doubtless aware of the decision of Lord Langdale and of the House of Lords in the case of the Skinners' company?—I have the same knowledge of it, that the Commissioners have, from having read the report.

8449. Do you conceive that there is any doubt that those two decisions have estalished the point, that the twelve companies have no beneficial interest in the income of the Irish society?—That is my impression undoubtedly.

S. Wright Knox, Esq.

SAMUEL WRIGHT KNOX, Esq. was further examined as follows.

8450. Is there anything which you wish to add to the evidence which you gave yesterday to the Commission?—A question that was asked me by the chairman yesterday was; "Whether, "if the septennial fee of three guineas charged to the secretary were now remitted, that "would have the effect of diminishing the trust fund." The answer as taken down was, "That "it would;" but that answer was given under the impression that in the septennial accounts which were furnished, the three guineas was included in the rent account. I have had an opportunity last night of examining the account as published by the society, and the amount credited on it is 1,154*l.* 18*s.* 2*d.*, which is precisely the amount of the septennial fines alone, independently of the septennial fee altogether; so that if that three guineas fee were remitted for the future, it would not diminish the trust fund as it is clear it never was introduced to the credit of their account, but was suppressed, to the extent of 800*l.*, every seven years.

JOHN HUMPHERY, Esq. was further examined, as follows. *J. Humphery, Esq.*

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8451. You have heard the statement which has been just made, have you any observation to make upon it?—It is quite true that leases in perpetuity every seventh year are renewed. We then claim, according to the lease, one year's rent of the parties holding perpetuity leases. They pay us two years' rent every seventh year, which amounts to 2,515*l.* and odd. The secretary receives three guineas for his fee at the renewal of those leases, for which he does not account to us at all.

8452. Is that in addition to his salary?—Yes.

8453. Can you state what the average amount of his receipts under this head is, in addition to his salary?—I think there are about 255 leases in perpetuity, and they have to be multiplied by three guineas, which will make about eight hundred and odd pounds every seventh year, being an addition of about 112*l.* per annum to his salary of 500*l.*

JOHN EBENEZER DAVIES, Esq., having been sworn, was examined as follows. *J. E. Davies, Esq.*

8454. Have you heard the statement which has been made with respect to these fees?—Yes.

8455. Those fees are received by you?—Yes; they are to be received by the secretary.

8456. What are your emoluments under that head?—Every seventh year the fees amount to 800*l.* 12*s.* 6*d.*

8457. That must be added to your salary?—It is not part of the salary, it is not included in the 500*l.* a year.

8458. That makes your salary about 600*l.* instead of 500*l.* a year?—Yes.

Adjourned to Thursday next, at twelve o'clock.

Thursday, 23d February 1854.

THE RIGHT HONOURABLE HENRY LABOUCHERE, M.P. in the Chair.

CHARLES PEARSON, Esq. was further examined, as follows. *C. Pearson, Esq.*

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8459. Have you any observations which you wish to address to this Commission, in addition to the statements which you have already made?—I have.

I think it right to say that I have not been getting up any case for the corporation in my capacity of City solicitor. It was thought more respectful, and more correct to allow the witnesses to come spontaneously; and not to prepare any case in the form in which matters of this kind are sometimes got up. No witness has been previously examined by me; and every gentleman, both member and officer, has presented himself spontaneously, according to the requirements of the Commissioners, freely and independently, to state every circumstance upon which inquiry might be made. The committee are now of opinion that everything that they should desire to offer to the Commission may be considered as satisfied; but, if there is an officer or member of the corporation whom the Commissioners would desire to have examined, he will at once present himself. For myself, the committee have given me authority to appear here, not as a member, and not in the character of an officer, but as a former member of the Court of Common Council, for the purpose of making a statement of facts within my knowledge, or circumstances connected with which I have become acquainted in examining the books of the corporation. Having regard to the economy of time, and of expenditure in printing, I have put into writing certain statements, feeling that I could compress them better into a short space than if I permitted myself to depend entirely upon oral evidence. If the Commissioners desire to examine me upon any part of those statements, of course I am open to *vivâ voce* examination; or, if now, or at a future time they wish for any documents to sustain any fact which I state, such documents shall be furnished; but, I desire to avoid loading your minutes with unnecessary evidence; therefore, when I state a fact that I have acquired from the books, if the Commissioners, either now, or at any time require the document to sustain it, I have the books here, and will either refer to them now, or supply extracts at any future time.

I am principally about to address myself to the statements contained in the document read by Mr. Recorder; commencing with page 371 of the printed evidence, which I have divided into paragraphs. To some of those paragraphs I shall merely refer; stating that I have nothing to add to the evidence which has been already given. Others of them I shall feel it necessary to comment upon, or to state facts in reference to them.

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The first paragraph refers to the receipts and revenues of the corporation. I have made it my business to qualify myself to speak in round numbers as to the accuracy of the statement in this respect. The average of the last seven years has been 190,000*l.* a year; of which sum 44,000*l.* has been produced by the City rents; 5,000*l.* a year by the Finsbury rents; and 14,000*l.* a year by the Conduit mead and other outlying property. The fixed charges referred to in that paragraph, I find by the average of the last seven years, taking the same average as the receipts, amount to 138,000*l.* a year. I proceed to the second paragraph. In Mr. Pulling's evidence respecting the Thames, (1947,1948) he conceives that a considerable portion of the revenue of the corporation is derived from the embankment of the Thames in Thames Street, after the fire in London, contrary to the duties of the trust; and he applies his statement to certain very large warehouses that must have attracted the attention of all persons passing that way. Now, I state, upon my oath, that this is entirely a misapprehension. We have no such rents from land that has been so embanked from the Thames. We have two very large properties there. One of them is one of those leviathan warehouses, Crawshay's; and the other is the great mill at Puddle Dock. The mill at Puddle Dock is built upon the site of an ancient laystall. The ground was purchased by the corporation for 2,700*l.* in the early part of 1700. The other property, upon which Crawshay's warehouse is built, was belonging to the corporation, for how many centuries before, I do not know; but we find it in the earliest of our books, which is anterior to the fire of London. It was in the corporation at that time. There are to each of those properties small easements, in the shape, I think, of piles driven for mooring craft. They yield a rent to the corporation also of 5*l.* a year; but, the rent in respect of the easements, is carried, and has been carried for many years to the navigation account; and is expended for the purposes of the improvement of the river; and is not in any way mixed up with the rental of the City's estate. The same witness, in the same sentence, suggests, that a portion of the revenue of the corporation is derived from buildings on Smithfield; and then states, very boldly, that everybody must know that it was a very much larger space formerly; and he refers to a sentence in the Act for the rebuilding of London, which requires certain pent-houses which had been erected there to be pulled down. I have examined some old maps, and I find that it is a complete misapprehension; that Smithfield has not been circumscribed in its area by buildings erected by the corporation or by any other parties, since the fire of London. On the contrary, I find by one map, as late as the year 1560, that the area of Smithfield was even less then than it is now; the corporation having, during the last half century, purchased considerable properties, at the expense of, I think, 20,000*l.* or 30,000*l.*, which they have pulled down, to enlarge the area of Smithfield. We have no property there that will in any shape answer the description; and I state, on my oath, from the examination of the maps, that I am quite satisfied there is no foundation whatever for Mr. Pulling's supposition. There is a trifling correction which I wish to make to the City's statement in that paragraph. We say, that the rental fund of the navigation does not exceed 1,100*l.*, that is true; and the amount is about 800*l.* now. In consequence of the litigation with the Crown, some persons refuse to pay; and, being small sums, I have not thought it right to incur the responsibility of bringing a number of actions for small rents of that kind, while the greater question is at issue. The rental, therefore, is wasting away; and if the suit were to last, what might be the end of the rents I do not know; but, certainly, they do not now amount to 900*l.* a year. On paragraph three I have nothing to say. I think that the matter has been sufficiently discussed by other witnesses; and I do not desire to offer any observations upon that paragraph. In regard to paragraph four, which relates to the freedoms, I make the same observation. I think my own evidence and the other evidence that has been given, afford a sufficient confirmation of the statement there contained. It is not my intention, therefore, further to refer to it. I make the same observation upon the fifth paragraph, except so far as it partly relates to the sixth. I should say, of those two paragraphs together, that Mr. Pulling has laboured under a mistake in supposing that we have no legal right to admit to the freedom of the City, excepting through the instrumentality of the livery companies. Under the provisions of one of our charters, the whole commonalty are entitled to admit persons to the freedom, without the introduction of the livery companies. If non-freemen are introduced by the companies, then they may be admitted at the Hustings Court, or by the chamberlain, upon redemption; but if they have not a certificate of character by belonging to a company, then they can only be admitted by the whole commonalty. The common council, now being held to represent the whole commonalty, have claimed and exercised the power of admission. As to the seventh paragraph, which relates to the coal dues, I respectfully should suggest that Mr. Remembrancer's written statement upon that head affords all the information that it is susceptible of; and I have nothing to add to the observations made. I make the same remark on the eighth paragraph, which relates to the metage. I have nothing to add to the statements that were made. The case now is for argument in the House of Lords, and I expect it on in a few days.

8461. What case is that?—Combe's case.

8462. I thought we were told that that was hung up?—There was a general indisposition to move it. I do not know whether what has passed here has led to

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the officers of the House bringing it out and putting it into the paper; but it is there, and it is now to be discussed as a pure matter of antiquarian learning, for the Orders of the Court of Chancery are so changed, that the result of the determination can have no effect on any future case; and as the corporation will not enforce the claim under such circumstances, it cannot for any possible utility be argued. I now come to the ninth paragraph—the costs of the mayoralty. The representation made by the corporation in their statement is, that the report which was referred to by several of the witnesses, and was by them taken as conclusive of the fact, that the cost of the mayoralty was 25,000*l.* a-year, had been examined by the common council and disallowed. A gentleman who writes in the newspapers says that we state it had been "examined," omitting the word "disallowed," and infers from that that it is a very absurd answer to the charge. I will occupy very little of the time of the Commissioners in disposing of that charge of 25,000*l.* a-year. A witness who appeared before you, who was the author of that report, stated that some members of the court had disputed its accuracy. I have before me the minutes of the court, dated the 23d March 1836, in which every one of the items constituting that sum, is analysed; and I think the amount was abundantly disproved; at any rate, it was disproved to the satisfaction of the Court of Common Council; and they passed resolutions reducing every one of those charges that was properly susceptible of reduction, not only making the reduction, but giving their reasons for it. The first charge is 5,322*l.* in the report, as being a portion of the cost of the mayoralty. That sum is thus dealt with by the court. It proposes "that the sum of 2,125*l.* be "substituted for the sum of 5,322*l.*, the former being the estimated annual value of the "Mansion House, calculated according to its assessment to the ward and parochial taxes, "as settled upon an appeal; which assessment being 1,500*l.* per annum upon a rate "ranging between two-thirds and three-fourths of the actual value, will give 2,215*l.* as "the rack rent." Then it goes on to say that it has reason to doubt whether it ought all to be charged to the mayoralty, because sometimes part of the Mansion House is used for other purposes; but it has put down 2,125*l.* instead of the 5,322*l.*—the latter item having been compounded of a seven per cent. charge upon the cost of the Mansion House and its improvements, from the commencement of its building. Now, if we were to estimate the charge of royalty by the cost of all the palaces, and put seven per cent. on from their first foundation to the present time, as part of the annual charge, we should certainly look very differently at monarchy from what we are in the habit of doing. The next item—and it is only to two items that I will call your attention, although the other items are some of them dealt with in a manner that shows that they are also excessive, is 3,763*l.* a-year, the amount for what are called the offices of the household. Now those gentlemen, though called officers of the household, are annuitants and persons holding places created a century ago, and sold by the Lord Mayors of that day. In the year 1819 (I speak of this from my own personal knowledge), feeling what a discreditable state of things this led to, the common council bought up their places, giving to them fixed annuities for life and certain payments in money, in commutation of the emoluments which they had purchased of the Lord Mayors 100 or 150 years ago. We obtained in respect of that arrangement a considerable revenue; for instance, the collection of the fish market, which now falls into the revenues of the corporation and is accounted for by them. These sums of money thus charged to the debit of the mayoralty, I think the Commissioners will see can have no place there. If they ought to be there, on the credit side of the account should be the interest upon the money paid for these places when they were purchased a century ago; or at least on the other hand ought to be put to the credit of the mayoralty, the revenue that we derive from that arrangement by which we have bought up those places. If that were to be done, instead of its being 3,763*l.* to the debit of the mayoralty, there would be a considerable sum to its credit. The Commissioners will, therefore, perceive that in two sums alone we take off 7,000*l.* from the charge to the mayoralty. I will not persecute the Commissioners by going in detail through the other items; suffice it to say, that I have no hesitation in concurring in the opinion (from my long knowledge and experience of the corporation) that the statement regarding the cost of the mayoralty, as given in by the previous witnesses for the corporation, is a correct one. I moved for a committee myself in the year 1830, to inquire into the subject. The committee had before them the accounts of eight gentlemen who had served the office of Lord Mayor, from them or from their executors, and from these accounts, I have no doubt of the truth and accuracy of the statements that have been made, that the amount of the receipts of the Lord Mayor certainly does not in any year, under any circumstances, exceed 9,000*l.* The tenth paragraph relates to the charges of the committee. I have examined the books myself, and I have no hesitation in saying that the statements contained there are true. The eleventh paragraph relates to the officers. I feel that I should not do justice to myself and to the corporation, if I did not personally vindicate ourselves from the imputation which is cast upon the corporation and some of its officers, by the assertion (as an evidence of the spirit of nepotism in the corporation) that so many of the officers have been common councilmen or were related to or connected with the members of the court, leaving it to be inferred that we were improperly selected or overpaid. It is true that there are several officers who have been common councilmen, though not so many as the witness stated; he was mistaken in the number. Three of the gentlemen that he supposes have been common councilmen,

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have not; the proportion of common councilmen is very small; I think there is about ten per cent. of the officers who have been common councilmen. As to the relations or connections of common councilmen, it would be difficult to find anybody in the City of London, of any mark or respectability, that was not a relation or connection of a common councilman; their number and their station naturally place them in such a position, that if you seek a competent person, you will find either a cousin or a nephew or some relative or connection of a common councilman; so that it is impossible, I submit, to the Commissioners, dealing with the facts fairly, to draw the conclusion which the witness endeavoured to draw. Now I am surprised, I confess, that that gentleman should have made those statements; and to be perfectly just and impartial, he includes me with them. That gentleman has been long employed by me.

8463. Whom do you mean?—Mr. Acland; I do not disown him; he was called "Pearson's Ferret;" that is the name he goes by in the City, and a very good ferret he is; and I am sure if there had been a mouse eating a piece of unauthorized cheese-paring in any corporation cranny, he would have found it out. But the fact is, that his instincts are so strong that he finds a scent where there has been no vermin for centuries, and he fixes upon circumstances of bygone years, and attempts to fasten them upon the present corporation. Mr. Acland was in my office, and had the run of Guildhall. If there had been anything wrong, Mr. Acland would have found it out, and Mr. Acland would have stated it. He has manifested here no indisposition to tell all he knows. All I can say is, that when I heard of his employment, in a most confidential part of the corporation business, I was pleased. Although he was not recommended by me, as Mr. Remembrancer rather thinks, yet, at the same time, I should not have hesitated to recommend him. I believe that nothing but what was honest was intended to be done by the corporation; and believing Mr. Acland to be an honest man, I should not have hesitated to recommend him.

8464. Are you speaking of the opposition to the Smithfield bill?—I am; a very confidential employment, and also as to the *Citizen* paper.

8465. Had Mr. Acland anything to do with the *Citizen* paper?—I mean to say that Mr. Acland had a vast deal to do with it; and by his evidence he has told that he purchased the copyright of it. I think he might have told you that he purchased it for the sum of one shilling. I think he invested to the extent of one shilling of capital in the purchase of that valuable property. I feel it my duty to take my share of the blame, if any blame is due to the conduct of the corporation with regard to the *Citizen*. I will state the facts within my own knowledge. The corporation thought it necessary to endeavour to find some mode of communicating to the public intelligence connected with its own affairs. I was consulted, with the other officers. It is always better, in speaking of a transaction that has gone by, to refer if you can to a document written at the time, because it brings your mind back to the precise facts. I have looked at my report to the committee upon the subject. In that report I advised them, not upon the propriety or expediency of such a measure; but I advised them, if they thought it right to avail themselves of any organ of communication to the public, to take care to do it openly and avowedly, and to avoid either the literary or the pecuniary responsibilities of a newspaper; and I recommended it to be done in this form; for the corporation to make some arrangement with a man of ability and competency to have a part of the paper allocated to the City business in the *Citizen*, in which all our reports and business might be marshalled and connected together by a leader, indicating the objects and intentions of those proceedings. My reasons for recommending such a course were these: Every town in the country of any consequence has a provincial press. In London we have no provincial press; we have a national press, but the absorbing interest of national affairs entirely engrosses the attention of the readers. We have, therefore, no provincial press.

8466. No local press?—No local press. Having, during the forty years that I have been connected with the corporation, considered that the powerful and chastening influence of public opinion was of the greatest value in regulating the affairs of the corporation, I have always endeavoured to ventilate its proceedings and expose its affairs to the public gaze; and I thought that this would be a good mode of doing so. I may state to the Commissioners what I think they have heard before, that we pay 900*l.* a year, or thereabouts, for the printing of the Newgate Calendar, containing a report of the proceedings of the sessions. It did not appear to me that, valuable as it was a century ago, when there were no newspapers conveying such intelligence, certainly there could be no reason for now spending 900*l.* a year in publishing the Newgate Calendar; which I believe rarely, if ever, gets its leaves cut open, when the newspapers of the day do publish the proceedings. But I thought that if it were to be retained; if there were a weekly paper dedicating one sheet to that object, it would answer all the purposes of an official register, at the same time that it would open a channel, at a less expense, to the corporation for communicating general intelligence. The Commissioners heard the proceedings that took place in regard to that paper. I was surprised to learn that the entry in which the sum was charged was not so clear in the corporation books as to communicate to the public what was the real nature of the transaction. I fear that my report rather forcibly led to that mode of dealing with it, because the corporation were threatened with bills in Chancery and actions, with regard to the pecuniary responsibilities arising out of the publication of the paper; and I think it not at all improbable that the committee, feeling

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that I had so strongly recommended them to avoid all pecuniary responsibilities, desired that their connection with it should not be avowed, not if the arrangement had been concluded; but, seeing that it failed, and that the parties connected with it threatened to file a bill in Chancery to obtain some pecuniary remuneration, it was not thought desirable to announce it, as the transaction would probably otherwise have been announced.

8467. Am I to understand the plan of business to have been that the City should look to the paper for a full report of all its proceedings, but that it should have nothing to do with the editorial part of it?—Nothing more than that in the *Citizen* the corporation of London should have its half allotted to it, or whatever it might be.

8468. Do you mean like the official portion of the *Moniteur* in France?—Yes. I was anxious that they should keep that marked and broad distinction; that they should not be responsible, beyond the official portion, either for the literary or for the legal liabilities of a newspaper, or for the pecuniary liabilities.

8469. But do you consider that it would have been very easy to have conducted a newspaper in that way; a newspaper depending very much upon the support of the City in some form; and yet that the City should have entirely disconnected itself, and not have been held in any way responsible to the public for the arguments and general language contained in the newspaper?—Perfectly. I believe that it might have been conducted *in partibus* without the slightest difficulty, or the slightest chance of the corporation being involved, either in its literary or in its pecuniary responsibilities.

I am requested by Alderman Finnis to make one observation, which I think is pertinent here. A witness before you imputed to him that he had shrunk from serving the office of sheriff, and had caused another gentleman to be elected; and that he had obtained a fine of 100*l.*, a share of the 600*l.*, which, it was insinuated, had moved him to take the course which he had adopted,

8470. To what are you referring?—I am referring to Mr. Mills's evidence. I cannot speak to the number of the question, but only to its effect. The imputation there is, that Alderman Finnis shirked the office; and that he obtained 100*l.* of Mr. Mills's money out of his 600*l.*, by getting Mr. Mills preferred before him, and taking part of his fine. The citizens know Alderman Finnis too well to suppose that that could be applicable to him; the Commissioners may not. But I may state to the Commissioners that he did not receive a shilling, and could not have received a shilling; because the title to receive the 100*l.* would have been, if Mr. Mills, instead of being elected, had been satisfied with nomination, and paid 400*l.*; therefore, by getting him elected, as it is suggested, Alderman Finnis, instead of getting the 100*l.*, lost it. It is the very reverse of the supposition. I do not impute to Mr. Mills any improper intention, but it is a hard conclusion for one gentleman to draw of another when the facts do not sustain it. I should make a remark also in regard to Mr. Sheriff Croll. A witness said that he offered ten shillings for a ticket or something of that sort, implying that Mr. Croll had been corruptly engaged in getting himself elected sheriff. Now I can personally contradict that statement, so far as Mr. Croll is concerned. Mr. Croll was at Edinburgh at the time. I, at the instance of the Lord Mayor, in rotation, requested Mr. Croll to stand, he being connected with the City; and he said, if he thought it would be acceptable to the aldermen with whom he should be associated, and if the livery would present him with a requisition, he would stand; but that he was going to Perth, his native city, to receive some honours there, and that he could not be in town; upon which I requested him to be at Edinburgh on the morning of election, and that I would, by telegraph, communicate to him whether the aldermen and a considerable number of the livery would desire it. I telegraphed down to him with the requisition, and a statement of who had signed it. He telegraphed back to say that if, under such circumstances, he was elected, he would serve. So far from his having had anything to do with getting himself elected, he served at the request of the aldermen, and certainly without the slightest disposition on his part to be guilty of any irregular practice for the purpose of obtaining the office. Some of the witnesses have spoken here of supposed corrupt arrangements between sheriffs and under-sheriffs; and the gentleman to whom I have before adverted (of whom I do not wish to speak unkindly, for he has been a very excellent agent to me; I had always a high opinion of him) charges that attornies in the Court of Common Council became sheriff-makers and that some persons have been frequently under-sheriffs. I dare say I am one of those pointed at. I do not know why I should take it to myself, as it is not deserved, but I am capable of stating facts connected with it; and I shall do so, therefore, with the permission of the Commissioners. I was twice under sheriff. I was under-sheriff to Mr. Raphael; I was under-sheriff to Mr. David Salomons. I was one of the parties who took proceedings, in the year 1819, to prevent gentlemen being fastened upon as sheriffs for the purpose of fining them. I think as much as 10,000*l.* had been exacted from gentlemen in one year, two or three years before that time. I was one of the parties who, in the common council, moved that the amount of the fines should be applied to charitable purposes, and should not go into the corpus of the corporation revenue, in order to take away the disposition to fine persons who did not desire to serve. Having done that, I was natually anxious that we should not be without sheriffs, and I frequently have interfered to induce gentlemen to serve the office. When Catholic Emancipation passed, I was anxious that the corporation should carry out in practice the principle of the measure by the admission of a Roman Catholic gentleman qualified for the office; and when

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Mr. Raphael applied to me to know how he could use some portion of his fortune in advancing these liberal sentiments, I recommended him to become sheriff; but I, upon my oath, state that neither directly nor indirectly was any stipulation made, nor did any conversation take place between us as to who was to be his under-sheriff. It was not until after he was elected sheriff that he invited me to accept the office. He did so without any previous arrangement; and he in the handsomest manner conferred upon me all the privileges, and advantages, and emoluments of the office, without the slightest bargain of any sort or description. The same feeling induced me to assist the friends of Mr. David Salomons, when they were desirous to promote a gentlemen of the Jewish persuasion, and asked Mr. Salomons to become sheriff. Neither Mr. Salomons nor the gentleman who had requested him to stand, had the slightest conversation with me upon the subject of the under-shrievalty. When he was elected, he did me the honour to confer the office upon me; and not only gave me all the fees and emoluments, but knowing that they were then falling off in amount, he made me a present of 500 guineas besides. I should state, with regard to Mr. Raphael, that I undoubtedly expected to be under-sheriff at the time that I paved the way for his being sheriff; and it was so stated by one of his friends at the common hall openly, avowedly, and publicly before the electors, that in electing him as sheriff, they were in fact paving the way for my accession to office. No conversation between Mr. Raphael and me, directly or indirectly, ever took place, but the livery perfectly understood that that would be the result.

A subject which I think has been interesting to the Commissioners has been the accounts of the corporation. I am not going to embark in that question. It must not be supposed that the accounts of the corporation appear in no other form than is shown in the blue book shown to the Commissioners. When the corporation complete any of their great undertakings, they publish a much larger book, containing the most minute detail of every part of the expenditure; and it is submitted to those who have an interest in the matter, I mean the Treasury or the Commissioners of Woods and Forests, or those parties who have an interest in controlling, or correcting, or revising the expenditure of the corporation in public improvements; and it is brought down so close that it gives, in proportions, the amount of the cost of the property, the amount from the sale of old materials, the amount of the expenses paid to claimants in the shape of law costs, the amount of the expenses paid to surveyors, to attornies, to officers of all kinds of the corporation, and down to the minutest portion of pence. I will send one of those reports to the Commissioners, and I think that, if they will trouble themselves to look over it, they will find it a document most creditable to the corporation in regard to the manner in which they present their accounts upon every undertaking that is committed to their charge.

8471. You do not mean to express an opinion that the accounts of the City may not be kept with greater simplicity and clearness than they now are?—I have no doubt that the accounts of the City may be kept with greater clearness and plainness; and that it has been an endeavour to accommodate new circumstances to old rules of accounting that has prevented them from taking that form which they otherwise might. But I can state, in reference to the account to which I have just alluded, that this is the report of a select committee of the House of Commons: "They are satisfied, from the documents laid "before them, that every judicious alteration and every principle of economy has been "applied by the corporation of London that was consistent with the attainment of the "great public objects with the execution of which they were entrusted. They also think "it incumbent on them to declare, that having had occasion to inspect the various and "complicated accounts which the management of so extensive a concern indispensably "required, and which were produced with a laudable readiness; it appears, after full "investigation, that all the details both of the revenue and of the expenditure are kept "with an accuracy and checked with a vigilance which reflects honour upon all who have "any part in the superintendence of the fund."

8472. What is this fund?—The Improvement Fund that was committed to the corporation. Under all circumstances, whenever they have been entrusted with the execution of any work, and have applied to Parliament for assistance, Parliament has always referred it to a committee, and this is the report of one of the committees upon the investigation of their accounts. These observations apply to extraordinary accounts, not to the usual and general accounts of the corporation revenue.

I now proceed to the fourteenth and last topic. I am afraid that I shall hardly satisfy the expectations of the Commissioners in dealing with the desired brevity with this part of the case; and I must entreat of them to give me a portion of attention, which nothing but what appears to me to be the great importance of this question could possibly permit me to ask of them. I have put into writing portions of my statement, in order that I may not wander from the points; and if the Commissioners will indulge me, this shall be the last topic on which I will offer any remarks. I now ask leave to narrate facts connected with what, in my opinion, is the most important charge made by the accusers of the corporation, as affects its present position and future destiny. This charge will be found summed up with the mildness of language becoming a document from a public body in the 12th marked paragraph in the City's statement:—"Sixthly, It is said that "the Lord Mayor, aldermen, and common council during the present century have been "and are shopkeepers; that they are greatly inferior to the corporators of former times, in

"rank, respectability, intelligence, and public spirit; that they are unfit for their positions, "and have been regarded with disrespect by the citizens." To these charges the corporation have contented themselves with modestly replying in page 81: "We deny "that there is any foundation for the assertion so often made, in terms more or less "disrespectful, that the corporation as a body are inferior to the corporators of former "times in the qualities essential to fill with honour and usefulness the position they "occupy." While the "City's statement" was in course of preparation, I desired to have the charges here referred to copied from the printed evidence *ipsissimis verbis*, in order that they might be severally and word for word grappled with and refuted. I was overruled by what, I suppose, was the better taste and kinder feelings of those who were responsible for the document, and the substance instead of the words was given. This delicacy of feeling has met with but a sorry return. Two of the witnesses whose evidence was thus referred to, have, I am informed, complained that their statements have been unfairly represented in this document. To avoid the imputation of garbling the evidence which I intend to adduce facts to refute, I respectfully request leave to read the quotations to which this part of the "City's statement" refers; pledging myself to lay before the Commissioners a series of facts, which will prove in the most unequivocal manner that every one of these important charges is entirely destitute of foundation. It may, perhaps, be suggested that such charges are rather matters of opinion than matters of fact; but when opinions are assumed to be deduced from facts, and are presented on oath to a tribunal like this Commission, for the purpose of producing important results, they may obtain with the multitude the character of facts, and they must be dealt with accordingly. So far as opinions are concerned, the difference between those which I shall express and those which they are intended to answer is this; mine are derived from and based upon facts which I will prove; whereas, for the opinions of which I complain, no facts have been offered; or where they have been they tend to disprove the opinions they are adduced to sustain. It should be recollected that these offensive statements have already been sent throughout the world through the medium of the public press. I have them before me printed in the usual form of an appendix to an official report; and they will, I presume, be laid before her Majesty's ministers and both Houses of Parliament as materials for future legislation. Whatever may be the recommendation of the Commissioners and the decision of Parliament on the matters on which the Crown seeks information; in my judgment, no corporation, however pure it may be, can usefully continue to exist as an instrument of local government, if it permits such charges as these to remain as uncontradicted evidence in a Parliamentary document under the seal of a Royal Commission, executed by men whom (as I hate even the appearance of flattery) I will not attempt to characterise. The Honourable Commissioners will, from these preliminary observations, appreciate the deep importance which I attach to the issue which has been raised by these statements, and it is manifest that the witnesses and the Commissioners must have thought such statements important and relevant to the present inquiry or they would not have been made. The first witness, who is an election agent, acting professionally in the matter, at the bidding of a body of unnamed individuals, ought not, perhaps, to be too nicely scrutinized. But the fourth and eighteenth and the twentieth witnesses are directors of the Bank of England, and the second and tenth witnesses are wholesale dealers. It is from their evidence I am about to read quotations, and I am convinced from their character and station they must have considered their statements and their opinions immediately relevant to the inquiry; they could otherwise be only looked upon as casting wanton and gratuitous insults upon men in authority, who, in every valuable quality are not inferior to themselves. I know the evil of overloading with documents a printed report; but I am sure you cannot but feel the consequence of which it is to a body of men who, in some form or other, are to hold authority, or at least to hold up their heads in society, to vindicate themselves; and it is impossible for them to do so unless these facts are dealt with. I will take the liberty now of reading the statements as they occur. I think you will see that if they are to go before Parliament, they should go with a thorough and entire answer.

The Commissioners intimated, that as the evidence was fresh in their memory it was unnecessary to read the quotations, but that references to them might be given.

Mr. City Solicitor.—I refer to the evidence of Mr. Acland, page 18, Nos. 146 and 147; page 22, No. 168; page 23, Nos. 187, 191, and 192. Mr. Travers's evidence, page 25, Nos. 211, 212, 216, and 217; page 26, Nos. 220, 221, 222, and 226; page 27, No. 232. Mr. Acland's evidence, page 39, No. 388; page 49, No. 480. Mr. Powles's evidence—page 111, Nos. 1037 and 1039; page 114, No. 1072. Mr. Bennoch's evidence, page 127, No. 1181. Mr. Hankey's evidence, page 168, Nos. 1692 and 1695. Mr. Cotton's evidence, page 197, No. 1797.

The following is, in a condensed form, the substance of the statements I have referred to. The witnesses say our corporate system is obsolete, old, worn out; that it is "a "humbug," and ought to be "swept away;" that "corporations are a nuisance, and ought "to be abolished, beginning with the corporation of London, and vesting its functions in "the Home Office." It is said, in effect, that the aldermen and common councilmen are "of the shop-keeping class, conducting their transactions in small coins, which gives them "a contracted view of subjects;" that they are persons of a selfish disposition, who take office for selfish and interested objects; that they are of a very inferior class to what they

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were anciently, and to even what they were fifty years ago; that "they have never led, "and have been with difficulty dragged at the tail of, popular opinion;" that merchants of a high class and men of high character would not take office with them; that they are depicted "in farces with a big belly, and caring for nothing but eating and drinking;" and that since the end of the last century there has been "a slur upon them;" they have been "spurned as something loathsome." The facts I shall adduce will shew that these charges are not only not true, but that the very reverse of every one of them is capable of proof. I have the original books from the corporation archives in court; and I am prepared, if the Commissioners desire it, to turn from time to time to the entries, and vouch the time, the person, and the place, to which every statement I may make is capable of being referred for proof. The witness No. 6, Mr. Pulling, occupied above half an hour, and consumed ten pages of paper and print in describing the commercial and constitutional history of the City of London from Tacitus to Stowe, from the Romans to the Stuarts. I will limit myself to six pages and twenty minutes in laying before the Commissioners a series of facts calculated, in my judgment, to prove that there is no period in which the aldermen and common councilmen of London have been, in the aggregate, more wealthy, more respectable, or more intelligent than the men of the present day, or when the corporation has manifested more zeal, fidelity, and ability in the discharge of its various important functions. The facts to which I intend to depose to prove my statement, have reference to the early part of the seventeenth, the eighteenth, and the nineteenth centuries. I will adduce a series of facts, to shew what was the position of the corporators and the corporation at those dates, and what is their position at the present time.

I first take the year 1663, not because it is affected by any peculiarity of circumstances, but because the City's account of receipt and expenditure commences with this year: the series of accounts which recorded the expenditure of former years, was afterwards destroyed in the great fire. In the reign of Charles I., before the breaking out of the civil war, ours was practically a close corporation. The Lord Mayor and aldermen had in their hands the uncontrolled government of the City. The Civic Court was composed of the mercantile aristocracy of the City, mixed up with persons in needy circumstances. As a Court of "Wards and Managers," they had vast funds at their command, out of which they were in the habit of making considerable loans to each other and to their friends, on their own security. They sold or otherwise disposed of, for their own use and benefit, places and appointments of great value, remunerated by fees. Of the metage dues (amounting to many thousands a year), which we have proof were received by the officers, who purchased their offices of the Mayor and aldermen, no part appears in the book of accounts. I have examined the book. I have it here ready to be produced if required. I further state that from the intercepting of this and other important portions of the corporation revenues its finances were in a desperate plight. Notwithstanding that some of the most eminent merchants and goldsmiths or bankers of that day were members of the governing body, they were driven to gratify their courtly extravagance as corporators on the most humiliating terms. Although, at one of the pageants on Lord Mayor's day, the conduits in the streets spurted out wine, and the Court of Aldermen complimented Prince Charles with a present of 500*l.*, gave the Queen a gold basin and ewer worth 750*l.*, and presented the King with a diamond that cost 4,000*l.*; the corporation were obliged to pay for it, 1,000*l.* down, and the remainder by instalments of 1,000*l.* a year. In those days the City Court, like the Court of Whitehall, was of the most motley order. Merchants of the highest grade held office in the corporation, and employed both the influence and the cash of the City to obtain rank and titles for themselves. They had, however, for their associates, placemen, pensioners, and dependents of all sorts, as members of the court They rarely allowed the common council to meet. In the year 1633, not a single Court of Common Council was held; and in the preceding and succeeding years only one, and they were indispensable to levy subsidies on the livery companies. At this time both the wealthy and the needy were borrowers of public money. As appears by their accounts at this time, fifteen living aldermen, and the executors of four who had died, owed the City upwards of 30,000*l.* lent to themselves or their friends, upon their security; and upwards of 10,000*l.* were then due to the trust fund, for arrears of interest, ranging from six months to nine years. I repeat what I have before said, I have no pleasure in speaking either of the living or the dead, to their disadvantage. I therefore mention no names, but I swear to the fact, and am ready to produce the proofs if required. It is to the bad name and the bad conduct of the aldermen in those days, and to the satire of the wits of that time, that their successors of the present day are indebted for much of the censure and sarcasm they now have to bear.

I pass from the beginning of the seventeenth to the early part of the eighteenth century. During the interval, the state of the corporation had been to some extent improved. The middle classes of the citizens, during the period of the Commonwealth, had acquired some power; and at the Restoration they struggled to retain it. Constant feuds arose between the commercial aristocracy and the citizens at large. At length, in 1723, the common council sought to pass an Act of their own body, to regulate all corporate elections; but it was resolutely opposed, and fifteen of the aldermen, by collusion with the government, obtained in 1724, the Election Act (11 Geo. I.); which, under the pretext of "settling controversies and dissensions" amongst the citizens, took away their ancient power to amend the customs, and fastened upon them and their posterity the

restrictive policy and complicated machinery of that detested measure. That there were "dissensions and controversies," amongst the citizens, as recited in the Act, there is no doubt; for the Lord Mayor and aldermen had sold all their valuable appointments, as their predecessors in the previous century had done; the only difference being that the common council had, in the interval, acquired the possession of one-third of the alienation price of office, and one-eighth part of the metage fees on coal and corn. The following is a list of the offices at that time sold by the Lord Mayor and aldermen and sheriffs, or by their authority and for their benefit: "The two secondaries of the Compter's judicial "offices, the comptroller of the chamber, the remembrancer, the city solicitor, the sword-"bearer the common hunt, the water-bailliff, the upper marshal, the under marshal, the, "keeper of the Guildhall, two yeomen of the wood wharfs, two meal weighers, "two clerks of the papers at the Compter's, eight clerk sitters at the Compter's, two "prothonotaries of the Sheriff's Court, eight attornies of the same court, the auditor of "the City and Bridge House accounts, the clerk of the City's works, the clerk comp-"troller of the Bridge House, the clerk of the Court of Requests, two beadles of the "same court, four onion and fruit meters, four salt meters, the clerk of the chamber, "the keeper of the green yard, the measurer of woollen cloth, the Bridge House "porter, the keeper of Bethlehem burying-ground, and two keepers of Moorfields."

8473. How were the proceeds of the sales of those offices applied?—To the Lord Mayor and sheriffs for the time being.

8474. They did not go into the corporation account?—One-third went then to the city; in the previous century the Lord Mayor and aldermen took the whole.

8475. Do you mean that they took them for their private use?—Yes. It is hardly credible, of such great men as we hear so much about; but it is the fact, and there are very distinguished names among them. Apart from the discreditable practice of selling judicial and administrative offices, it was a most imprudent and improvident course. Some of the appointments were sold for life or for years; with a power to renew the lease, or to put in a new life, upon paying a fine to the mayor or sheriffs for the time being. As these civic dignitaries held office only for a year, they were at the mercy of the appointees; and on the eve of the principals vacating their office they were glad to get any sum, however small, rather than leave the appointments to their successor. Some years were, from sudden deaths or other circumstances, of course, more productive than others. 1726 was a lucky year. The Lord Mayor received altogether 6,800*l.* for his share of these windfalls alone. Among other sums, he had 2,666*l.* 13*s.* 4*d.* for the sword-bearer's place; 800*l.* for an attorney's seat at the Sheriff's Court; and 1,780*l.* for one of the solicitorships in the Mayor's Court. This was one of the places sold with the right of alienation in perpetuity; and the corporation, during the past year, in order to enable them to reform and throw open the Mayor's Court, have been obliged to buy it up for several thousand pounds. I think 4,000*l.* is the sum which was given for it. At that time, as in the former century, though perhaps not quite to the same extent, the corporation was composed of the most diverse elements. The corporators had not, it is true, like their predecessors, the command of thousands of pounds of trust funds, to allure either the greedy or the needy; but they had in both courts specimens of both varieties. Placemen, and pensioners, and tradesmen to the corporation had seats in both, according to the morality of the day; they voted themselves contracts, and paid their own bills. One of the aldermen held the humble appointment of City printer, with a salary of 4*l.* a year; and the titled lady of a very eminent merchant, who had been Lord Mayor, enjoyed a lease of the laystalls or dung heaps in the City. The corporation, in the year 1727, owed the executor of their deceased chamberlain 7,000*l.*; but, in imitation of their predecessors, they expended 4,900*l.* in a banquet to the royal family, in the next year; in addition to the ordinary charges of the Lord Mayor's day. This period was undoubtedly one of the most disastrous and discreditable in the history of the corporation. When the Election Act, brought in by the fifteen aldermen, was pending in Parliament, it was opposed by the great majority of the citizens, headed by the common council, who expended 1,800*l.* in the opposition. Sir Robert Walpole's government supported the aldermen; and to prevent the citizens from meeting to petition against the bill, Guildhall-yard was filled with troops. Immediately after the passing of this Act the governing body exceeded, if possible, their predecessors in the arbitrary and improvident exercise of their newly-acquired powers. They took heavy fines for granting long leases at low rents (the enormous sum of 5,000*l.* for one lease); and having, by the Election Act, rendered it indispensable that all voters for corporate office should be freemen, they increased the redemption fine to 25*l.*, to meet, as the order of court expresses it, the debts of the City. They proceeded at the same time to levy fines, in some years to the amount of thousands of pounds, upon Dissenters, whom they nominated for sheriffs, knowing they could not conscientiously qualify for office by taking the sacramental test. They thus rendered themselves odious in the sight of the citizens. I have a list of the aldermen who at that time were directors of the Bank of England. Eleven of them were of that class. I should state that I have been at the Bank of England to check my list with their's. They did not know, till I informed them, which of the directors had been aldermen. They have record of only two aldermen that were ever Bank directors. One was Sir Brooke Watson, and the other Alderman Thompson; but I produced my list and corrected their's by it.

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8476. Were there eleven at one time?—At one time; at the time of this Election Act, when these transactions took place. Eleven of them were of that class; notwithstanding which the corporation was out of credit, and descended to the degrading expedients I have named, to get the possession of ready money; a strong contrast with the conduct of the same bodies during the last twenty-five years. During that time when, as Mr. Cotton, a Bank director says, there has been "a slur upon the corporation," and while the conduct of its affairs has been in the middle classes, the corporation has, at various times, for public improvements, borrowed of the Bank, at the lowest rate of interest, a million-and-a-half of money; every payment, both of principal and interest, having been made with perfect punctuality.

It is said, that when matters are at the worst they mend; so it was in this case. In 1724, Mr. John Barnard became the champion of the citizens in opposing the Election Bill. Shortly afterwards he was elected a member of Parliament for the City, and an alderman. He was not a Bank director, or one of the so-called great merchants of the day; but of the middle ranks of the commercial community, a man of independent mind and means. Our present noble Home Secretary is descended from this great corporation reformer. It was he who brought in the celebrated Act of common council, which took from the Lord Mayor and the sheriffs the sale of places, and obtained for the corporation the revenues arising from the metage of coal and corn. During his corporate life, upwards of thirty years, he laid the foundation of many other reforms. Pope, in doing homage to virtue, couples Sir John Barnard with the "Man of Ross." He received a public funeral, and a statue to his memory was erected in the Royal Exchange. Since his day the ranks of corporate reformers have never wanted leaders from amongst the middle classes of the citizens. I can prove this from my own knowledge and recollection, for well nigh fifty years; and numerous pamphlets, newspapers, and addresses I have read supply the evidence for the intervening period. Alderman Waithman, Alderman Wood, Alderman Thorp, Alderman Goodbehere, Alderman Oliver, Alderman Combe, Samuel Thorp, Samuel Favell, John Cowley, Thomas Dornford, Joseph Harcombe, Alexander Galloway, Richard Taylor, and many other common councilmen (omitting living corporators), all of them manufacturers, or wholesale and retail dealers in the City (not great merchants, as in former times), have proved that their order furnishes materials out of which a good municipal body can be formed; and it is to them, and men like them, independent men of the middle class, that the world is indebted for most of the great reforms which have taken place in this country, during the last century; not in the corporation alone, but in the other institutions of the nation.

The witnesses No. 20 and No. 10, appear to me wholly mistaken in supposing that in the latter part of the last, or the commencement of the present century, any marked change took place in the character or circumstances of the aldermen, to distinguish them from the members of the court in previous years. The court was then, as it had long been, composed of the most discordant elements, as regarded both their political opinions and their commercial positions. There were in the court at that time, merchants and bankers, holding the highest rank in the commercial community; and at the same time there were gentlemen, who though they had fallen from their high estate, both in commercial and personal consideration, yet still clung to their gown, possessing or hoping for some of the emolumentary appointments, which the corporation then had in their gift. I desire to handle this subject as delicately as may be consistent with the positive refutation of a specious fallacy; I refer to this period, not because it was invested with any peculiar characteristics, but because it had been selected by these witnesses, to illustrate the statement that from that date the corporation lost *caste* in the mercantile world, and has been since looked upon, as one witness says, as "something loathsome." I refrain from mentioning corporators by name, connected with this period of our municipal history, as I have done with those who lived in the early portions of the seventeenth and eighteenth centuries; but I have no hesitation in saying, that evils similar in principle, though less in degree, attached to the last, as they did to the former periods to which I have referred; the extremes of wealth and poverty were associated on the same bench, the only difference being that, at the latter date a portion of the middle order of citizens had been forced into the Court of Aldermen; and the Court of Common Council had acquired a degree of weight and influence which it had never before possessed. I wish to avoid mentioning names, but I am prepared if required to do so. I however state that, at this latter period, when, I repeat the very greatest merchants and bankers were aldermen, the court was half filled with persons of fallen fortunes or with placemen under the government or the corporation; the commissary general was an alderman; two government contractors were aldermen; the collector of the orphan dues was an alderman; the collector of the wine duties was an alderman, both of them appointed by their own court, executing their offices by deputy, and having large balances in their hands; the chamberlain and the high bailiff continued to hold their gowns along with their lucrative offices; and the office of salaried justice of Southwark was likewise then, or shortly afterwards, filled by an alderman. I have looked at the list of the men on the bench, in the interval between 1795; and 1805, and I am prepared to state that, although I repeat many of them were merchants and bankers of the highest credit and character, there were mixed up with them, one gentleman whose debts had been compromised by public subscription at 5*s.* in the pound; another was for years in the Rules of the Fleet and as to four of the others, whatever may have been their

position at the time, they or their families became dependents on the corporation for bread. "The race is not to the swift nor the battle to the strong; but time and chance "happen unto all." I mention no names; I desire to cast no censure; I merely narrate facts which it is essential should be known to dispel a fallacy which has been put before the Commission.

I come now to a period when I can speak of facts within my own knowledge; I am a genuine cockney; and as soon as I was of age, I began to interfere with corporate affairs. Another reason for referring to this period, is, that there is no living corporator who was in the court before 1816; no man responsible for any transactions before that time; they answer for themselves since that date, and can do so proudly. I will mention what was the state of the corporation in 1817, when I joined it in that year. On the day I entered the common council there were two reports before it for consideration; the one was a report from a committee bringing up the bills for an entertainment given by the corporation of London to the foreign Emperors and to the Duke of Wellington. The amount of the bills together for the two entertainments was 25,000*l.*, and this book contains the details of it. It was the termination of the war, and if the corporation had had 25,000*l.* to spare, I should have very much commended them for giving such an entertainment; but at the same court came under consideration, a communication from the chamberlain to this effect: "The committee are doubtless well aware of the inadequacy of the present "income of the corporation to meet its general expenditure, which has produced alone, "within the last four years, a debt of 33,000*l.* and 25,000*l.*, three per cent. stock, "independently of upwards of 10,000*l.* now in advance and due to me, which has been "principally occasioned by the increased expenses of the gaol in the last two years;" that is to say, the 10,000*l.* had been principally occasioned by the increased expenses of the gaol. I declare, under the solemn obligation which I have taken in coming here, that the Lord Mayor then communicated to the court, that the baker had refused to trust the corporation with bread for the prisoners in Newgate, unless he, the Lord Mayor, would give his personal security; the chamberlain had refused to give any undertaking, and the Lord Mayor called upon the court to provide the means. The report brought up on that day contained a statement that they were indebted to their officers in large sums of money. In fact they had been for many years in the hands of their officers. They owed to their officers 25,000*l.*, and they had borrowed of a trust estate of which they had the management, the Bridge House Estate, 75,000*l.* The report states, "We beg leave "respectfully to submit to the consideration of this honourable court, whether the excess "of the said charges should be defrayed by a rate to be in future raised upon the "inhabitants of this City, in the nature of a county rate, or by what other means the "same should be provided for." I was sent into the common council a reformer to oppose the rate; I moved to send the report back to the committee for reconsideration. Eight new men were put upon the committee, myself and seven others, and we vowed that we would neither eat nor drink at the public expense till we had rectified this, and got the corporation out of debt. We kept our pledge—we laid the foundation of certain important reforms, and dragged them out of debt, and then had the gratification of dining, like honest men, upon money fairly applicable to such a purpose. Now at that time we had not got rid of all the incumbrances upon the corporation. Then there were very great merchants and bankers, and there were paupers and placemen in the court. From that time the corporation has been pursuing what it had before begun, a system of reform, which has led very rich men to leave the corporation; the very poor men it has excluded; and it has supplied the corporation with the middle class to which, in my judgment, you can alone look for a good municipal body.

8477. Why do you apprehend that these reforms have had the effect of inducing the higher class of merchants connected with the City of London to keep aloof from the corporation, into which they would have before entered?—I will think before I answer your question, because I wish to offend nobody. I am not a leveller. I believe that when there is not, as was formerly the case, great patronage and great power in the corporation, the power of lending large sums of money, and when it is not an avenue to court favour, great merchants find that they can acquire distinction by more easy means, and they will not pursue that course. One of the reforms which we determined upon was, to test every man before he was elected an alderman, by calling upon him to pledge himself, as a man of honour, that if he became unfortunate in business he would resign his gown. I was one of a deputation to a very eminent banker, and we solicited him to stand for an alderman's gown. He was yielding, as it appeared to me, to our solicitation. Just as we were leaving, I said, "Oh, by the way, we shall have to apply a test to you; of "course nothing offensive to you;" rather apologizing for asking him to pledge himself to such an improbable state of circumstances. I do not know whether it had any effect upon his mind when I told him of it, but, *cum hoc*, I can say he declined, and two years afterwards he failed. Great men did not like to be called upon to make such pledges. Some men did give them who honourably redeemed them. I can name men who took those pledges that were as little likely then to fail as any of the great merchants of former times; but they became unfortunate; and when called upon personally by their pledges to retire, they redeemed them; they did not lurch for the chamberlainship, or for any places that were in the gift of the court, which in the present day no member of the court can hold. Formerly they were retiring places for gentlemen who were unfortunate.

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8478. Surely there are a great number of the higher merchants of the City of London with whom the fear of insolvency would not operate as a reason for declining the civic office; but who would be operated upon by the same motives for taking their share in the corporate business of the City of London, which induce merchants of the same standing in Liverpool and Manchester to do so. How do you account for that peculiarity which has undoubtedly existed of late years in the City of London; namely, a keeping aloof from civic business, generally speaking, by the great merchants?—I have disposed of that part of my case.

With your leave I will now proceed to examine the first witness's description of the London aldermen and common council, and will read the question No. 146 and his answer:—"Do you mean that the corporation is too much separated in point of feeling and "interest from the leading merchants of the City of London?"—"My impression is this: "The corporation of London, common councilmen, and aldermen are of the shop-keeping "class; and entertaining the conviction, as I do, that counter transactions in small coins "have no tendency to give a man enlarged views, or habits of viewing, in a large sense, "any interests which he may be delegated to promote; such men, I believe, have not the "power of promoting them, and they are therefore not qualified for the offices they "fill." The following is this gentleman's description of the aldermen:—"There are "twenty-six aldermen; the trades and professions of the twenty-six aldermen "are mentioned in the paper I have before me; there are two auctioneers, two "wharfingers, two stock-brokers, two builders, one ironmaster, one retired saddler, a "china manufacturer, a bookseller, a silk manufacturer, a dry salter, a stationer, a retired "lottery office keeper, a corn factor, a wine merchant, a coal factor, an upholsterer, a tea "dealer, a print seller, a grocer, a solicitor, a clockmaker, and a salesman, and banker. "You have twenty-six aldermen of those trades." By examining this statement in detail we shall find how much is fact and how much fallacy; we shall see what amount of mere literal truth and what amount of apparent misrepresentation it contains. He says there are two auctioneers; this statement refers to Mr. Alderman Farebrother, who is, and Sir John Musgrove, Bart., who was of that profession. Alderman Farebrother may, perhaps, be said to stand at the head of his profession; he is also proprietor of a large manufacturing establishment in London, and is engaged in considerable mercantile transactions in the City. Alderman Musgrove, when he became Lord Mayor, retired from the profession which he had long conducted on an extensive scale in Broad Street ward, where he successively served as common councilman, alderman, and Lord Mayor. He is a director of the Union Joint Stock Bank. In his retirement he is an acting magistrate in Middlesex and Kent, in both of which counties he possesses considerable property. Alderman Farncomb is one of the wharfingers referred to. He has occupied a wharf and warehouses in Southwark for several years. He is a director of the London and Westminster Joint Stock Bank, and also a magistrate of Surrey. Alderman Humphery likewise carries on business as a wharfinger and a merchant in Southwark. He is the owner of extensive docks, wharfs, and bonded warehouses within the borough, where he has carried on business nearly half a century. He also represented the borough in Parliament for twenty years. Mr. Humphery is likewise a magistrate for the county of Surrey. Alderman Sir Robert Walter Carden is, as stated, a stock-broker; but having a partner in business, he is enabled to devote an unusually large portion of his time to the public service as an alderman. Sir Robert is also a magistrate for the county of Middlesex. It is presumed that the other stock-broker referred to is Mr. Salomons, although he is now entirely out of business, and never was a stock-broker in the ordinary acceptation of the term. It has been his lot to be elected an alderman of London for three several wards. Determined practically to aid the developement of the liberal opinions which characterize the age, he sought and obtained at the hands of his fellow citizens, twenty years ago, the office of sheriff of London and Middlesex, and the office of alderman for two of the wards of the City as they became vacant, at a time when gentlemen of the Jewish persuasion were supposed to be ineligible. Mr. Salomons, who is himself a member of the English bar, contended for his legal admissibility to office. But although the point of law was determined against him, the legislature has so far given its sanction to the influence of popular opinion in liberalizing municipal institutions, as to legalize the admission of Jews to all corporate appointments. The firm of which Mr. Salomons was the head was of high standing as capitalists in the City, in which himself, his father, and grandfather were born. Although he has quitted business, he is a very active director of the London and Westminster Joint Stock Bank, and is chairman of the associated committee of those great establishments. Mr. Salomons has served as Sheriff of Kent, and was returned to the Parliament of 1847, as representative for Greenwich, although, from the existing state of the law, he was not permitted to take his seat in that assembly. Mr. Salomons is an acting magistrate for the counties of Middlesex, Sussex, and Kent, in which he possesses considerable freehold estates. Alderman Cubitt and Alderman Lawrence, are the builders referred to; the former has long been known to the public as one of a class of builders and contractors whose extensive works are characteristics of the age. He relinquished the active duties of business when he became an alderman; he is likewise a member of Parliament, and a magistrate for Surrey and Middlesex. Alderman Lawrence was for many years a common councilman for the ward he now represents in the Court of Aldermen. He carries on a very large business as a builder and contractor, in partnership

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with his sons, who conduct the affairs of the business, leaving the alderman to the uninterrupted discharge of his corporate duties. He is also a magistrate for Middlesex, in which county he resides, and possesses a large freehold property. Alderman Thompson, the iron-master referred to, has been governor; and is, and has been for many years a director of the Bank of England; he is likewise a merchant and a shipowner, as well as an iron-master of high standing. He is also chairman of St. Katherine's Docks, and chairman of the Association of Merchants trading to the Continent, and was formerly chairman of Lloyds. For above thirty years this gentleman has been a member of Parliament, formerly for the City of London. He is, and has been for ten years, one of the representatives of the county of Westmoreland; for which county, as well as for Middlesex, he is a magistrate. Sir Peter Laurie is the retired sadler spoken of; after having acquired a fortune by trade, this gentleman retired from business, upon his being successively elected sheriff and alderman of London, nearly thirty years ago. Sir Peter is likewise an active Middlesex magistrate; and it is a coincidence which provokes observation, in times when it is pretended that the pursuits of trade are disqualifications for the magistracy, that one of the most able and most useful of the police magistrates of the metropolis, Sir Richard Burnie, many years the chief at Bow Street, was in early life engaged in the same pursuits with Sir Peter Laurie. Sir Peter is also the active chairman of one of the most extensive and successful monetary establishments of the City, the Union Joint Stock Bank. Alderman Copeland, truly designated a china manufacturer, is the head of the eminent firm so long known as Spode and Copeland. Besides his extensive manufacturing and wholesale house, the alderman is a large coal-owner in Staffordshire, and has long been engaged in mercantile concerns in the City. He was a member of Parliament for nearly twenty years; for fifteen of which he represented Stoke-upon-Trent. the seat of his extensive manufacturing operations, where he employs about 1,000 hands. Alderman Copeland is in the commission of the peace for three counties. Alderman Kelly conducts, and has for very many years conducted with honour and success, a large business as a bookseller and publisher in Paternoster Row; he graduated to his present office, by serving his fellow citizens many years as a common councilman and deputy of the ward he now represents. Alderman Wilson is supposed to be the person referred to as a silk manufacturer. He was, in early life, the successor to a very large wholesale establishment in the City, being carried on by his family in the silk trade. Having an ample fortune, he relinquished business upwards of thirty years ago, since which he has dedicated himself to the public service. Besides being an alderman of London, he is an acting magistrate for four counties, with which he is connected by property or residence. Alderman Finnis may possibly be the person referred to as a dry salter, having been a common councilman and deputy of the ward of Tower, for many years. In 1848, he took upon himself the office of alderman, at the invitation of the leading merchants and other inhabitants of the ward. Mr. Finnis is the head of a large shipping house and a partner in a considerable mercantile firm. Sir William Magnay, Bart., though not now a stationer, carried on for many years a large wholesale and export trade in that department in the City. He has now retired from business, but he is a director of one of the old insurance companies of the City. Sir George Carroll, many years since retired from business, after the discontinuance of the state lotteries; he is a director of the London Joint Stock Bank, the Alliance Insurance, and other important public companies; he is also an acting magistrate for Middlesex and the county of Essex, in which he principally resides. Alderman Muggeridge; this gentleman was a common councilman and was unanimously elected alderman of his ward. Although a young man, and the founder of his own fortunes, he has become one of the most considerable corn merchants and factors in the Port of London, and has extensive mercantile transactions both at home and abroad. Alderman Hooper, having served his fellow citizens for several years in the common council, was elected an alderman of the ward in which he and his family carried on a wholesale business as wine merchants for many years. He was Lord Mayor in 1848, and gained golden opinions from the Government and his fellow citizens, in making arrangements to preserve order at that memorable period. Sir James Duke, Bart., has retired from the business of a coal factor, which he successfully conducted for many years. Sir James has been in Parliament for upwards of fifteen years, and now represents the City of London; he is one of the directors of the London Joint Stock Bank, and an acting magistrate for Middlesex and Sussex. Alderman Hunter, described by the witness as an upholsterer, rose to his position of alderman through the ranks of the common council. He carried on a wholesale business in the City for several years; and having acquired considerable wealth, retired in favour of his sons, and now devotes the whole of his time to his public duties. The present Lord Mayor is described by the witness as a tea dealer. He is the type of a class unknown in the times when, although the principal merchants of this City were aldermen of London, the amount of their annual transactions were insignificant as compared with the great wholesale and retail houses in the present day. Alderman Sidney is at the head of a large retail establishment in Ludgate Hill. His firm have likewise wholesale and retail houses of business in Leeds, Dublin, Bristol, Norwich, and Hull. In common with other great concerns in this age of active commerce, the Alderman has extensive wholesale transactions, and the aggregate amount of the returns of his firm would cast into the shade many of the men who were regarded as the principal London merchants a century ago. Alderman Sidney is a magistrate for

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Middlesex. He sat in the last parliament for Stafford, his native town; and having relinquished his seat, he was at the last election nominated for Leeds; and without being present, or canvassing a single elector, 1,000 voters polled on his behalf. Alderman Moon has been long known as commercially connected with the fine arts, and formerly kept a print-shop in the City and in Pall Mall. The Alderman served his fellow citizens for many years in the common council. He has now retired from business, but is still closely indentified with the local interests of the City, by the possession of a very large amount of freehold property, contiguous to the Royal Exchange. Alderman Moon, like most of his brethren, is a county magistrate. Sir Chapman Marshall; this gentleman, having been connected with the corporation for several years as a common councilman, was, in 1832, elected an alderman. He was for several years the head of a firm of wholesale grocers in the City, from which, however, he has retired; and having passed through the shrievalty and mayoralty with honour, he devotes his time to the discharge of the functions of alderman, seeking no other reward than the good opinion of his fellow citizens. Alderman Wire is a solicitor in extensive practice in the City. He, like so many of his colleagues, long served the City in the common council, until he was invited to take the gown by a requisition signed by all the inhabitants of the ward, which includes the establishments of Baron Rothschild and Mr. John Ingram Travers, both of whom attended, with other inhabitants, to introduce him to the Court of Aldermen. Alderman Carter takes rank as an intelligent and successful tradesman in a country once called in derision a nation of shopkeepers. Mr. Carter succeeded his grandfather and father in business as a watch and chronometer maker; or, as the witness is pleased to call him, a clock maker. Alderman Carter, five-and-twenty years ago, received the chief prize from the Admiralty Board for a chronometer made by his hands, or under the immediate direction of his skill; he afterwards received three other prizes from the Board and was elected a fellow of the Royal Astronomical Society. The employment of skill and science in the production of articles of such vast importance as accurate chronometers to the commercial world, when combined with honourable conduct and independent position affords a strong recommendation to the good opinion of a commercial community. Alderman Challis is at the head of an extensive business as a factor in London; and, in connection with his son, has established a banking-house in Smithfield. He is a Middlesex magistrate, and a member of Parliament for the borough of Finsbury, in which he possesses very extensive property. The foregoing statement will show the tendency of the constituent body to regard with favour all old servants; they prefer old faces to new ones, and desire to advance to higher stations those who have served them in other positions. Thirteen out of the twenty-six of the present race of aldermen have graduated from the ranks of the common council; sixteen of them are county magistrates; eight of them are or have been members of the legislature; and nine have retired from business, and have thus their time at their own disposal, to be used in the public service. The Lord Mayor estimated the property of the existing body of aldermen at between three and four millions sterling. I have no standard by which I can measure their wealth; but after death, Doctors' Commons does afford some information as to their predecessors. I have had a search made for the wills of the last six aldermen who have departed this life; and after making certain deductions, which are required from the full amount, for probate duty, they will be found to have left behind them considerably more than 300,000*l.* in personal property; and from some knowledge I have upon the subject from various sources of information, I believe that the aggregate amount of their freehold property exceeds that sum.

8479. Do you mean that each of them left that amount, or the aggregate?—In the aggregate. Before I close this statement, I should remark that the aldermen concurred in the very Act of Parliament which was obtained for disqualifying men from holding corporate office in the City, if they were either bankrupt or insolvent, or if they did not attend to their duties for six months. Those two classes were cut off; which classes constituted, in my judgment, the chief defect of the corporation in past days; that is, gentlemen who kept their honours and their place, though they never attended, and did no work; but left it to men who, whether they had lost their honour or not, had lost their position, but retained their gown. I have known aldermen, gentlemen of high respectability, who have not been near the council, and, I believe, even for years. That cannot now take place. For the purpose of meeting a question which was put to one of the witnesses, "Whether a merchant of the "first rank would be well received by the corporation," I may state that he would be well received; and I refer to the case of a gentleman of that class who now holds office, I mean Alderman Thompson. Ill health, other avocations, and perhaps some indisposition to the mere routine of office prevent him often coming amongst his brethren; they cheerfully do his duty for him amongst themselves. The nine gentlemen I have referred to, who have retired from business, cheerfully undertake Alderman Thompson's duty, so that the public service does not suffer; and I may say in addition to that fact, that it being in the power of a ward to petition against an alderman who did not attend to his duty for six months, as a ground of disqualification, Alderman Thompson felt it right and delicate of him to communicate to his ward his desire to retire; but, at the request of his ward, he continues in his office; and his brethren of the Court of Aldermen do his duty for him whenever, from any circumstance,

he cannot attend. In a printed list containing a return of the number of attendances at the Guildhall Justice Room, for the hearing of police summonses at Guildhall and for the despatch of business, from the 9th November 1852 to the 8th November 1853, pursuant to an order of the Court of Aldermen of the 22d November 1853, I find William Thompson, Esq., M.P., with a nought to his name. I find the other gentlemen to whom I have referred as having retired from business, such as Mr. Wilson, thirty-three times; Sir Peter Laurie, twenty-seven times; Sir Chapman Marshall, twenty-three times; Mr. Moon, thirty-three times; Mr. Finnis, thirty-three times; Mr. Lawrence, sixty-three times; Sir Robert Walter Carden, twenty-nine times; and so on. I am thus able to answer the question; and show that a merchant of high position who would take his share of the duties and entitle himself to the ease of retirement by early service, would be received most courteously and gracefully. But, as I humbly submit to the Commissioners, one Bank director, one such man as Alderman Thompson, coupled with the other aldermen, affords a fair type, a fair representation, a high representation of the commercial body in the City of London.

8480. Do you mean to state as a matter of fact that the higher class of the merchants of London are fully represented in the present corporation?—In point of numbers, I think they are, taking the whole constituent body into account. I think that one person of the class of Alderman Thompson bears a fitting proportion to the whole body of that class.

8481. I suppose you would desire, as far as possible, in any local institution to combine all classes, looking to intelligence and responsibility, in managing the affairs?—All classes who would work. I do not desire to see many Alderman Thompsons, much as I regard him. He has earned his leisure by early service, but I do not desire to see gentlemen brought in for ornament, who might come down to vote upon particular occasions, and not give to the city the benefit of service.

8482. I believe that in some of the provincial corporations of England, it is not unusual for merchants and others whose time is very much occupied, and who cannot devote much time, year after year, to the affairs of the corporation with which they are connected, yet to accept the office of Mayor; so that occasionally a man of that sort is put at the head of the corporation as Mayor. Do you think that desirable?—I do not, for two reasons. The admission, I do not mean a rare single instance, but the admission at all frequently of such a principle would be attended with two evils; in the first place it would bring in persons who had not been qualified by previous municipal education in the inferior offices; and in the next place, it would damp the enterprise and energies of other men who would give to the public a large share of service, in the prospect that they would have their reward in the chief magistracy.

8483. Do you think that if it were made optional with an intelligent constituency to determine that point, they might be safely left to judge how far it would be desirable occasionally to place a first-class merchant at the head of a corporation like that of London; without excluding from that honour others whose transactions might not be equally extensive. If the power were placed in good hands, do you think they might be left to decide that question; or do you think that the highest office in the corporation ought to be necessarily confined to those who have served the office of alderman?—I think if you were to extend the right of voting to all rate-payers in the City, or to their representatives, you might then safely leave such a decision to them. I think that the education which the office of alderman gives would, to such a constituency, be almost a certain recommendation to office; and that the line would rarely be broken, and if it were broken, it would be in consequence of some extraordinary qualification which would command the respect of everybody.

8484. You think that a good constituency would be able to judge of what was fairly due to the claims of service to the corporation; and also to those claims which general commercial eminence might present?—I do not think it would, and I do not know that such a thing would be undesirable; but I am a servant and have masters over me. I do not know what their opinion may be, and I therefore speak with diffidence.

The description of the position of the corporators, which I have before read, the Commissioners will recollect was made by the witness to apply to both the aldermen and the common council. I read it in the place as applied to the aldermen, because it was more inapplicable to them possibly than to the common council; but you will keep it in mind in regard to what I am now about to read respecting the common council. The assertion, it will be observed, equally addresses itself to the members of both courts. The honourable Commissioners, who may be supposed to have been unacquainted with the gentlemen who compose the common council, must have formed a very erroneous opinion of their commercial and social position in the City, as well from hearing this statement as from the same witness's description of their trades in a later period of his examination. Although gentlemen aspiring to a seat in the Court of Aldermen, it is reasonable to conclude, held higher stations in the City than, *cæteris paribus*, those who remain members of the larger body; yet the witness's reference to "counter transactions in small coins," as regards the common council, is, in the greater number of cases, literally, and I may safely take upon myself, that it is in almost all cases, substantially fallacious. Common councilmen of the present day are respectable citizens; very many, I believe most of them, are wholesale dealers; holding place between the higher order of merchants on the one side and the smaller retailers on the other. Although engaged in business on the confines of both classes, they are frequently blended in their transactions with one or the

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other. The Commissioners have received from several members of the common council evidence as to the commercial position occupied by themselves and their colleagues in their own and in neighbouring wards. Amongst my own immediate acquaintance in the common council, I can name four of them who are county magistrates. A very large number are, to my knowledge, possessed of independent means and business habits; and have been selected on account of these qualities, to fill the position, not only of corporators, but of directors in important public companies. Some few of the members to whom these observations apply may be still found, it is true, in the very retail shops in which they acquired their independence. For example, one of the deputies of Bishopsgate ward is a baker. A few years since, when chairman of the Navigation committee, it was asked by a witness in a committee of the House of Commons, "What could a baker, who had no "concerns with the river, know about its trading interests;" it turned out, upon inquiry, that he was at the time a shipowner, an importer, and a director of a steam-boat company. A few months since, this gentleman received a public testimonial of respect from his neighbours, after having resided amongst them for half a century. Although of independent means, he takes a pride in "sticking to his shop," as he terms it. He may be seen daily coming from his country residence to his place of business, where he has lived for forty years. From thence, in the middle of the day, three or four times a week he wends his way with a cheerful countenance either to Guildhall, where he takes his seat as chairman of the Commissioners of Sewers or of the Police committee; or perhaps to one of the old London Insurance companies, where he succeeded in the chair the son of an English earl, one of the most honourable, able, and gentlemanly men in Europe. I concluded my observations respecting the Court of Aldermen by a reference to Doctors' Commons. I have had searches made as to the property left by five gentlemen of the common council, who died in the last year; they left in personalty 130,000*l.*; and, to my knowledge, one of them had very large freehold property; and, as I am informed and believe, another of them had distributed among his family a very large sum shortly before his decease. If property is to be considered a test of fitness for the common council, the average property of these gentlemen may be regarded, I submit, as a high qualification of the class to which they belong.

I now turn from what men have been, and what men are, to what men have done; and with that I shall desire to close. From the extracts of the evidence I have read, we see that one of the witnesses has said, that the corporation have never led, and could hardly be driven to follow at the tail of public opinion. The corporation, it is known, possesses the right of addressing the Throne, and petitioning Parliament by their sheriffs at the bar. If they have acted as this witness says, they have abused their privileges, and deserve the censure he has cast upon them. I have examined the records of the common council for the last fifty years; and I declare that they will be found at all times in the van of public opinion, as far as relates to both national and corporate reforms. From the year 1780 up to the passing of the Reform Act, they led the liberal party in the nation, by petitioning for reform, for reduction of places and pensions, and for the enforcement of economy and retrenchment in the public expenditure. They petitioned for the abolition of slavery in our own Colonies, and for the suppression ofthe slave trade throughout the world. They petitioned against state lotteries, as encouraging the spirit of gambling. They abolished the packing of juries in the City, which led to the reform of our jury laws. They relinquished their own profits, and purchased up their joint proprietors' rights at a cost of 1,000*l.*, by which they were enabled to suppress Bartholomew fair. This led to the suppression of similar nuisances in the neighbourhood of the metropolis. They gave a public sanction to the decent observance of the Sabbath, by sacrificing a portion of their rents in closing their markets on Sunday, when other metropolitan markets were left open. They petitioned for the repeal of the Test and Corporation Acts, and for the removal of Catholic disabilities, long before those restraints upon religious freedom were removed by Parliament. The corporation, upon several occasions, petitioned Parliament to equalize and consolidate our criminal code and to mitigate its rigours, while Sir Samuel Romilly was struggling with prejudice and power to accomplish these objects; which have been since largely promoted, if not entirely effected by Lord Lansdowne and Sir Robert Peel. The corporation have repeatedly petitioned Parliament to confer upon the Jews the same civil privileges as their fellow subjects enjoy; and they gave practical proofs of their sincerity by admitting Jews to the freedom of the City, and abolishing the thousand pounds' fine for Jew brokers' tickets; which had been imposed when the rich merchants bore the sway in the corporation, to operate at once as an instrument of extortion, and a badge of disgrace. At a charge of 7,000*l.* a year they established a body of day police, armed, accoutred, and clothed, for the protection of the persons and property of the citizens, when no such body existed in any other part of the metropolis. At the approach of the cholera in 1832, the corporation authorized the appropriation of 10,000*l.* to provide temporary hospitals; and a medical staff for the diseased, and a suburban place of interment for the cholera dead, had the mortality spread, as was the case in some other populous places. The Commissioners of Sewers in the City of London have taken the lead, both theoretically and practically, in effecting sanitary improvements in the streets and sewers, and in the dwellings of the poor. There is, I believe, no portion of the metropolis which, under such unfavourable circumstances, is so well paved, lighted, cleaned, and guarded as the City of London. The corporation have

greatly diminished, and are proceeding to abolish official fees in every department of their corporate government. They appointed a committee of clerks and officers, by whose labours they have been enabled to diminish the number and consolidate places of profit; and though the duties of their officers have been greatly increased during the last thirty years, their salaries have been in most instances reduced. I put in a book of reports which have been made, as to all the offices of the corporation, in which the reduction of salaries and the regulation of duties have taken place. The common council in 1833 abolished the ballot, which had been previously used in the selection of officers. By abolishing the ballot, the accountability of the representative in the exercise of this important act of delegated authority, was restored to the constituent body. To increase the influence of the constituent over the representative body, and to give them increased knowledge of the manner in which their affairs were conducted, the common council in 1811, provided for the annual printing of the accounts, and the minutes and reports of their proceedings; with the same object they provided seats for the reporters of the public press in the body of the court. In 1836, the common council passed resolutions requiring divisions to be taken in the presence of strangers, and to be published in the minutes, and also the names of the members present at the opening of the court. Standing orders have been made, a copy of which I will lay before the Commissioners, from which it will be seen that effectual precautions have been taken to exclude all possibility of jobbing by the members of the corporation; they have carried this principle to an extent not known in any other elective assembly, for they extend its operation to members after they have left the court, as well as to the sons of the members themselves. They likewise have made standing orders, by which they exclude placemen of the Government and placemen of the corporation from seats in the court or at their committees. The aldermen themselves have opened their doors to the public, and no longer deliberate in a closed court. We have seen that by the extravagance and mismanagement of the corporate funds by their predecessors, so late as 1817, the existing corporation had become involved deeply in debt, not incurred for public improvements, but by the excess of ordinary expenditure over ordinary revenue; by sacrificing justice to generosity and giving costly entertainments to princes when the prisoners were threatened with want of bread; within five years of that time, the corporation, by excluding jobbing in every department both of expenditure and receipt, and by diligent attention to their corporate management, lifted their receipts above their expenditure; discharged all debts to their officers; and replaced the trust funds they had expended. Since that time, with due regard to vested rights, they have bought up, at a cost of more than 40,000*l.*, various places and appointments, judicial, administrative, and fiscal, which places, as the public interests have demanded, they have abolished or placed under control. The corporation during the same time have reduced or remitted fines and fees to an amount exceeding 300,000*l.* Out of their increased revenues in 1835, the corporation erected and endowed a grammar school in the City for 600 youths, at an outlay of 20,000*l.* and an annual cost of 1,000*l.* In 1824, they founded a library, at a cost of 2,000*l.*, with additions to the extent of 200*l.* a-year from that time. The common council, within the last ten years, erected and endowed alms-houses, and a school for the benefit of decayed citizens, their orphans, and widows, and from the year 1817 to the present time the corporation out of their revenues have paid for charitable purposes very nearly 100,000*l.*, and to public improvements upwards of a million of money.

I have now only to express my obligations to the Commissioners for indulging me with this very long and very patient hearing. I am authorized by the committee to say, that I believe I am the last witness. The chairman of the committee is here; he has probably some observation to make to the Commissioners. I can never be sufficiently thankful to you for the kind manner in which you have been good enough to listen to me.

8485. I will read you a passage from the report of the municipal Commissioners on the corporation of London with respect to the markets. The passage is this, "The charter "granted to the City 1 Edward III. s. 12., contains a declaration that no market "shall be granted by the Crown to be holden within seven miles all round about "the City; which grant was renewed nearly in the same terms by the charter of "14 Charles I, s. 14., and under these grants the corporation has always insisted "on the necessity for its consent being obtained to the establishment of any market "within those limits. Even when the corporation has not opposed Bills in Parliament for such markets, it has been usual to require their formal consent under the City "seal, before the Act could be passed." Can you explain to us what steps the City have taken at any time with respect to the assertion of that privilege?—I cannot. I was always opposed to any exercise of it when I was a member of the court. I do not know what has been done.

(*Mr. City Remembrancer.*) I am not aware of any such circumstances.

8486. Do you mean that you are not aware of any opposition offered by the City to the establishment of a market within seven miles?—That I am not prepared to say. I know of no instance in which the assent of the corporation has been given under seal.

8487. Is there any doubtas to the legal existence of the privilege?—I think none at all.

8488. Is it a privilege which the City now practically enforces?—I think only with respect to the sale of live cattle.

8489. Some clause was inserted in the Islington Market Bill, was there not?—There was; that Bill was very much opposed by the corporation of London. The clauses in

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that Bill were the usual saving clause, and also clauses, that as far as the Islington Market interfered with Smithfield Market they should compensate the corporation of London.

8490. If it were proposed to establish a general market for the sale of vegetables and poultry within seven miles of the boundary of the City, would the City take any step to oppose the establishment of such a market?—They would have the power to do so, but my opinion is that they would not.

8491. What did you do when Hungerford Market was established?—It was not opposed.

8492. Was any compensation stipulated?—No.

(*Mr. City Solicitor.*) Another Bill passed some years ago to build a market at Paddington, and there was no opposition.

8493. Is it understood that the title of the City to Smithfield depends upon its use as a market? Is there any belief that if Smithfield or some portion of it were not used as a market, the land would revert to the Crown?—I have heard that suggestion made.

8494. Is it the fact?—I am not able to say. I am City solicitor, and I have not been told to look into it. I hope the question will never arise.

8495. It is important that it should be cleared up, because there is no advantage in the City using it as a market merely on technical grounds, as it were, to preserve their title?—No, I do not see that there is, because the Act of Parliament which has removed the cattle market, would be our justification for abandoning such a course.

8496. Something was said by one of the witnesses as to the use in future of Smithfield Market for the purposes of some other market; and I have heard it suggested that that plan was adopted by the City in order to meet some technical objection, with respect to their title to the soil?—I have not heard of any such suggestion. I have always heard it spoken of as being desirable to use it for the best purpose that it could be applied to. I do not suppose that there is any intention to act at variance with the Crown in regard to it. What is best to be done with it will no doubt be done.

John Wood, Esq.

JOHN WOOD, Esq., was further examined, as follows.

8497. Do you wish to add anything to your evidence?—As chairman of the committee to whom it was referred, to afford to this Commission every assistance and information you might consider requisite in the course of the inquiry into the corporation of London; I am requested to state that if any evidence or information, oral or documentary, beyond that with which you have been already furnished, should be desired by you that desire will be immediately met. I may add that the corporation received a communication from the Commissioners, inviting us to make suggestions for improving the constitution of the corporation; that, coupled with our own desire, on the subject, has rendered it a duty on our part to endeavour to agree upon a series of suggestions to you. A committee has been appointed to consider that matter; they have had frequent meetings; they met yesterday, and the Court of Common Council will meet to-morrow; and individually I hope that suggestions will be laid before you; but of course I cannot undertake to speak for the court. The communication from the Commissioners was received in the most respectful manner; and will, I feel assured, be properly responded to by the court.

The witness withdrew.

J. Acland, Esq.

JAMES ACLAND, Esq., was further examined, as follows.

8498. Will you state to us what further information you are desirous of producing before this Commission?—I am anxious that it should appear truthfully how much money passed through my hands from the corporation, acting as their agent, in resisting the Smithfield Market's Removal Bill. Mr. Scott stated very loosely, so loosely that some of the newspapers understood him as I believe, but certainly he stated it so loosely that it appeared that I had received thousands of pounds in that matter, which is nothing like the fact; and the best way of proving that it is not the fact, is to call upon the corporation to produce my account rendered, and my receipts given for the money.

8499. If my memory serves me, that was not the statement of Mr. Scott?—I do not say it was; but it was so much like it that I cannot blame the newspapers for misunderstanding and misrepresenting it.

8500. In point of fact what was the sum you received upon that occasion?—I would rather not state; and for this reason, that I was engaged confidentially. I have endeavoured to avoid anything like a breach of faith in the entire of my evidence. It is not for me to state it; but I think it is for me to call upon them to show that their statements are accurate.

8501. As I understand you, you do not complain of the inaccuracy of the statement of Mr. Scott, but merely that it was mis-apprehended; and that the public therefore is under a false impression as to what Mr. Scott intended to say; is it not so?—It is not exactly

so; I should still complain, even if it had not been mis-represented; for Mr. Scott's statement was so loose, as fairly left the inference that thousands of pounds had passed through my hands as their agent.

8502. You have now an opportunity of setting right any false impression which you think was produced by Mr. Scott's statement?—I do not think it would be becoming in me, having been retained by them as an agent; but nothing would be more easy, as Mr. Scott has that statement, than to produce it; for he must have passed it through their committees and must have received the authority to pay the amount.

8503. It is due to you to state that if you think there is any point on which your personal veracity has been impugned, and upon which you are desirous of making any statement we are bound to hear you?—Perhaps I may ask that you would extend your liberty thus far; I have made a statement that the corporation have illegally created a rental of 3,000*l.* a year, by charges upon Billingsgate Market to which they have no right; and I would that you would allow a corporate officer to be called who would prove it to a certain extent; that the parties from whom the corporation claim the privilege of charging this large rental, never enjoyed any such rental at all; and that therefore it is not, as Mr. Solicitor has stated, a prescriptive right. Their retired officer, Mr. Goldham, I think his name is, might be called; their present officer might be called, who has charge of that market; and there can be no difficulty in satisfactorily establishing that this rental of 3,000*l.* a year is quite a recent charge as a rent levied upon the salesmen and factors; the market being a free and open market; and, in the schedule of tolls referred to in their Acts, there being no such item.

8504. If there is anything which requires elucidation, we can communicate by letter and obtain it; but we are desirous of confining our evidence within some reasonable limits?—I am not desirous of extending it unreasonably.

8505. Is there anything which personally affects you?—I think so. If you will have the kindness to allow me by your next meeting to look over the evidence, I shall be able to save your time by condensing as much as possible my observations in reply.

(*Mr. Dakin.*) As one of the Markets Improvement committee, I may state that, as far as regards the delicacy of the witness as a confidential agent, we will absolve him from that delicacy, if he thinks it essential to his character.

(*Mr. Acland.*) I have no hesitation in saying that nothing like one-half of the money which Mr. Scott states ever passed through my hands. I have not the account here, and I cannot state the amount without having the precise figures.

8506. This seems to be Mr. Scott's statement, No. 3819, in the City print of the evidence: "I am now authorized to state fully to the Commissioners what the amount was "and how it was expended; 2,750*l.* was the whole amount expended. That was expended "in canvassing, agency, procuring very numerous petitions from all parts of the country, "printer's charges, and law stationers' charges. Mr. Acland, who was at that time the "secretary of what was called the Central Markets Association, an association consisting "of butchers and dealers at Smithfield market, and parties interested, was employed by "the remembrancer upon that occasion; he being fully cognizant of the question, and very "well qualified to assist in getting up petitions of this kind. On behalf of the City?— "Yes. A large portion of the money was paid to him; but 2,650*l.* out of the 2,750*l.* or "thereabouts, was expended entirely in those charges, in promoting petitions to Parliament. "Do you mean that the money paid to Mr. Acland was included in the 2,750*l.*?—It was. "That sum covered the entire expenditure of that description?—Of that description. "£2,650 out of the 2,750*l.* was exclusively applied in promoting petitions and in getting "up a memorial from the electors, in number 7,000, to the members for the City, and in "ascertaining the validity of the signatures. The remaining 100*l.* was expended in "payments to some gentlemen at the bar and other literary services which they "rendered."—Those items in which the 2,650*l.* are said to have been expended, were all items coming legitimately within the scope of my agency, and were all items involved in my account against the corporation; and therefore the assumption is that the 2,650*l.* had passed through my hands, for I employed the printers and I employed the canvassers; in fact those items are strictly within the charges I have made to the corporation; but I say that nothing like 2,650*l.* ever passed through my hands for those charges. I am, therefore, anxious that the account should be produced, and produced by those who have it.

8507. (*To Mr. Dakin.*) Would there be any difficulty in producing those accounts?—None whatever.

8508. (*To Mr. Acland.*) You heard the statement made by Mr. Pearson, the City solicitor, to-day. Is there anything in that statement upon which you wish to advert?—I would say that I have never stated to this Commission that there were no respectable gentlemen members of the Court of Aldermen or Court of Common Council. My observations applied to the general body of the corporation; and I do not think it an answer to my observation that a picked sample of twenty of the common council should be produced before you, against whose competency to legislate municipally I, for one, entertain no question whatever, and of whom I should certainly say they are the exceptions to the general body of the Court of Common Council. If I had been permitted, or any other person, to pick a like number of another class from the common council, the corporation would not have presented the aspect which under present circumstances it does before the Commission.

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8509. If there is any statement of a matter of fact which you would wish to correct, or if there is any point in which your meaning has been misunderstood or misrepresented unintentionally, we are ready to hear any explanation of that kind, but not argumentatively?—I believe it was to a statement of mine that Mr. Pearson adverted with reference to the corporation being rather disposed to lag behind public opinion.

(*Mr. City Solicitor.*) It was not.

(*Mr. Acland.*) Then it might have been, for I certainly entertained that opinion. There is a gentleman whom the Commissioners might call as a witness; and who, I think, could establish that point very fully. A gentleman very high in his profession, Mr. Tite, the architect. Mr. Tite would prove to you that the corporation refused the grant of Southwark Bridge, and preferred rather to oppose the Mid Kent Railway coming over the Thames, and now they have to purchase the bridge.

(*Mr. City Solicitor.*) Mr. Tite expressed yesterday his perfect willingness to come before the Commissioners.

(*Mr. Acland.*) I would only ask that I should be permitted an opportunity for half an hour, at your convenience, to answer such portions of the evidence as are, antagonistic in fact to the statement with which I opened this inquiry to you. It seems to me but reasonable that I should be afforded that opportunity. I think it will appear so to you; my object not being to waste your time, but simply to endeavour to reconcile, as far as I can, any apparent incongruity; in point of fact to put myself straight with you and the public as to the statements which I have made on a former occasion.

8510. If there is any matter of fact in which you have been contradicted, we are ready to hear anything of that description. We feel that we have the case before us very fully?—Very fully you have; whether sufficiently so it is for you to decide.

8511. It is not the practice in matters of this sort, either in a commission or a committee of the House of Commons, to allow witnesses to argue with one another; but to hear witnesses on both sides of the question, and for the commission or committee to form their judgment upon it. If there is any statement as to a matter of fact, which you wish to explain, we are ready to hear the explanation; beyond that I think we cannot go?—I had understood that when you called on the corporation for their case, you did so upon the fact of there being a *primâ facie* case against the corporation, and that you would hear them, reserving to yourselves the power of deciding whether you would take further evidence or not.

8512. We reserved to ourselves the most unlimited power. We have heard the statements on your side, and we have heard the statements of the corporation; it appears to me that the case is very fully before us, and that there is no use in hearing further evidence; that it would be a loss of time?—I think the Billingsgate Market question is not before you.

8513. We will look further into it; and if we think it right to re-open the inquiry upon it, we have the power of doing so. My impression is that the case is fully before us; and if not fully before us, by calling for documents we can make it so?—I have no desire to force any evidence upon you.

The witness withdrew.

Sir R. A. Ferguson, Bart., M.P.

Sir Robert Alexander Ferguson, Bart., M.P., was further examined as follows.

8514. Is there anything which you wish to add to the evidence which you have already given?—With respect to the statement of the governor of the Irish society, that I had stated that they had no right to expend their money on building farm houses, my statement was not that they had no right, but that they would have no funds to do so, if they looked first to discharge the duties of their trust. I instanced the free or diocesan school, and the support of the corporation of Derry. Then there are the quays. In their early proceedings in 1613, 1616, 1624, and again in 1625, when called upon to build quays, to have a sufficient quay at Derry, they never denied that that was a part of their duty. They first devolved that trust upon their tenant, and subsequently the quays have been built either by government grant or by money levied from the trade; and the Irish society, in fact, were large gainers, as well by the building of quays, which pay them a large rent, as by the erection of a number of houses on land left dry by their extension into the river. There is also the question of a bridge, to which they are called upon to contribute; and a year or two ago they offered to join the Bridge commissioners in petititioning the government to appropriate the lands of Culmore, which are at the present held by the governor of that port, but which, it is believed, are not to go to his successor. With respect to the perpetuity leases, it would be desirable to place on the minutes parts of the answer of Alderman Thorpe, governor, and Mr. Schultes, secretary to the society, at the time of their contest with the Skinners' company, by whom they were called to account for having granted these leases, and they then put upon record the reasons which induced Alderman Alsop and the Irish society of his day to grant those leases. "Extracts "from the answer of Alderman Thorpe, governor, and Henry Schultes, secretary to the

" Irish society, in the suit with the Skinners' company." " And these defendants, further " answering, say, that in the year 1767, the said Irish society, upon deliberation, and with " the advice of counsel, first granted leases in perpetuity of the said lands, in consideration " of fines or premiums to be paid to the society; and it appears by the minutes of the " society that a considerable number of the tenants of houses and lands, in and near the " city of Londonderry, sent a memorial, dated the 19th of April 1765, to the society, stating " that the granting of leases in perpetuity would be a strong inducement to them to lay out " larger sums in buildings and repairs than they were then disposed to do, by which the " city of Londonderry would be ornamented and improved, and the trade and manufactures " thereof promoted and increased; and that, having created and repaired the said houses " at their own expense, they, the memorialists, had, including their respective rents, paid at " least twenty-five years' purchase for the same, which they hoped would be thought to give " them an equitable title to the favour of a society constituted, as they conceived, as " trustees for the benefit of the said city, for the twelve companies of the City of London; " and they proposed that the said society should grant them leases for three lives, renewable " for ever, the memorialists agreeing to pay an additional year's rent on the dropping of " every life. And it appears by the said minutes, that such memorial was taken into " consideration by the society on the 16th July 1764; when it was resolved that a case " should be submitted to Sir James Gyne, then recorder of the City of London, for his " opinion, as to the power of the said society to grant such leases; and Sir James Gyne " stated his opinion on a case so submitted to him, that the society had power to grant such " leases if they should think the same beneficial to the estate vested in them; and that, " thereupon, the matter was referred to a committee of the society, who made their report " thereon, dated the 27th August 1766, stating their opinion to be that leases in " perpetuity would be to the mutual advantage of the society and their tenants, for the " following, among other reasons. First, Because they conceived that the planting of " the said City of Londonderry, and the town of Coleraine, with Protestant inhabitants, " being the express intent of the charters of the said society, it was the duty of the said " society to promote such intention to the utmost of their power. Secondly, Because the " encouraging tenants to build in a substantial and elegant manner, appeared to them the " most likely means of fixing the said tenants and their posterity in the said city and " town, and inducing others to come and settle there; which, as population and trade " reciprocally promoted one another, would, in their opinion, raise the state of manufactures " and commerce in these two places; and, by enriching the inhabitants, not only for ever, " secure the society's rents there, but improve their other estates in the neighbourhood, " called the Quarterlands; and, consequently, prove of advantage to the surrounding " estates of the twelve companies. And Thirdly, Because the generality of their leases " having twenty-nine years to run; and most of the buildings being very old and ruinous, " there was little probability that the tenants would put themselves to any considerable " expense in repairs; or that the buildings at the expiration of the term, would be worth " more than the ground. And the said committee recommended that leases should be " granted for three lives, renewable for ever, upon certain conditions, and among others, " that their rent should be raised one fifth; and that a fine, equal to one year's rent, should " be paid for renewal at the end of seven years, or the fall of every life, at the option of the " tenant; and the terms proposed by the committee were sanctioned by the society, and that " the tenants agreed to accept leases at such raised rents, and to pay the proposed fine every seven " years." The affidavit of Mr John Claudius Beresford states, in the same cause, that he was convinced that if the recommendation of Alderman Alsop had not been adopted, the city of Derry would have gone to decay, and a settlement would have been made lower down the river Foyle, or the trade which Derry now enjoys would have been fixed higher up at Strabane; and, further, he states that the common lease for building now granted in the city of Dublin is 999 years, and concludes thus: "If, therefore, individuals who let " the property for private emolument found it necessary to grant such tenures to procure " expenditure of capital on their property; how much more are a public body like the " Irish society called on to do so, whose existence originated in a plan for establishing " a colony, and whose continuation ought to be dependent on their endeavours to do " their duty in promoting and fostering such an establishment." It further appears that these leases were not considered very advantageous by all the tenants from the first condition in the letter from the Irish society of 30th August 1766, which runs thus: " That the present leases be surrendered up on or before Michaelmas 1767; in default " thereof no regard shall be had for the future to what is called tenants' right, or shall " any such leases be renewed thereafter on any terms whatsoever." And it is known in the town of Coleraine that the ancestor of Lord Waterford, the Lord Tyrone of that day, wished not to take out these renewable leases; but having taken them, the society compelled him to continue them. It is hard, after the lapse of a century, to accuse Alderman Alsop, who remained governor for eighteen years after granting these perpetuity leases; and the committee, who gave such enlightened reasons for their decision, that they were actuated by bribery. With regard to the conversion into fee farm grants of these leases, the judgment of the Master of the Rolls in Ireland has been printed in the *Irish Jurist;* it is too long to put upon the notes, but I submit the following extracts.

The Witness delivered in the same and withdrew.

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EXTRACTS from the Judgment of the MASTER OF THE ROLLS in Ireland.

Ex parte Knox,—14*th Feb.* 1854.

"In this case a petition has been presented by the petitioner, Samuel Knox, Esquire, under the provisions of the Renewable Leasehold Conversion Act (12th & 13th of the Queen, c. 105. s. 22), against the respondents (formerly called the Irish society), praying that a grant in fee-farm may be executed by the respondents to the petitioner, under the provisions of the said Act, of the messuage, lands, and tenements demised by the lease in the petition mentioned (which lease bears date the 29th of September 1830), and further, praying the usual consequential directions.

"The Irish society have not served a notice under the provisions contained in the latter part of the first section of the statute, stating that the right of the petitioner to require a grant in fee-farm is disputed; nor do they, by their counsel, dispute such right.

"The only question which has been raised, or upon which the Court is called upon to decide, is, whether, upon the true construction of the 5th section of the Act, the Irish society are entitled to compensation for the loss, which, according to the affidavits of Mr. Collis (and which affidavit is uncontradicted), will take place in the marketable value of ther interest in the lands demised by the lease of the 29th September 1830, by the conversion of their estate in the reversion into an estate in the fee-farm rent."

The Master of the Rolls, after a minute and lengthened examination of the statute, proceeds thus:—

"I therefore am of opinion, having regard to the language of the 5th clause, and to the affidavit of Mr. Maurice Collis, that the respondents, as the owners in fee of the reversion in the lands demised by the lease of the 29th September 1830, are entitled to compensation for the loss; which, it appears from that uncontradicted affidavit, will arise from the conversion of their estate, in the reversion to an estate in the fee farm-rent; and I must therefore refer it to the Master to ascertain the amount of such compensation. A circumstance occurred during the progress of the argument, to which I think it is proper to advert.

"In the case of the Skinners' Company *v.* the Irish society, reported in 12 Clarke Finnelly, p. 425, it appears that that society hold their property under a charter from King Charles II.; and although the House of Lords decided that the Irish society were not trustees for the Skinners' company, yet it was considered that they were trustees for public purposes.

"I suggested the propriety of the petitioner or the respondents putting the charter in issue, and consenting (in order to save expense) that the printed copy used before the House of Lords should be read. The petitioner has declined to amend his petition, and put the charter in issue, or consent to its being laid before the Court; and the respondents have also declined to put it in issue, or to consent to its being read. I am therefore obliged to decide the case without regard to the consideration that the respondents are trustees for public charitable purposes.

"The reason why it occurred to me that it would be desirable that the charter should be in issue was this: It is quite clear, as laid down by Lord Cottenham, in the case of the Attorney General *v.* Pilgrim [a] 'that it is an established rule of this Court, which it is its 'duty to maintain, that leases of this sort (that is, long leases of charity lands) amounting 'to an alienation are, *primâ facie* at least, not to be supported.'

[a] 2 *H.* & T. 188.

"If the charter had been put in issue, the petitioner, without any inconsistency, notwithstanding the general rule as laid down by Lord Cottenham, would have been at liberty to contend that the lease under which he derived was valid, according to the authority of the Attorney General *v.* Hungerford [b], and at the same time to have insisted that, according to the case of the Attorney General *v.* Kerr [c], and many other cases, the Irish society could not, *primâ facie* at least, have conveyed their reversion in fee-farm previous to the Renewable Leasehold Conversion Act, and could not now convey in fee-farm if that statute had not passed; and that, as there would perhaps be no marketable value attached to an estate in a reversion, incapable *primâ facie*, of alienation, in consequence of the estate being subject to a public charitable trust, there could be no loss by the conversion of the estate in the reversion into an estate in the fee-farm rent.

[b] 2 *Cl. & Fin.* 357. *S.C.*; 8 *Bligh*, 437.

[c] 2 *Beav.* 427.

"I am not at liberty to enter upon that question counsel on each side have declined; (notwithstanding the suggestion of the court that the case should be argued on the real facts) to put the charter in issue.

"I wish it, however, to be distinctly understood, that I offer no opinion whatever on the point, as it may be argued on some future occasion.

"It was stated in the course of the argument by counsel on the part of the Irish society, that the compensation which they would claim under the 5th section of the Act from their tenants, in the event of their all seeking for fee-farm grants under the statute, would exceed 100,000*l.*

"It was not, however, stated by counsel, how the Irish society proposed to expend that sum; and if I may judge from the account laid before the House of Lords, in the Skinner's Company *v.* the Irish Society, [d] no portion of it would be expended in Ireland. What proportion of the property of the society is expended in the performance of the public trusts reposed in them, may properly be the subject of inquiry before the Commission now sitting in London.

[d] 12 *Cl. & Fin.* 451.

Sir R. A. Ferguson, Bart. M.P.

23d Feb. 1854.

"In the case in the House of Lords, to which I have referred, Lord Lyndhurst, in giving judgment, observed that the Irish society 'have to provide for the Protestant religion the 'Protestant establishment in that district. That is not a temporary but a permanent 'object; and, with the establishment of religion in that district, they have also to 'superintend and take care of that which is closely and intimately connected with 'religion, and a part of it (if I may so describe it); namely, the education of the inhabi-'tants of the district; they have also to perform other public duties of great importance 'connected with the district; duties, as it appears to me, from the very nature and 'character of them, of a permanent description; and it appears to me that there is no 'foundation whatever for the argument which has been urged, that their authority as 'public officers has long expired, and that they have no duties to discharge.'

"In the course of the present sittings, I had an injunction motion before me, in which two private Bills were handed up to the court (and which Bills it is proposed to bring in in the present session of Parliament) to authorize the building of quays, and for other important public purposes, at Londonderry. I believe it also necessary to build a bridge there. The inhabitants of Londonderry are to be heavily taxed for these public objects, and they are, in addition, according to the statement of the counsel for the Irish society, to have the sum of 100,000*l.* levied upon them by the society, under the Renewable Leasehold Conversion Act; no part of which will probably be applied towards any public object connected with Ulster, unless a different course should be adopted from that which appears, from the accounts laid before the House of Lords, to have been hitherto pursued. The question, however, will no doubt be carefully considered by the Commissioners now sitting in London; and the expenditure of the funds of the Irish society fully inquired into.

"I have decided the question, in the present case, with the Irish society on strict legal principles. Whether they have been each advised to insist on a right which has only been claimed by two Irish landlords, notwithstanding the number of fee-farm grants made under the statute, remains to be ascertained."

Adjourned.

Appendix, No. 1.

ACCOUNTS OF THE CORPORATION OF THE CITY OF LONDON.

ACCOUNTS OF THE CORPORATION

No. 1.

An Account of the total Revenue and Expenditure, Assets and Liabilities, of the Estate of the Application thereof, and including also a Statement of

	Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
	Debit Balances, 1st Jan. 1852.				
	To Balance of Loan for making a new Street from Holborn Bridge	6,400 0 0			
	Loan for building new Prison at Holloway	70,000 0 0			
	Ditto for completing ditto	22,700 0 0			
	To Amount due to London Bridge Approaches Fund	5,750 0 0			
	Life Annuities unpaid	377 10 0			
	Interest on Holborn Bridge Debt unpaid	Nil.			
	Ditto on New Prison Debt unpaid	1,312 10 0			
	Arrears due on Charge of 20,000*l.* a Year for City Improvements	5,000 0 0			
	Compensation Allowances to Deputy Sea-coal Meters due	1,821 13 6			
	Amount due to the Police Fund in respect of One-fourth part of Expenses payable by the City	2,822 5 10			
			- - -	- - -	116,183 19 4
	Expenditure, 1852.				
1	Charge in aid of Metropolitan Improvements	11,500 0 0			
2	Charges on City's Rental	9,267 5 4			
3	Charges on Markets	8,780 4 9			
4	Charges on Tolls, Duties, and Offices (including 20,000*l.* in aid of City Improvements)	41,882 1 3			
5	Charges on Brokers Rents	192 10 6			
6	Magistracy	8,191 9 8			
7	Police (proportion paid by City)	10,524 18 6			
8	Newgate	6,569 11 9			
9	House of Correction (City)	4,500 5 8			
10	Ditto at Holloway	1,835 3 1			
11	Debtors Prison	4,529 11 9			
12	General Prison Expenses	12 19 0			
13	Administration of Justice	8,618 15 3			
14	Coroner	1,031 13 10			
15	Conservancy of Thames and Medway	4,712 6 2			
16	Civil Government of the City	27,861 0 0½			
17	Magistracy of Southwark and Borough Compter	893 9 1			
18	Charitable Donations, &c.	5,887 6 8			
19	Bequests	323 3 8			
20	Interest on Monies borrowed	4,531 12 10			
21	Application of Sheriffs Fines, &c.	2,040 13 4			
22	Payment for extinguishing right of alienating an Office	2,100 0 0			
23	Miscellaneous and incidental Expenditure	6,609 17 11			
			172,396 0 0½		
24	Lodging-houses for the Poor, Account	19,625 0 0			
25	Purchase of Securities	11,233 3 4			
26	Loan to Billingsgate Market Tolls, Account	20,000 0 0			
27	New Metropolitan Cattle Market; Purchase of Lands, &c.	58,875 12 2			
			109,733 15 6		
	To Rents remitted	- - -	409 18 4		
	Capital in Consols sold, in Chancery, and Proceeds applied to Account, under Improvement Act 1852	- - -	- - -	15,145 2 2	
	Capital in Consols sold	- - -	- - -	20,000 0 0	
	Loan contracted (Metropolitan Market Account)	- - -	- - -	- - -	55,000 0 0
	Credit Balances, 31st Dec. 1852.				
	Cash in the hands of the Chamberlain	- - -	32,360 17 8		
	Arrears of Rents	40,623 18 7¼			
	Ditto Brokers Rents	2,483 0 0			

OF THE CITY OF LONDON.

No. 1.

CORPORATION OF THE CITY OF LONDON, in the Year ended 31st December 1852, showing the Balances at the Commencement and Close of the said Year.

	Cr.	£	s.	d.	Cash. £	s.	d.	Securities. £	s.	d.	Debts, Engagements, and Obligations. £	s.	d.
	CREDIT BALANCES, 1st Jan. 1852.												
	By Balance of Cash in hands of Chamberlain				25,894	4	2						
	Debt due by Blackfriars Bridge Fund	4,989	15	5									
	Ditto, Navigation Fund	15,000	0	0									
	Ditto, Gresham Estate	25,472	0	0									
	By Arrears of Rent due	34,326	6	3¾									
	Ditto of Brokers Rents	1,033	0	0									
	Ditto of Markets, Tolls, &c.	2,408	10	4½									
	Ditto of Freedoms unsold	150	0	0									
	Ditto of Fees on Freedoms	90	8	6									
	Ditto of Interest on Government Securities	231	13	6									
	Ditto of casual Receipts	366	7	5½									
					-	-	-	-	-	-	84,068	1	6¾
	By Capital in Consolidated 3*l.* per Cents.				-	-	-	15,445	2	2			
	Ditto in Reduced 3*l.* per Cents.				-	-	-	43,128	8	9			
	REVENUE, 1852.												
1	Rents	93,019	2	11½									
2	Fines for Leases	12,800	12	3									
3	Brokers Rents	5,206	0	0									
4	Markets	20,504	19	1½									
5	Tolls and Duties	6,935	3	10									
6	Offices	74,416	0	0¼									
7	Bequests	135	13	4									
8	Fees on Freedoms	896	6	2									
9	Sheriffs Fines	1,200	0	0									
10	Interest on Government Securities	1,165	6	9									
11	Sundry and casual Receipts	6,561	1	11½	222,840	6	4¾						
12	Sale of Securities	19,625	0	0									
13	Loan raised	55,000	0	0	74,625	0	0						
	By Annuities lapsed				235	17	0						
	By Capital in Reduced 3*l.* per Cents. purchased				-	-	-	11,305	19	9			
	By Loan to Billingsgate Tolls Account				-	-	-	-			20,000	0	0
	By Discharge of Debt (Holborn Bridge)				-	-	-	-		-	5,400	0	0
	DEBIT BALANCES, 31st Dec. 1852.												
	Due to London Bridge Approaches Fund	5,750	0	0									
	Annuities on Lives	427	10	0									
	Interest on Holborn Bridge Loan	18	15	0									

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Arrears of Markets, Tolls, &c.	3,558 14 4¼			
Ditto Freedoms sold	150 0 0			
Ditto Fees on Freedoms	146 1 4			
Ditto Interest on Government Securities	4 10 0			
Ditto casual Receipts	497 18 4½			
DEBTS DUE TO THE CORPORATION.				
From Blackfriars Bridge	4,989 15 5			
Navigation Fund	15,000 0 0			
Gresham Estate	25,472 0 0			
Billingsgate Market Tolls Account	20,000 0 0			
		- - -	- - -	112,925 18 1
Balance of Consols	300 0 0			
„ of Reduced 3*l.* per Cents	34,434 8 6			
		- - -	34,734 8 6	
		314,900 11 6½	69,879 10 8	284,109 17 5
				69,879 10 8
				314,900 11 6½
				668,889 19 7½
To Debit Balances brought down; viz.—				
Balance of Cash overdrawn		- - -	- - -	Nil.
Balance of Securities		- - -	- - -	Nil.
Balance of Debts and Liabilities		- - -	- - -	165,946 19 10
				165,946 19 10
Cash Balance in favour of the Corporation on the 31st Dec. 1852*				14,074 4 5
			£	180,021 4 3

* *Note.*—The Corporation are possessed of Freehold Estates in the City of London and Counties of Middlesex and Surrey, Quit Rents in Ireland, a Leasehold Estate in the Manor of Finsbury, as well as Markets, Public Buildings, and Rights of Tolls and Duties, from which the foregoing Revenue is derived. There are also outstanding certain Loans raised by the Corporation under various Acts of Parliament, in respect of which (in the event of the failure of the specific sources of Revenue upon which such Loans are primarily charged), the Corporation would become contingently liable. These Loans are not included in the foregoing Account, being debited to the Accounts to which they respectively belong. They are as follow; viz. Loans, "City Improvement Fund," (Account No. 8.) 580,000*l.* Loan, "London Bridge Approaches Fund," (Account No. 5.) 88,000*l.* Loan, "Gresham Trust," (Account No. 29.) 85,000*l.* There are likewise various Accounts herewith returned, the Credit or Debit Balances of which might with propriety be considered as Assets or Liabilities of the City's Estate; but these Accounts having necessarily been kept separate from the City's Cash, they are rendered in a separate form; but in order to the fullest elucidation, their Balances are enumerated in the margin hereof.†

No. 1 a.

A STATEMENT to accompany the Account of the Revenue and Expenditure of the Corporation of London, Chamberlain of London

	CHARGE.	Arrears, 31st Dec. 1851. £ s. d.	Comptroller's Charge, or Revenue, 1852. £ s. d.	Cash received, 1852. £ s. d.	Arrears, 31st Dec. 1852. £ s. d.	Remitted in 1852. £ s. d.
1	Rents	34,326 6 3¾	93,019 2 11½	86,311 12 4	40,623 18 7¼	409 18 4
2	Fines for Leases	- - -	12,800 12 3	12,800 12 3	—	—
3	Brokers Rents	1,033 0 0	5,206 0 0	3,756 0 0	2,483 0 0	—
4	Markets	604 11 3	20,504 19 1½	20,598 0 11½	511 9 5	—
5	Tolls and Duties	1,699 14 5½	6,935 3 10	6,941 11 3½	1,693 7 0	—
6	Offices	76 8 0	74,416 0 0¾	73,169 13 5	1,322 14 7¼	—
7	Bequests	27 16 8	135 13 4	132 6 8	31 3 4	—
8	Freedoms voted	150 0 0	Nil	Nil	150 0 0	—
	Fees on Freedoms	90 8 6	896 6 2	840 13 4	146 1 4	—
9	Sheriffs Fines	- - -	1,200 0 0	1,200 0 0	—	—
10	Interest on Government Securities	231 13 6	1,165 6 9	1,392 10 3	4 10 0	—
11	Sundry and casual Receipts	366 7 5½	6,561 1 11½	6,429 11 0¾	497 18 4½	—
12	Sale of Securities	- - -	19,625 0 0	19,625 0 0	—	—
13	Loan raised	- - -	55,000 0 0	55,000 0 0	—	—
		£ 38,006 6 1¾	297,465 6 4¾	288,197 11 6½	47,464 2 8	409 18 4
			38,606 6 1¼	47,464 2 8		
				409 18 4		
			£ 336,071 12 0½	336,071 12 6½		

Chamber of London,
30th December 1853.

Cr.		Cash.			Securities.			Debts, Engagements, and Obligations.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Interest on Prison Loan	1,523	6	3									
Ditto Metropolitan Cattle Market Loan	481	5	0									
Due to City Improvement Fund	5,000	0	0									
Due on Sea-coal Meters Pensions	1,171	9	9									
Due to Police Account	2,272	13	10									
DEBTS DUE BY THE CORPORATION.												
Holborn Bridge Loan ($3\frac{3}{4}$*l.* per Cent.)	1,000	0	0									
New Prison Loan ($3\frac{3}{4}$*l.* per Cent.)	70,000	0	0									
Ditto ($3\frac{3}{4}$*l.* per Cent.)	22,700	0	0									
Cattle Market Loan ($3\frac{1}{2}$*l.* per Cent.)	55,000	0	0									
	-	-	-	-	-	-				165,946	19	10
				323,595	7	$6\frac{3}{4}$	69,879	10	8	275,415	1	$4\frac{3}{4}$
										69,879	10	8
										323,595	7	$6\frac{3}{4}$
										668,889	19	$7\frac{1}{2}$
By Credit Balances brought down; viz.—												
Balance of Cash in hand				-	-	-	-	-	-	32,360	17	8
Balance of Securities				-	-	-	-	-	-	34,734	8	6
Balance of other Assets				-	-	-	-	-	-	112,925	18	1
									£	180,021	4	3

	Debit Balances.			Credit Balances.		
	£	s.	d.	£	s.	d.
†Acct No.8. City Improvement Fund	531,457	16	8	—		
„ No.11. Holborn Bridge New Street	-	-	-	3,577	5	$2\frac{1}{4}$
„ No.15. Navigation Rental Fund	-	-	-	880	5	4
„ No.16. Thames Improvement Fund	-	-	-	769	15	3
„ No.22. Summonses served by Police, Account	-	-	-	850	7	0
„ No.27. Freeman's Orphan School, Account	-	-	-	7,356	19	10
„ No.28. Lodging-houses for Poor, Account	-	-	-	96	9	6

	Debit Balances.			Credit Balances.		
	£	s.	d.	£	s.	d.
Acct No.33. Library Account	-	-	-	271	12	6
„ No.36 M. Riots Account, 1780	-	-	-	252	10	9
„ No.36 N. House of Correction at Holloway, Account	-	-	-	1,152	9	4
„ No.36 O. Maintenance of Prisoners, Account	-	-	-	2,225	13	6
„ No.37 P. Criminal Prosecutions, Account	-	-	-	1,304	9	0

JOHN KEY, Chamberlain.

No. 1 a.

showing the CHARGE and DISCHARGE and ARREARS of the CORPORATION ESTATE, in the Account of the for the Year 1852.

	DISCHARGE.	Unpaid 31st Dec. 1851.			Expenditure, 1852.			Cash paid, 1852.			Unpaid, 31st Dec. 1852.			Lapsed.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	Charge in aid of Metropolitan Improvements	5,750	0	0	11,500	0	0	11,500	0	0	5,750	0	0	—		
2	Charges on Rental	377	10	0	9,267	5	4	9,217	5	4	427	10	0	—		
3	Ditto on Markets	-	-	-	8,780	4	9	8,780	4	9	—			—		
4	Ditto on Tolls, &c. (£5,000 0 0; 1,821 13 6)	6,821	13	6	41,882	1	3	41,677	13	0	5,000 0 0; 1,771 9 9; 18 15 0			235	17	0
5	Ditto on Brokers Rents	-	-	-	192	10	6	192	10	6	—			—		
6	Magistracy	-	-	-	8,191	9	8	8,191	9	8	—			—		
7	Police (proportion of paid by City)	2,822	5	10	10,524	18	6	11,074	10	6	2,272	13	10	—		
8	Newgate Prison	-	-	-	6,569	11	9	6,569	11	9	—			—		
9	House of Correction	-	-	-	4,500	5	8	4,500	5	8	—			—		
10	Ditto, Holloway	-	-	-	1,835	3	1	1,835	3	1	—			—		
11	Debtors Prison	-	-	-	4,529	11	9	4,529	11	9	—			—		
12	General Prison Expenses	-	-	-	12	19	0	12	19	0	—			—		
13	Administration of Justice	-	-	-	8,618	15	3	8,618	15	3	—			—		
14	Coroner	-	-	-	1,031	13	10	1,031	13	10	—			—		
15	Conservancy of Thames and Medway	-	-	-	4,712	6	2	4,712	6	2	—			—		
16	Civil Government of City	-	-	-	27,861	0	$0\frac{1}{2}$	27,861	0	$0\frac{1}{2}$	—			—		
17	Magistracy of Southwark, &c.	-	-	-	893	9	1	893	9	1	—			—		
18	Charitable Donations	-	-	-	5,887	6	8	5,887	6	8	—			—		
19	Bequests	-	-	-	323	3	8	323	3	8	—			—		
20	Interest on Monies borrowed	1,312	10	0	4,531	12	10	3,837	11	7	2,006	11	3	—		
21	Application of Sheriffs Fines	-	-	-	2,040	13	4	2,040	13	4	—			—		
22	Extinguishing Right of Alienation	-	-	-	2,100	0	0	2,100	0	0	—			—		
23	Miscellaneous and incidental Expenditure	-	-	-	6,609	17	11	6,609	17	11	—			—		
24	Lodging-houses for the Poor	-	-	-	19,625	0	0	19,625	0	0	—			—		
25	Purchase of Securities	-	-	-	11,233	3	4	11,233	3	4	—			—		
26	Loan to Billingsgate Tolls	-	-	-	20,000	0	0	20,000	0	0	—			—		
27	Metropolitan Cattle Market (Land purchased, &c.)	-	-	-	58,875	12	2	58,875	12	2	—			—		
	£	17,083	19	4	282,129	15	$6\frac{1}{2}$	281,730	18	$0\frac{1}{2}$	17,246	19	10	235	17	0
					17,083	19	4	17,246	19	10						
								235	17	0						
	£				299,213	14	$10\frac{1}{2}$	299,213	14	$10\frac{1}{2}$						

JOHN KEY, Chamberlain.

No. 2.

AN ACCOUNT of the Total Receipts and Expenditure, Assets, and Liabilities of the for the Year ended

	Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts and Liabilities. £ s. d.
	DEBIT BALANCES, 1st January 1852.				
	Nil.				
	EXPENDITURE in the Year 1852.				
1	To Rents and other Charges	211 9 9			
2	Taxes and Trophies	420 19 3			
3	Pensions	317 9 0			
4	Salaries and Payments to Officers	1,902 0 0			
5	Miscellaneous Payments	723 7 8			
6	London Bridge	914 10 0			
7	Audit Expenses	25 0 0			
8	Committees Expenses	300 0 0			
9	Law Charges	76 12 10			
10	Ancient customary Payments	63 16 0			
11	Benevolences	107 13 4			
12	Tradesmen's Bills	282 5 0			
13	New London Bridge and Blackfriars Bridge	27,348 7 0			
14	Property Tax allowed	871 15 9			
15	Purchase of Stock	12,740 0 0			
			46,305 5 7		
	To Rents remitted		46 0 0		
	To Amount applied by Accountant-General of Court of Chancery in Purchase of Stock		1,500 0 0		
	CREDIT BALANCES, 31st December 1852.				
	To Cash in Hands of Bridgemasters	116 12 9			
	To ditto of Chamberlain on Deposit Account	600 0 0			
			716 12 9		
	To Arrears of Rents, viz.:—				
	Proper Rents	7,697 14 3			
	Foreign Rents	3,808 9 1¼			
	Lands purchased	1,182 8 1½			
	Quit Rents	177 9 8¼			
		12,866 1 2			
	Less 1*l.* 15*s.* overpaid	1 15 0			
			- - -	- - -	12,864 6 2
	To Balance of Securities, viz.:—				
	Consols in Name of Accountant-General of Court of Chancery	318 5 0			
	Ditto in ditto	395 11 10			
	Ditto in ditto	246 3 8			
	Ditto in ditto	253 19 5			
	Ditto in ditto	4,080 10 9			
	Ditto in ditto	1,505 12 11			
	Reduced *3l.* per Cents. in ditto	9,346 10 8			
	Ditto in ditto	1,779 19 6			
	Ditto in Names of Bridgemasters	310 9 7			
	Exchequer Bills in the hands of Accountant-General of Court of Chancery	900 0 0			
	Cash in the Bank of England for Investment	77 1 10			
			- - -	19,214 5 2	
			48,567 18 4	19,214 5 2	12,864 6 2
					19,214 5 2
					48,567 18 4
					80,646 9 8
	To Balance in favour of the Bridge House Estates		- - -	- - -	32,795 4 1
				£	32,795 4 1

Note.—The above statement does not include any valuation of the Bridge House Real Estate. The surplus rents and the satisfaction of certain charges in respect of London and Blackfriars Bridges, the account of which charges The account is thus rendered, as it regards *form*, in compliance with

10th December 1853.

No. 2.

Bridge House Estates in the Account of the Wardens or Keepers of London Bridge, 31st December 1852.

	Cr.	£	s.	d.	Cash. £	s.	d.	Securities. £	s.	d.	Other Assets. £	s.	d.
	Credit Balances, 1st January 1852.												
	By Cash in hands of Bridgemasters	127	0	11									
	By ditto in hands of Chamberlain on Deposit Account	250	0	0									
					377	0	11						
	By Arrears of Rents, viz.:—												
	Proper Rents	8,687	13	5									
	Foreign Rents	3,255	14	0¼									
	Lands purchased	1,046	3	2									
	Quit Rents	168	1	4½									
					-	-	-	-	-	-	13,157	11	11¾
	By Balance of Securities, viz.:—												
	Consols in Name of Accountant-General, Court of Chancery	318	5	0									
	Ditto in ditto	395	11	10									
	Ditto in ditto	246	3	8									
	Ditto in ditto	253	19	5									
	Ditto in ditto	4,080	10	9									
	Reduced 3*l.* per Cents. in the Names of the Bridgemasters	310	9	7									
	Exchequer Bills in hands of the Accountant-General of the Court of Chancery	900	0	0									
	Cash in the Bank on same Account (to be invested in Exchequer Bills)	57	4	3									
	Ditto to be invested by the Accountant-General	1,500	0	0									
					-	-	-	8,062	4	6			
	Revenue for 1852.												
1	By Rents 1852 (as per Comptroller's Charge)	32,732	13	2¼									
2	Dividends on Stock	347	4	0									
3	Sale of Property	11,240	0	0									
4	Cash from the Bank of England	1,500	0	0									
5	Casual Receipts	577	14	5									
					46,397	11	7¼						
	By Reduced 3*l.* per Cents. purchased	9,346	10	8									
	Ditto ditto	1,779	19	6									
	Consols purchased	1,505	12	11									
	Additional Interest on Exchequer Bills (to be invested)	19	17	7									
					-	-	-	12,652	0	8			
					46,774	12	6¼	20,714	5	2	13,157	11	11¾
											20,714	5	2
											46,774	12	6¼
											80,646	9	8
	By Credit Balances on Dec. 31st 1852 brought down, viz.:—												
	Balance of Cash				-	-	-	-	-	-	716	12	9
	Ditto of Securities				-	-	-	-	-	-	19,214	5	2
	Arrears of Rents				-	-	-	-	-	-	12,864	6	2
											32,795	4	1

profits of the estates (after paying the existing charges and expenses) are applicable in the hands of the Chamberlain to
will properly appear in the account of the said surplus rents and profits rendered by the Calmberlain.
the suggestions of the Corporation Inquiry Commissioners.

David Gibbs,
George Ledger } Bridge Masters.

No. 3.

AN ACCOUNT of the Receipt and Expenditure, Assets and Liabilities of the Fund arising from the Provisions of the Acts 4 Geo. IV. c. 50., 7 Geo. IV. c. 40.,

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
DEBIT BALANCES, 14th August 1852.			
To Payment due to Her Majesty's Exchequer 750 0 0			
Ditto - - - - - - 750 0 0	- - -	- - -	1,500 0 0
EXPENDITURE, 1852-3.			
To Payments to Her Majesty's Exchequer in respect of Advances towards rebuilding London Bridge - -	21,550 0 0		
Amount carried to Account for lighting, watching, &c., Blackfriars Bridge, Act 4 W. 4. c. 118. - -	1,039 15 3½		
Amount carried to Account of Interest of Monies raised for repairing Blackfriars Bridge - -	4,281 15 3½		
	26,871 10 7		
CREDIT BALANCE, 14th August 1853.			
To Cash, Balance in hand - - - - -	1,500 0 0		
	28,371 10 7	- - -	1,500 0 0
			28,371 10 7
		£	29,871 10 7

Note.—The following Annuities are payable out of the Surplus Rents of the Bridge House Estates to the Consolidated Fund in respect

£1,500 per Annum until the 8th May 1867.
1,500 „ „ 20th July 1867.
1,000 „ „ 22d Sept. 1867.
2,000 „ „ 26th Oct. 1867.
1,500 „ „ 18th Jan. 1868.
1,500 „ „ 21st June 1868.
Chamber of London, 1,000 „ „ 20th Sept. 1868.
30th December 1853. 2,000 „ „ 29th Nov. 1868.

No. 4.

AN ACCOUNT of the Revenue, Expenditure, Assets, and Liabilities of the Funds applicable to 7 Geo. 3. c. 37., 52 Geo. 3. c. 183., 4 Will. 4.,

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
			LIGHTING AND
DEBIT BALANCES, 14th August 1852. £ s. d.	£ s. d.	£ s. d.	£ s. d.
To Debt due to Corporation Cash - - - - -	- - -	- - -	4,989 15 5
EXPENDITURE 1852-3.			
To lighting - - - - 120 8 0			
watching - - - - 462 0 0			
watering, cleansing, &c. - - 150 4 6			
repairing pavement, &c. - - - 312 11 2			
Surveyor - - - - 50 0 0			
incidental Expenses - - - 30 14 0			
Income Duty on Rents - - - 2 11 8	1,128 9 4		
CREDIT BALANCE, 14th August 1853.			
To Arrears of Rents - - - - - -	- - -	- - -	63 2 1½
	1,128 9 4	- - -	5,052 17 6½
			1,128 9 4
		£	6,181 6 10½

No. 3.

SURPLUS RENTS AND PROFITS of the BRIDGE HOUSE ESTATES, applicable to certain Trusts under the and 4 Will. IV. c. 118., for the Year ended 14th August 1853.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
CREDIT BALANCES, 14th August 1852.			
By Cash Balance in hand - - - -	1,500 0 0		
REVENUE, 1852–3.			
By Surplus Rents received of the Bridge-masters - - - - - -	26,871 10 7		
DEBIT BALANCE, 14th August 1853.			
By Payments due to Her Majesty's Exchequer - - - - -	- - -	- - -	1,500 0 0
	28,371 10 7	- - -	1,500 0 0
			28,371 10 7
		£	29,871 10 7

Her Majesty's Exchequer, for the Periods under stated, in respect of the sum of 431,000*l.* advanced out of of rebuilding London Bridge, viz.:—

£ 800	per Annum	until the 3d April 1869.
2,500	„	„ 3d July 1870.
2,500	„	„ 3d Dec. 1870.
2,500	„	„ 5th March 1871.
1,250	„	„ 8th April 1871.
21,550	Total Annuities.	

JOHN KEY,
Chamberlain.

No. 4.

lighting, watching, cleansing, and repairing BLACKFRIARS BRIDGE, under the Trusts created by Acts c. 118., &c., for the Year ended 14th August 1853.

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
WATCHING FUND.												
CREDIT BALANCES, 14th August 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Arrears of Rents - - - - - -				- - -			- - -			22	10	0
REVENUE, 1852-3.												
By Rental - - - -	129	6	2									
Cash from Surplus Rents and Profits of the Bridge House Estates Account -	1,039	15	3½									
				1,169	1	5½						
DEBIT BALANCE, 14th August 1852.												
By Debt due to Corporation, Cash - - - - -				- - -			- - -			4,989	15	6
				1,169	1	5½	- - -			5,012	5	5
										1,169	1	5½
									£	6,181	6	10½

Dr.	£	s.	d.	Cash. £	s.	d.	Securities. £	s.	d.	Debts, Engagements, and Obligations. £	s.	d.
										REPAIRING FUND,		
DEBIT BALANCES, 14th August 1852.												
To Balance due to Chamberlain				2,879	8	7						
Balance of Loan at 4*l.* per Cent.	55,700	0	0									
Loan at 4¼*l.* per Cent.	17,400	0	0									
				-	-	-	-	-	-	73,700	0	0
EXPENDITURE, 1852–3.												
To Interest on Loans, 1 year				2,967	10	0						
CREDIT BALANCES, 14th August 1853.												
Nil.												
				5,846	18	7	-	-	-	73,700	0	0
										5,846	18	7
										79,546	18	7
To Balances brought down:												
Debt, (Lighting and Watching Fund)				-	-	-	-	-	-	4,989	15	5
Cash overdrawn (Repairing Fund)				-	-	-	-	-	-	1,565	3	3½
Loans (ditto)				-	-	-	-	-	-	73,700	0	0
									£	80,254	18	8½

Chamber of London,
30th December 1853.

No. 5.

AN ACCOUNT of the Revenue and Expenditure, Liabilities, and Assets of the LONDON BRIDGE 11 Geo. 4. c. 64., 1 & 2 W. 4. c. 76., 1 & 2 Vict. c. 100., 1 & 2 Vict. c. 101., 5 & 6 Vict. ended 5th January 1853.

Dr.	£	s.	d.	Cash. £	s.	d.	Securities. £	s.	d.	Debts, Engagements, and Obligations. £	s.	d.
DEBIT BALANCES, 5th January 1852.												
To Bonds under Advertisement, Loan of 150,000*l.*, Act 1 & 2 Vict. c. 100.	48,500	0	0									
Ditto., Loan of 40,000*l.*, Act 5 & 6 Vict. c. 101.	34,700	0	0									
Balance of Loan of 40,000*l.* unprovided for	5,300	0	0									
Loan, Act 5 & 6 Vict. c. 101.	25,000	0	0									
Ditto, Act 13 & 14 Vict. c. 103.	88,000	0	0									
				-	-	-		-	-	201,500	0	0
To Charges on the Fund by Her Majesty's Commissioners of Woods and Forests; viz.:												
Charge, 2 & 3 Vict. c. 80. £200,000												
Ditto 3 & 4 Vict. c. 87. 100,000												
Ditto 4 & 5 Vict. c. 12. 189,000												
	489,000	0	0									
Ditto 13 & 14 Vict. c. 103. 116,000												
Ditto „ „ 30,000												
Ditto „ „ 30,000												
	176,000	0	0									
Interest on the above Charges of 489,000*l.* which has not been paid out of the growing Produce of the Fund; viz.:												
Charge of 200,000*l.* £123,671 4 8												
Ditto 100,000*l.* 57,068 9 10												
Ditto 189,000*l.* 100,713 14 0												
	281,453 8 6											
Less, Interest on 50,000*l.*, Westminster Improvement Commissioners, to this date 7,101 0 7												
	274,352	7	11									
				-	-	-		-	-	939,352	7	11

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Act 4 W. 4th.				
Credit Balances, 14th August 1852.				
Nil.				
Revenue, 1852–3.				
By Cash from Surplus Rents and Profits of the Bridge House Estates		4,281 15 3½		
Debit Balances, 14th August 1853.				
By Balance due to Chamberlain		1,565 3 3½		
Loan due (4*l.* per Cent.)	55,700 0 0			
Ditto (4¼*l.* per Cent.)	17,400 0 0			73,700 0 0
		5,846 18 7		73,700 0 0
				5,846 18 7
				79,546 18 7
By Balance brought down:				
Assets (Lighting and Watching Fund)				63 2 1½
Balance against the Account				80,191 16 7
			£	80,254 18 8½

JOHN KEY,
Chamberlain.

No. 5.

Approaches Duties Fund, created by and applied under the Acts following; viz., 10 Geo. 4. c. 136., c. 101., 8 & 9 Vict. c. 101., 11 & 12 Vict. c. 124., and 13 & 14 Vict. c. 103., &c., for the Year

Cr.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Credit Balances, 5th January 1852.			
By Cash in Chamber due to Bondholders	83,262 5 9		

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
EXPENDITURE, 1852–3.				
To Drawback allowed on Coal Duty - -	10,098 0 8			
Interest on Balance of Loan of 150,000*l.* -	534 5 3			
Ditto on Loan of 40,000*l.* - -	1,101 4 7			
Ditto ditto 25,000*l.* - -	799 16 7			
Ditto ditto 50,000*l.* (Westminster)	2,500 0 0			
Ditto ditto 88,000*l.* - -	3,080 0 0			
Ditto on Charges of 176,000*l.* -	7,040 0 0			
Expenses of Collection of Management -	2,080 8 2			
		27,233 15 3		
To Cash applied in Discharge of Debts, viz.:—				
Balance of Loan of 150,000*l.* - -	48,500 0 0			
Loan of 40,000*l.* - - -	40,000 0 0			
Loan of 25,000*l.* - - - -	25,000 0 0			
		113,500 0 0		
To Interest accrued on Woods and Forest Charges - - - -	24,450 0 0			
Less Interest paid Westminster Improvement Commissioners - - -	1,875 0 0			
		- - -	- - -	22,575 0 0
CREDIT BALANCE, 5th January 1853.				
To Cash in Chamber due to Her Majesty's Commissioners of Woods, &c. - - - -		83,136 3 7		
		223,869 18 10	- - -	1,163,427 7 11
				223,869 18 10
				1,387,297 6 9
To Debit Balance brought down, viz.:—				
Liabilities - - - - -		- - -	- - -	1,049,927 7 11
			£	1,049,927 7 11

Chamber of London,
30th December 1853.

No. 6.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the METROPOLIS and 9 & 10 Vict. c. 34., in respect of

Dr.	£ s. d.	Cash. £ s. d	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
EXPENDITURE, 1852.				
To Drawback allowed on Coal Duty - -	1,262 5 1			
Collection of Duty and Management -	60 2 0			
Cash paid to Credit of Her Majesty's Board of Works - - - -	14,337 15 6			
		15,660 2 7		
	£	15,660 2 7		

Note.—The Liabilities of this Fund cannot be furnished by the Chamberlain, who is merely

Chamber of London,
30th December 1853.

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
Revenue, 1852–3.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Duty of 8*d.* per Ton on Coals (gross)	123,657	3	11									
Duty on Wine	5,040	8	8									
Charge on the City's Revenues	11,500	0	0									
Duty on Admission of Freemen	171	15	0									
Ditto on binding Apprentices	56	0	0									
Rents of Aqueducts	182	5	6									
				140,607	13							
By Bonds discharge				-	-	-	-	-	-	113,500	0	0
Debit Balance, 5th January 1853.												
*By Charges made on the Fund by Her Majesty's Commissioners of Woods and Forests, as per contra, with Interest to this Date	961,927	7	11	-	-	-	-	-	-	1,049,927	7	11
Loan; Act 13 & 14 Vict. c. 103. ($3\frac{1}{2}$*l.* per Cent.)	88,000	0	0									
				223,869	18	10	-	-	-	1,163,427	7	11
										223,869	18	10
										1,387,297	6	9
By Credit, Balance brought down, viz.:—												
Cash				-	-	-	-	-	-	83,136	3	7
Balance against Account, 5th January 1853				-	-	-	-	-	-	966,791	4	4
									£	1,049,927	7	11

JOHN KEY,
Chamberlain.

No. 6.

Improvement Fund, applied under Acts of Parliament 1 & 2 Will. 4. c. 76., 8 & 9 Vict. c. 101., the Year ended 31st December 1852.

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
Revenue, 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Gross Duty of One Penny per Ton on Coals brought into Port of London	13,955	6	8									
Ditto, on Coals brought by Railway	1,530	2	1									
Ditto, on Coals by Canal	157	12	6									
Ditto, on Coals by Road Transit	17	1	4									
				15,660	2	7						
			£	15,660	2	7						

charged with the Receipt of the Duty and Payment of the same to Her Majesty's Board of Works.

JOHN KEY,
Chamberlain.

No. 7.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the Fund for maintaining a
under Trusts of Acts 1 & 2 Will. 4. c. 76., 1 & 2 Vict. c. 101., and

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
DEBIT BALANCES, 31st December 1851.				
To Cash overdrawn on Chamberlain - - - -		6,457 12 9		
EXPENDITURE, 1852.				
To Compensation Allowances to City Land Coal Meters - - -	498 4 8			
Ditto to Westminster ditto - -	525 16 6			
Ditto to Middlesex and Surrey ditto -	154 14 5			
Salaries to Officers - - - -	1,312 0 0			
Repairs and Alterations at Coal Market -	366 14 6			
Law and Parliamentary Expenses - -	1,658 10 10			
Rates, Taxes, and sundry Disbursements -	1,168 16 9			
Purchase of Ground for Improvements -	1,360 17 9			
Deficiencies of Rates caused by ditto -	686 17 6			
Cash invested - - - -	10,000 0 0			
		17,732 12 11		
Rents remitted - - - - -		23 6 0		
CREDIT BALANCES, 31st December 1852.				
To Arrears of Rents, Coal Exchange -	560 15 6			
Ditto St. Mary-at-Hill, &c. -	310 0 11			
		- - -	- - -	870 16 5
Capital of 3¼*l.* per Cents. - - - - -		- - -	9,696 19 4	
		24,213 11 8	9,696 19 4	870 16 5
				9,696 19 4
				24,213 11 8
				34,781 7 5
Balances brought down :				
To Cash overdrawn - - - - -		- - -	- - -	841 13 1
Balance in favour of the Account - - - -		- - -	- - -	9,726 2 8
			£	10,567 15 9

There are charged on this Fund Compensation Allowances to Land Coal Meters for their

Chamber of London,
30th December 1853.

No. 8.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the CITY IMPROVEMENT
the Powers of the Acts of Parliament 9 Vict. c. 22., sch. 26 and 27., 10 & 11 Vict. c. 280,
ber 1847, 22d May 1851, and 29th July 1852, for the Period commencing 30th November

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
				No. 1.—REVENUE
DEBIT BALANCES, 30th November 1851.				
To Balance of Interest on Loan of 50,000*l.*	700 0 0			
Ditto ditto 300,000*l.*	3,000 0 0			
Ditto ditto 200,000*l.*	947 19 5			
		- - -	- - -	4,647 19 5
To Balance of Loan of 50,000*l.* - -	40,000 0 0			
(Loan Improvement Act, 1847) -	300,000 0 0			
Ditto ditto 1850 - -	140,000 0 0			
		- - -	- - -	480,000 0 0

No. 7.

MARKET FOR COALS in the City of London, and for regulating the Vend and Delivery of Coals, 8 & 9 Vict. c. 101., for the Year ended 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Dates, Engagements, and Obligations. £ s. d.
CREDIT BALANCES, 31st December 1851.				
By Arrears of Rents, Coal Exchange -	609 6 6			
Ditto St. Mary-at-Hill, &c. -	1,453 3 9			
		- - -	- - -	2,062 10 3
REVENUE, 1852.				
By Rental of Offices, Coal Exchange -	1,491 1 6			
Ditto of Property, St. Mary-at-Hill, &c.	536 3 8			
Interest on Government Securities -	152 19 7			
Contribution from City Improvement Fund towards Improvement in Thames Street and St. Mary-at-Hill - -	20,000 0 0			
		22,180 4 9		
By Capital of 3¼*l.* per Cents. purchased - - - -		- - -	9,696 19 4	
DEBIT BALANCE, 31st December 1852.				
By Cash overdrawn on Chamberlain - - - - -		841 13 1		
		23,021 17 10	9,696 19 4	2,062 10 3
				9,696 19 4
				23,021 17 10
				34,781 7 5
Balances brought down :				
By Arrears of Rents - - - -		- - -	- - -	870 16 5
Securities - - - - - -		- -	- -	9,696 19 4
			£	10,567 15 9

respective Lives, which amounted together to 1,152*l.* 11*s.* per Annum at the close of the year 1852.

JOHN KEY,
Chamberlain.

No. 8.

FUND, created by Resolution of Court of Common Council, 25th September 1845, and applied under 13 & 14 Vict. c. 56., and 15 Vict. c. 72.; also Acts of Court of Common Council, 18th Novem- 1851, and ending 31st December 1852.

Cr.	Cash.	Securities.	Dates, Engagements, and Obligations.
ACCOUNT.			
CREDIT BALANCES, 30th November 1851. £ s. d.	£ s. d.	£ s. d.	£ s. d.
By Cash in hands of Chamberlain - - - - -	47,353 3 9		
By Arrear due on Account of Charge of 20,000*l.* per Annum - - - - - -	- - -	- - -	25,000 0 0

Dr.			Cash.			Securities.			Debts, Engagements, and Obligations.		
EXPENDITURE, 1852.	£	s. d.	£	s.	d.	£	s.	d.	£	s.	d.
To Interest on Loans, viz.:—											
Interest on Loan of - - £ 50,000	1,400	0 0									
Ditto - - - 300,000	12,000	0 0									
Ditto - - - - 200,000	6,607	6 6									
Ditto - - - 40,000	617	1 1									
Contributed towards Improvements at St. Mary-at-Hill - - - - -	20,000	0 0									
			40,624	7	7						
To Loans raised, viz:—											
Balance of Loan of 200,000*l.* (Act 1850) -	60,000	0 0									
Loan of 40,000*l.* (Improvement Act 1852)	40,000	0 0									
			-		-	-		-	100,000	0	0
CREDIT BALANCES, 31st December 1852.											
To Cash in hands of Chamberlain - - - -			47,873	6	9						
Arrear due on Charge of 20,000*l.* - - -			-	-	-	-	-	-	5,000	0	0
			88,497	14	4	-	-	-	589,647	19	5
									88,497	14	4
								£	678,145	13	9

No. 2.—IMPROVEMENT

EXPENDITURE, 1852.											
To purchase of Ground, Cannon Street, &c. -	210,332	5 7									
Conveyancing, Taxed Costs, &c. -	6,116	15 10									
Rates, Taxes, &c. - - -	2,167	9 3									
Surveys, Valuations, &c. - - -	2,434	5 11									
Salaries and Allowances - -	369	7 6									
Incidental Expenses - - -	456	19 3									
Building Vaults - - -	500	0 0									
			222,377	3	4						
CREDIT BALANCE, 31st December 1852.											
To Cash in the hands of the Chamberlain - -			1,461	6	7						
			223,838	9	11						
To Debit Balances brought down, viz.:—											
Liabilities (Account No. 1.) - - - -			-	-	-	-	-	-	5,792	10	0
Ditto ditto - - - -			-	-	-	-	-	-	580,000	0	0
								£	585,792	10	0

**Note.*—Against the above Balance a considerable Portion of the Ground in Cannon Street, &c. remained unsold at Improvements being at the close

Chamber of London,
30th December 1853.

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
REVENUE, 1852.													
By Charge on City's Duty on Coals					20,000	0	0						
DEBIT BALANCES, 31st December 1852.													
By Balance of Interest on Loan of	£ 50,000	700	0	0									
Ditto	300,000	3,000	0	0									
Ditto	200,000	1,767	10	0									
Ditto	40,000	325	0	0									
					-	-	-	-	-	-	5,792	10	0
Balance of Loan of 50,000*l.* (3½*l.* per Cent.)		40,000	0	0									
Loan (Act 1847) (4*l.* per Cent.)		300,000	0	0									
Ditto (Act 1850) (3½*l.* per Cent.)		200,000	0	0									
Ditto (Act 1852) (3¼*l.* per Cent.)		40,000	0	0									
					-	-	-	-	-	-	580,000	0	0
					67,353	3	9	-	-	-	610,792	10	0
											67,353	3	9
										£	678,145	13	9

ACCOUNT.

CREDIT BALANCES, 30th November 1851.												
By Cash in hands of Chamberlain					36,545	0	10					
INCOME, 1852.												
By Cash, Balance of Loan of 200,000*l.*	60,000	0	0									
Ditto, Loan of 40,000*l.*	40,000	0	0									
Sale of Surplus Ground, Cannon Street, &c.	64,654	14	0									
Sale of old Materials	4,000	0	0									
Rents	2,373	0	2									
Reimbursements for building Vaults	1,082	15	6									
Proceeds of Sale of Stock (Court of Chancery)	15,182	19	5									
				187,293	9	1						
				223,838	9	11						
By Credit, Balances brought down, viz.:—												
Cash (Account No. 1.)				-	-	-	-	-	-	47,873	6	9
Assets (Ditto No. 1.)				-	-	-	-	-	-	5,000	0	0
Cash (Ditto No. 2.)				-	-	-	-	-	-	1,461	6	7
										54,334	13	4
Balance against the Account, 31st December 1852*				-	-	-	-	-	-	531,457	16	8
									£	585,792	10	0

the date of the account, and many liabilities with respect to property to be taken were then outstanding, the of the year 1852 in full progress.

JOHN KEY,
Chamberlain.

No. 9.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the Account for the Year ended

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
To Balance overdrawn on Chamberlain, 31st December 1851		1,804 6 3½		
EXPENDITURE, 1852.				
To Rent and Taxes	6 13 6			
Law Charges	27 9 2			
		34 2 8		
CREDIT BALANCE, 31st December 1852.				
To Arrears of Rents				167 15 0
		1,838 8 11½		167 15 0
				1,838 8 11½
				2,006 3 11½
Balances brought down:				
To Cash overdrawn				1,333 8 11½
			£	1,333 8 11½

* *Note*—Against this Balance there remains an asset of unsold

Chamber of London,
30th December 1853.

No. 10.

AN ACCOUNT of the Expenditure, Assets, and Liabilities of the Account for effecting IMPROVEMENTS

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
EXPENDITURE, 1852.				
To Compensation to Parish Clerk of St. Benet Fink	40 0 0			
Printing	8 10 0			
		48 10 0		
To Cash in hands of Chamberlain, 31st December 1852		2,664 14 6		
	£	2,713 4 6		

Note.—This Account is chargeable with the payment of an annuity

Chamber of London,
30th December 1853.

No. 9.

2 & 3 Vict. c. 107., in relation to further IMPROVING THE APPROACHES TO LONDON BRIDGE, 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
By Arrears of Rents, 31st December 1851				132 15 0
REVENUE, 1852.				
By Rental	161 0 0			
Sale of Ground Rents	379 0 0			
		540 0 0		
DEBIT BALANCE, 31st December 1852.				
By Balance overdrawn on Chamberlain		1,333 8 11½		
		1,873 8 11½		132 15 0
				1,873 8 11½
				2,006 3 11½
Balances brought down:				
By Arrears of Rents				167 15 0
Balance against the Account*				1,165 13 11½
			£	1,333 8 11½

ground rents in Upper Thames-street amounting to 35*l.* per annum.

JOHN KEY,
Chamberlain.

No. 10.

under Act 5 & 6 Vict. c. 101., sch. 1., in respect of the Year ending 31st December 1852.

Cr.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
By Cash in hands of Chamberlain, 31st December 1851	2,713 4 6		
REVENUE, 1852. Nil,			
£	2,713 4 6		

of 40*l.* to the Parish Clerk of St. Benet Fink during his life.

JOHN KEY,
Chamberlain.

No. 11.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Account under Act in respect of the Year

Dr.			Cash.			Securities.			Debts, Engagements, and Obligations.		
Expenditure, 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
To Rents, Rates, and Taxes for vacant Ground	195	0	0									
Advertisements	5	16	6									
				200	16	6						
Allowance on Rents				16	0	11						
Credit Balances, 31st Dec. 1852.												
Cash in hands of Chamberlain				3,293	15	$2\frac{3}{4}$						
Arrears of Rents				-	-	-	-	-	-	283	10	0
				3,510	12	$7\frac{3}{4}$	-	-	-	283	10	0
										3,510	12	$7\frac{3}{4}$
										3,794	2	$7\frac{3}{4}$
Balance brought down:												
Balance in favour of the Account*				-	-	-	-	-	-	3,577	5	$2\frac{3}{4}$
									£	3,577	5	$2\frac{3}{4}$

* *Note.*—In addition to the above Balance, a large portion of the ground remained

Chamber of London,
30th December 1853.

No. 12.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Account under Acts in the City of London and Coppice Row Clerkenwell,

Dr.			Cash.			Securities.			Debts, Engagements, and Obligations.		
Expenditure, 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
To Purchase of Ground and Premises	29,527	16	11									
Law Charges, Costs, &c.	1,745	14	5									
Rent, Rates, and Taxes	1,026	14	4									
Surveys and Valuations	552	16	8									
Salaries and Allowances	467	10	0									
Incidental Expenses	67	8	6									
				33,388	0	10						
Securities sold				-	-	-	46,100	0	0			
Credit Balance, 31st Dec. 1852.												
To Cash in hands of Chamberlain				16,309	4	2						
				49,697	5	0	46,100	0	0			
							49,697	5	0			
							95,797	5	0			
Balance brought down:												
Balance in favour of the Account†				-	-	-	-	-	£	16,309	4	2

† *Note.*—In addition to the above Balance a considerable portion of ground was unsold, and there remained many

Chamber of London,
30th December 1853.

No. 11.

1 & 2 Vict. c. 83., for making a New Street from Holborn Bridge towards Clerkenwell Green, ended 31st December 1852.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
To Cash in hands of Chamberlain, 31st Dec. 1851 - -	2,960 7 7¾		
Arrears of Rents - - - ditto - -	- - -	- - -	512 15 0
Revenue, 1852.			
To Rental - - - - - -	321 0 0		
	3,281 7 7¾	- - -	512 15 0
			3,281 7 7¾
			3,794 2 7¾
Balance brought down:			
By Cash in hand - - - - -	- - -	- - -	3,293 15 2¾
Arrears - - - - -	- - -	- - -	283 10 0
		£	3,577 5 2¾

unsold at the close of the year 1852, the improvement being still in progress.

JOHN KEY,
Chamberlain.

No. 12.

13 & 14 Vict. c. 103. and 14 & 15 Vict. c. 120., in relation to Improvements between Victoria Street for the Year ended 31st December 1852.

Cr.		Cash.	Securities.	Debts, Engagements, and Obligations.
Credit Balances, 31st Dec. 1851.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
By Cash in hands of Chamberlain - - - - -		366 15 5		
India Bonds in hand - - - - - -		- - -	46,100 0 0	
Revenue, 1852.				
By Rents - - - - -	54 12 11			
Old Materials sold - - -	500 0 0			
Interest on Securities - - -	468 19 10			
Proceeds of Sale of Securities - -	48,306 16 10			
		49,330 9 7		
		49,697 5 0	46,100 0 0	
			49,697 5 0	
			95,797 5 0	
Balance brought down:				
By Cash in hand - - - - -		- - -	- - £	16,309 4 2

liabilities relating to property to be purchased at the close of the year 1852, the improvements being in full progress.

JOHN KEY,
Chamberlain.

No. 13.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the Fund for maintaining and 9 & 10 Vict. c. 90., in respect

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
DEBIT BALANCES, 25th July 1851. Nil.				
EXPENDITURE, 1851–2.				
To Salaries to Harbourmasters and others	3,252 0 0			
Mooring Chains, Anchors, Buoys, &c.	3,888 12 8			
Wages and Expenses, Mooring Chain Service	2,468 19 7			
Expenses, Harbour Service	7,661 6 9			
Law Expenses	267 2 4			
Stationery, Printing, and Incidental Charges	236 1 6			
		17,774 2 10		
Surplus invested in Securities		1,702 12 6		
CREDIT BALANCES, 25th July 1852.				
To Capital in 3¼*l.* per Cent. Annuities	47,010 13 11			
Ditto in 3*l.* per Cent. Reduced	54,586 3 10			
			101,596 17 9	
		19,476 15 4	101,596 17 9	
			19,476 15 4	
			121,073 13 1	
Balance brought down: Balance in favour of the Fund				£ 101,596 17 9

Chamber of London,
30th December 1853.

No. 14.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the Fund for maintaining Parliament 50 Geo. 3. c. 204., 52 Geo. 3. c. 223., 5 Geo. 4. c. 123.

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
DEBIT BALANCES, 29th September 1851.				
To Balance overdrawn on Chamberlain		1,696 7 9¾		
Debt to Corporation Cash	15,000 0 0			
Bonds raised by virtue of Act 50 Geo. 3.	4,000 0 0			
Ditto 52 Geo. 3.	58,700 0 0			
Ditto 54 Geo. 3.	43,400 0 0			
Ditto 5 Geo. 4.	8,400 0 0			
Ditto 8 Vict.	20,000 0 0			
				149,500 0 0
EXPENDITURE, 1851–2.				
To Repairs to Locks and Lock-keeper's Wages	1,354 15 6			
Works on the River	1,788 8 3½			
Rents and Taxes for Towing-paths, &c.	296 5 9½			
Timber, Chalk, and Materials	1,643 3 0			
Printing, Stationery, and Incidentals	328 5 1			
Salaries and Allowances	611 1 7			
Interest on Bonds	4,581 10 0			
Law and Parliamentary Expenses	604 3 2			
		11,207 12 5		

No. 13.

ne Harbour and Port of London, Acts 39 Geo. 3. c. 69., 10 Geo. 4. c. 124., 4 & 5 Will. 4. c. 32., f the Year ended 25th July 1852.

Cr.		Cash.	Securities.	Debts, Engagements, and Obligations.
Credit Balances, 25th July 1851.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
By Capital in 3¼*l.* per Cent. Annuities	45,363 13 2			
Ditto in 3*l.* per Cent Reduced	54,586 3 10		99,949 17 0	
Revenue, 1851–2.				
By Tonnage Rates collected	16,582 2 6			
Interest on Government Securities	2,894 12 10			
		19,476 15 4		
By 3¼*l.* per Cents. purchased			1,647 0 9	
		19,476 15 4	101,596 17 9	
			19,476 15 4	
			121,073 13 1	
Balance brought down: Government Securities			£	101,596 17 9

JOHN KEY,
Chamberlain.

No. 14.

d improving the Navigation of the Thames Westward of London Bridge, under the Acts of d 8 Vict. c. 1., in respect of the Year ended 29th September 1852.

Cr.		Cash.	Securities.	Debts, Engagements, and Obligations.
Credit Balance, 29th September 1851.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
By Balance on Sinking Fund Account		39 5 7		
Revenue, 1851–2.				
By Amount of Tolls collected	7,158 16 1			
Grand Junction Canal Company	582 10 0			
Regents Canal Company	436 17 6			
Grand Junction Waterworks Company	50 19 5			
Rent of Surplus Ground	53 18 4			
Gravel and Willows sold	60 7 4			
Sale of Stores	38 8 6			
		8,377 17 2		

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
CREDIT BALANCES, 29th September 1852.	£ s. d.	£ s. d.	£ s. d.
To Balance in hand on Sinking Fund Account - - -	39 5 7		
	12,943 5 9¾	- - -	149,500 0 0
			12,943 5 9¾
			162,443 5 9¾
Balances brought down:			
To Cash overdrawn - - - - - -	- - -	- - -	4,526 3 0¾
other Liabilities - - - - - -	- - -	- - -	149,500 0 0
		£	154,026 3 0¾

Chamber of London,
30th December 1853.

No. 15.

AN ACCOUNT of the Receipt and Payment, Assets and Liabilities of the NAVIGATION RENTAL in respect of the Year

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
DEBIT BALANCE, 29th September 1851.	£ s. d.	£ s. d.	£ s. d.
Nil.			
EXPENDITURE, 1852.			
To Surveys and Improvements on River - - -	1,174 10 0		
CREDIT BALANCE, 29th September 1852.			
To Balance of Cash in hands of Chamberlain - - -	880 5 4		
£	2,054 15 4		

Note.—There are assets belonging to this fund in the shape of arrears for rent, which, with

Chamber of London,
30th December 1853.

No. 16.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the Fund called the the River Thames, in respect of

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
EXPENDITURE, 1852.	£ s. d.	£ s. d.	£ s. d.
To Surveying - - - - -	11 11 0		
Balance, being Cash in hand, 31st December 1852 -	769 15 3		
£	781 6 3		

Chamber of London,
30th December 1853.

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
Debit Balances, 29th September 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Balance overdrawn on the Chamberlain - - - -				4,526	3	0¾						
Debt due to Corporation Cash - -	15,000	0	0									
Bonds raised by virtue of Act 50 Geo. 3. (3½*l.* per Cent.) - - -	4,000	0	0									
Ditto 52 Geo. 3. (3½*l.* per Cent.) -	58,700	0	0									
Ditto 54 Geo. 3. ditto -	43,400	0	0									
Ditto 5 Geo. 4. ditto -	8,400	0	0									
Ditto 8 Vict. ditto -	20,000	0	0									
				-	-	-	-	-	-	149,500	0	0
				12,943	5	9¾	-	-	-	149,500	0	0
										12,943	5	9¾
										162,443	5	9¾
Balances brought down:												
By Cash in hand - - - - - - -				-	-	-	-	-	-	39	5	7
Balance against the Account - - - -				-	-	-	-	-	-	153,986	17	5¾
									£	154,026	3	0¾

JOHN KEY,
Chamberlain.

No. 15.

Fund, arising from Rents and Fines for Projectors and Accommodations on the River Thames, ended 29th September 1852.

Cr.	Cash.			Securities.			Debts, Engagements, and Obligations.		
Credit Balance, 29th September 1851.	£	s.	d.	£	s.	d.	£	s.	d.
By Balance of Cash - - - - -	1,654	15	4						
Receipt, 1852.									
By Rents received - - - - -	400	0	0						
£	2,054	15	4						
Balance in favour of the Account brought down -	-	-	-	-	-	£	880	5	4

the rental for 1852, can be furnished only by receiver of rents for the navigation.

JOHN KEY,
Chamberlain.

No. 16.

"Thames Improvement Fund," arising from Licences for Embankments of the Soil or Bed of the Year ended 31st December 1852.

Cr.	Cash.			Securities.			Debts, Engagements, and Obligations.		
	£	s.	d.	£	s.	d.	£	s.	d.
By Cash in hands of Chamberlain, 31st December 1851 -	671	6	3						
Revenue, 1852.									
By Cash for Licences to embank - - - -	110	0	0						
£	781	6	3						
Balance in favour of Account brought down - -	-	-	-	-	-	£	769	15	3

JOHN KEY,
Chamberlain.

No. 17.

A Statement of the Revenue and Outlay of the Commissioners of Sewers

Dr. CONSOLIDATED

Outlay.	£	s.	d.
To Charge incurred for Works of Paving	22,507	19	6
Ditto for Lighting	9,919	3	2
Ditto for Cleansing	10,031	7	10
Ditto for sundry Artificers	578	15	6
Ditto for Salaries of Officers	4,147	0	11
Ditto for sanitary Works and Expenses	1,592	18	6
Wages paid Clerks of Works, &c.	485	0	0
Ditto Men at the Stone Yards £2,451 9 5			
Rent, Rates, Taxes for ditto 258 3 2			
	2,709	12	7
Charges incurred for Improvements	3,739	11	0
Life Annuities	2,444	10	0
Charges incurred for Collector's Commission	2,471	6	11
Office Disbursements	126	19	4
Sundries	193	15	2
Printing and Stationery	419	10	5
Advertisements	53	7	0
Charges incurred for making out Rate Books by the Ward Clerks	200	2	6
Ditto for Law and Parliamentary Expenses	296	0	8
Ditto for Rent of Offices	100	0	0
Ditto for Rent of Surveyor's Offices and Petty Expenses	98	10	0
To Balance, being Excess of Revenue over Outlay	4,745	13	4
£	66,861	4	4

Sewers Office, Guildhall,
9th December 1853.

No. 17 a.

Account of the Commissioners of Sewers of the City of London on the

Dr. BALANCE

	£	s.	d.
To Cash overdrawn on the Treasurer	1,417	14	11
Bond Creditors for Annuities	504	1	4
Contract Creditors, as per Statement No. 1.	11,320	15	4
Other Creditors - ditto - No. 2.	778	10	8
Officers, for Salaries ditto - No. 3.	1,020	6	8
Collectors, for Commission ditto - No. 4.	1,195	0	6
Sundry other Creditors - ditto - No. 5. estimated at	9,634	0	0
Warrants in hand or not paid at Chamber	15	7	0
Excess of Assets over Liabilities, as per Account 1851 £11,000 10 7			
Ditto - ditto - 29th Sept. 1852 4,745 13 4			
Total ditto - ditto - ditto	15,746	3	11
£	41,632	0	4

Sewers Office, Guildhall,
9th December 1853.

No. 17.

of the City of London, for the Year ending the 29th September 1852.

ACCOUNT. Cr.

Revenue.	£	s.	d.
By Revenue derivable from Rates, after deducting Deficiencies	66,051	18	8
Sundries, Rents, &c.	60	0	8
Fees on Hoards and Scaffolds	313	3	1
Fines for Neglect of Contract, &c.	317	1	6
Compositions for Paving	31	18	0
Balance on Contractor's Deposit Account	1	12	0
Stamps and Allowances	85	10	5
£	66,861	4	4

A true Copy.

(Signed) JOSEPH DAW,
Principal Clerk.

No. 17 a.

Consolidated Account, for the Year ending the 29th September 1852.

SHEET. Cr.

	£	s.	d.	£	s.	d.
By Cash in the hands of the Chief Clerk	-	-	-	184	1	0
Sundry Debtors, as per Statement No. 8.	-	-	-	604	7	2
Arrears of Rates, Year 1849	276	18	9			
Ditto 1850	168	5	6			
Ditto 1851	761	16	10			
Ditto January 1852	2,982	1	1			
Ditto July 1852	39,554	10	0			
	43,743	12	2			
Less, estimated Deficiencies thereon	2,900	0	0			
				40,843	12	2
£				41,632	0	4

A true Copy.

(Signed) JOSEPH DAW,
Principal Clerk.

No. 18.

A Statement of the Revenue and Outlay of the Commissioners of Sewers

Dr. SEWERS

Outlay.	£	s.	d.
To Charge incurred for new Sewers	5,745	14	0
Ditto for repairing and cleansing Sewers	7,618	17	6
Ditto for private Drains	517	17	0
Ditto for sundry Artificers	8	1	0
Ditto for Law and Parliamentary Expenses	9	1	0
Ditto for Sundries	25	15	0
To Balance, being Excess of Revenue over Outlay	5,600	17	0
£	19,526	2	6

Sewers Office, Guildhall,
9th December 1853.

No. 18 a.

Account of the Commissioners of Sewers of the City of London

Dr. BALANCE

	£	s.	d.	£	s.	d.
To Contract Creditors, as per Statement, No. 6.	7,469	0	0			
Sundry other Creditors, ditto, No. 7, estimated at	1,938	12	0	9,407	12	0
Excess of Assets over Liabilities, as per Account, 1851	8,618	9	5½			
Ditto, on 29th September 1852	5,600	17	0	14,219	6	5½
£				23,626	18	5½

No. 19.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the City of

Dr.	Cash.			Securities.			Debts, Engagements, and Obligations.		
Debit Balances, 25th December 1851, Nil.	£	s.	d.	£	s.	d.	£	s.	d.

No. 18.

of the City of London, for the Year ending the 29th September 1852.

ACCOUNT. Cr.

Revenue.	£	s.	d.
By Revenue derivable from Rates, after deducting Deficiencies -	18,826	14	0
Cash received for Cesspools cleansed - - - £58 11 0			
Less, paid for ditto - - - 58 1 6			
	0	9	6
Compositions - - - - - - -	150	0	0
Private Drains - - - - - - -	548	19	0
£	19,526	2	6

A true Copy.
(Signed) JOSEPH DAW.
Principal Clerk.

No. 18 a.

on the Sewers Account, for the Year ending the 29th September 1852.

SHEET. Cr.

	£	s.	d.	£	s.	d.
By Balance in hands of Treasurer, 29th Sept 1852 -			-	20,663	17	5½
Ditto - - Clerk - - -			-	44	15	0
Arrears of Rates, Year 1849 - - -	91	3	9			
Ditto - - 1850 - - -	55	3	7			
Ditto - - 1851 - - -	314	13	6			
Ditto - - 1852 - - -	3,094	15	2			
	3,555	16	0			
Less, estimated Deficiencies thereupon -	750	0	0			
				2,805	16	0
Metropolitan Commissioners of Sewers -	-		-	112	10	0
£				23,626	18	5½

A true Copy.
(Signed) JOSEPH DAW,
Principal Clerk.

No. 19.

London Police Fund, Act 2 & 3 Vict. c. 94., in respect of the Year, to Christmas 1852.

Cr.	£	s.	d.	Cash. £	s.	d.	Securities. £	s.	d.	Debts, Engagements, and Obligations. £	s.	d.
Credit Balances, 25th December 1851.												
By Cash in hands of Chamberlain - - -			-	2,905	14	4						
Arrears of Rates - - £3,038 3 3½												
Less, Deficiencies and Poundage - - 2,100 2 8½												
	938	0	7									
Half Rates outstanding - - -	640	17	7¼									
Arrear of Rent - - -	10	0	0									
Private watching - - - -	400	15	0									
				-	-	-	-	-	-	1,989	13	2¼

Dr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
EXPENDITURE, 1852.			£ s. d.	£	s.	d.	£	s.	d.	£	s.	d.
To Salary to Commissioner			1,000 0 0									
Ditto to Superintendent			405 0 0									
Ditto to Surgeon			462 10 0									
Ditto to Receiver, Accountants, &c.			986 6 0									
Wages to Inspectors and Constables			29,484 9 0									
Superannuation Fund			1,121 19 11									
Clothing			1,467 14 10									
Lanterns			330 0 0									
Chief Office and several Stations			3,264 1 4									
Police Constables for extra Services			751 19 0									
Gratuities, disabled Constables			278 18 0									
Printing and Stationery			222 9 9									
Incidental Expenses			88 17 0									
Superannuated Watchmen			395 4 0									
Law Expenses			22 7 8									
				40,281	16	6						
To Deficiencies of Rates and Poundage allowed, 1852				2,063	18	$8\frac{3}{4}$						
CREDIT BALANCES, 31st December 1852.												
To Balance of Cash in hands of Chamberlain				334	8	3						
Arrears of Rates	£ 2,189	7	$10\frac{3}{4}$									
(less, Deficiencies and Poundage)	2,063	18	$8\frac{3}{4}$									
	125	9	2									
Half Rates outstanding	688	16	$2\frac{3}{4}$									
				814	5	$4\frac{3}{4}$						
Arrears of Rent				10	0	0						
Private watching				865	15	6						
				-	-	-	-	-	-	1,690	0	$10\frac{3}{4}$
				42,680	3	$5\frac{3}{4}$	-	-	-	1,690	0	$10\frac{3}{4}$
										42,680	3	$5\frac{3}{4}$
										44,370	4	$4\frac{1}{2}$
Balance brought down:												
Balance in favour of the Fund				-	-	-	-	-	-	2,024	9	$1\frac{3}{4}$
									£	2,024	9	$1\frac{3}{4}$

Chamber of London,
30th December 1853.

No. 20.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the WARD RATE FUND Wardmotes, and other Ward Meetings, and

Dr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
DEBIT BALANCES, 25th December 1851.				£	s.	d.	£	s.	d.	£	s.	d.
To Cash due to Chamberlain				2,408	4	$6\frac{1}{2}$						
EXPENDITURE, 1852.												
To Deputies of several Wards				4,535	0	7						
Deficiencies and Poundage				352	18	$11\frac{1}{4}$						

Cr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
Revenue, 1852.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Rates to Christmas 1852 - -	28,164	11	10¼									
Amount contributed by Corporation -	9,772	13	10									
Watching London Bridge - - -	382	4	0									
Watching Blackfriars Bridge - -	286	0	0									
Private Watching - - -	487	12	0									
Rent of Premises - - - -	80	0	0									
Fines and Penalties - - -	295	7	2									
A casual Receipt - - - -	6	8	0									
				39,474	16	10¼						
				42,380	11	2¼	-	-	-	1,989	13	2½
										42,380	11	2¼
										44,370	4	4¾
Balance brought down:												
By Cash in hand - - - -				-	-	-		-	-	334	8	3
Arrears - - - - -				-	-	-	-	-	-	1,690	0	10¾
									£	2,024	9	1¾

JOHN KEY,
Chamberlain.

No. 20.

(Act 2 & 3 Vict. c. 94. s. 85.) for paying Expenses of Ward Clerks, Beadles, holding of for Local Purposes connected therewith.

Cr,				Cash.			Securities.			Debts, Engagements, and Obligations.		
Credit Balances, 25th December 1851.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
By Arrears of Rates - - -	201	1	1									
Half Rates outstanding - - -	60	9	10¾									
				-	-	-	-	-	-	261	10	11¾
Revenue, 1852.												
By Rate for the Year 1852 - - - -				4,392	6	3½						

Dr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Credit Balances, 25th Dec. 1852.												
To Arrears of Rates	37	13	0									
Half Rates outstanding	74	10	7									
				-	-	-	-	-	-	112	3	7
				7,296	4	$0\frac{3}{4}$	-	-	-	112	3	7
										7,296	4	$0\frac{3}{4}$
										7,408	7	$7\frac{3}{4}$
Balances brought down :												
Due to Chamberlain				-	-	-	-	-	-	2,754	10	$4\frac{1}{2}$
								£		2,754	10	$4\frac{1}{2}$

Chamber of London,
30th December 1853.

No. 21.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the City Police

Dr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Debit Balance, 31st December 1851.												
Nil.												
Expenditure, 1852.												
To Pensions to superannuated Constables				178	17	0						
Purchase of Government Securities				1,629	15	1						
Credit Balance, 31st December 1852.												
To $3\frac{1}{4}$*l.* per Cent Annuities				-	-	-	21,489	18	6			
				1,808	12	1	21,489	18	6			
							1,808	12	1			
							23,298	10	7			
Balance brought down:												
Balance in favour of the Fund				-	-	-	-	-	£	21,489	18	6

Chamber of London,
30th December 1853.

No. 22.

An Account of the Revenue and Expenditure of an Account in the Management
Police Constables, for the Year

Dr.				Cash.			Securities.			Debts, Engagements, and Obligations.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Expenditure, 1852.												
To Pensions to superannuated Police Constables				96	11	0						
Balance in hands of Chamberlain, 31st December 1852				850	7	0						
				946	18	0						
Balance in favour of Account				-	-	-	-	-	£	850	7	0

Chamber of London,
30th December 1853.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
DEBIT BALANCES, 25th Dec. 1852.			
By Balance due to Chamberlain - - - -	2,754 10 4½		
	7,146 16 8	- - -	261 10 11¾
			7,146 16 8
Balances brought down:			7,408 7 7¾
Arrears - - - - - -	- - -	- - -	112 3 7
Balance against the Fund - - - -	- - -	- - -	2,642 6 9½
		£	2,754 10 4½

JOHN KEY,
Chamberlain.

No. 21.

SUPERANNUATION FUND Act (2 & 3 Vict. c. 94.) in respect of the Year ended the 31st December 1852.

Cr.		Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
CREDIT BALANCE, 31st December 1851.				
By 3¼*l.* per Cent. Annuities - - - - -		- - -	19,890 3 5	
REVENUE, 1852.				
By Fines for Assaults on Constables - -	91 16 6			
Stoppages from Pay of ditto - -	1,121 19 11			
Interest on Government Securities -	594 15 8			
		1,808 12 1		
By Stock purchased - - - - - -		- - -	1,599 15 1	
		1,808 12 1	21,489 18 6	
			1,808 12 1	
			23,298 10 7	
Balance brought down:				
By Capital of 3¼*l.* per Cent. Annuities - - -		- - -	- - -	21,489 18 6

JOHN KEY,
Chamberlain.

No. 22.

of the Court of Aldermen, arising from Fees paid for SERVING SUMMONSES BY THE ended 31st December 1852.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
By Balance in hands of Chamberlain, 31st December 1851 - - - - - -	768 9 6		
REVENUE, 1852.			
By Amount of Fees received - - - - -	178 8 6		
	946 18 0		
By Balance of Cash brought down - - -	- -	- - -	850 7 0

JOHN KEY,
Chamberlain.

No. 23.

AN ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the GENERAL the Year ended

Dr.		Cash.	Securities.	Debts, Engagements, and Obligations.
EXPENDITURE, 1851–52.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
To Salaries of Judge and Officers of Court	2,312 2 9			
Parliamentary Expenses	315 1 5			
Repairs and Alterations	212 13 0			
Stationery, Printing, and Incidentals (including Arrears)	1,333 17 0			
Pensions to superannuated Officers	417 10 2			
		4,591 4 4		
Suitors, due on Foreign Service Account				160 0 0
CREDIT BALANCE, 29th September 1852.				
Cash in hands of Treasurer		4,516 11 5		
		9,107 15 9		9,107 15 9
				9,267 15 9
Balances brought down:				
Due on Foreign Service Account				160 0 0
Balance in favour of the Account				4,356 11 5
			£	4,516 11 5

Chamber of London,
30th December 1853.

No. 24.

AN ACCOUNT of the Suitors' Cash received into and paid out of Court, Assets, and Liabilities of the the Year ended

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
PAYMENTS.	£ s. d.	£ s. d.	£ s. d.
To Cash paid out of Court to Suitors, from 31st December 1851 to 31st December 1852	14,952 13 3		
Balance due to Suitors this date, 31st December 1852	1,553 19 4		
£	16,506 12 7		

Sheriffs' Court,
20th December 1853.

No. 23.

FUND OF THE SHERIFFS COURT of the City of London, Act 15 Vict. c. 77., in respect of 29th September 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
CREDIT BALANCE, 29th September 1851.				
By Cash in hands of Treasurer		4,405 10 2		
REVENUE, 1851–52.				
By Fees and Fines received by Treasurer	4,539 16 8			
Foreign Service Money received	160 0 0			
Casual Receipt	2 8 11			
		4,702 5 7		
DEBIT BALANCE, 29th September 1852.				
By Foreign Service Money, not proper to this Account		- - -	- -	160 0 0
		9,107 15 9	- - -	160 0 0
				9,107 15 9
				9,267 15 9
Balance brought down:				
Cash in hand		- - -	- - -	4,516 11 5
			£	4,516 11 5

JOHN KEY,
Chamberlain.

No. 24.

LONDON (CITY) SMALL DEBTS COURT, 10 & 11 Vict. c. 71., and 15 Vict. c. 77., in respect of 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
CREDIT BALANCE, 31st December 1851.				
Suitors' Cash, as per Statement of Affairs this day		1,231 16 3		
RECEIPTS, 1852.				
By Cash received from Suitors, from 31st December 1851 to 31st December 1852		15,274 16 4		
	£	16,506 12 7		
DEBIT BALANCE brought down, 31st December 1852.				
In Chamber of London	1,158 18 2			
Over Payment and deficit Accounts	72 18 1			
In Court	322 3 1			
		1,553 19 4		

(Signed) M. E. WILKINSON, Chief Clerk.
WM. GEO. ROBERTS, Clerk Accountant.

No. 25.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Billingsgate

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Debit Balance, 31st December 1851.				
To Cash due to Chamberlain - - - -		16,660 19 5		
Expenditure, 1852.				
To re-building Market - - -	3,969 2 0			
Salary to Collector - - -	133 6 8			
Rates and Taxes - - -	232 10 0			
Coals, Gas, and Sundries - - -	532 13 6			
Interest on Monies advanced - -	353 12 9			
		5,221 4 11		
Loan from Corporation - - -		- - -	- - -	20,000 0 0
Credit Balance, 31st December 1852.				
To Arrears of Tolls - - - - -		- - -	- - -	66 16 3
		21,882 4 4	- - -	20,066 16 3
				21,882 4 4
				41,949 0 7
Balances brought down:				
Due to City's Cash - - - -		- - -	- - -	20,000 0 0
Due to Chamberlain - - - -		- - -	- - -	954 19 7
			£	20,954 19 7

* *Note.*—In addition to the above Liabilities there are contracts subsisting in relation to the

Chamber of London,
30th December 1853.

No. 26.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the City of London

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Debit Balances, 31st December 1851. Nil.				
Expenditure, 1852.				
To Salaries to Masters - - -	3,953 3 6			
Ditto Secretary and Accountant - -	310 10 0			
School Books and Stationery - -	811 19 2			
Board and Clothing of Boys on Foundation	200 0 0			
Rates, Taxes, and Water-rent - -	277 18 2			
Wages to Porter and sundry Expenses -	213 1 0			
Coals and Lighting and Sundries - -	295 3 6			
Repairs and Alterations - -	147 10 6			
Printing - - - -	99 15 5			
Sh kespere Prizes Fund - -	31 9 8			
		6,340 10 11		
Credit Balances, 31st December 1852.				
To Cash in hands of Chamberlain -	- - -	523 12 1½		
Consols - - - - -	676 3 3			
Ditto - - - - -	1,081 1 7			
3½*l.* per Cent. Annuities -	480 3 10			
		- - -	2,237 8 8	
		6,864 3 0½	2,237 8 8	
			6,864 3 0½	
			9,101 11 8½	
Balance brought down:				
Balance in favour of the Account - - -		- - -	- - -	2,761 0 9½
			£	2,761 0 9½

Note.—This account is exclusive of the value of the School Premises and

Chamber of London,
30th December 1853.

No. 25.

MARKET TOLLS ACCOUNT (Act 9 & 10 Vict. c. 346.) for the Year ending the 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
CREDIT BALANCE, 31st December 1851.				
By Arrears of Tolls				36 2 9
REVENUE, 1852.				
By Produce of Tolls	957 18 3			
Cash, Amount of Loan	20,000 0 0			
		20,957 18 3		
DEBIT BALANCES, 31st December 1852.				
By Amount due to City's Cash				20,000 0 0
Cash due to Chamberlain		954 19 7		
		21,912 17 10		20,036 2 9
				21,912 17 10
				41,949 0 7
Balances brought down:				
By Arrears of Tolls				66 16 3
Balance against the Account*				20,888 3 4
			£	20,954 19 7

re-building of the Market, but the Chamberlain is not officially cognizant of their Amounts.

JOHN KEY,
Chamberlain.

No. 26.

SCHOOL ACCOUNT (Act 4 & 5 Will. 4. c. 45.) for the Year ended 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
CREDIT BALANCES, 31st December 1851.				
By Cash in hands of Chamberlain		519 15 0½		
Consols	676 3 3			
Ditto	1,081 1 7			
3¼*l.* per Cent. Annuities	480 3 10			
			2,237 8 8	
REVENUE, 1852.				
By Payment out of Corporation Estate	900 0 0			
Payments on account of Scholars	5,409 11 0			
Dividends on Stock £19 14 0				
Ditto 15 3 0				
	34 17 0			
		6,344 8 0		
DEBIT BALANCE, 31st December 1852.				
Nil.				
		6,864 3 0½	2,237 8 8	
			6,864 3 0½	
			£ 9,101 11 8½	
Balances brought down:				
Cash in hand				523 12 1½
Government Securities				2,237 8 8
			£	2,761 0 9½

perpetual Rent-charge on the Corporation Estate of 900*l.* per annum.

JOHN KEY,
Chamberlain.

No. 27.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Freemen's Orphan

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Debit Balance, 31st Dec. 1851.				
Nil.				
Expenditure, 1852.				
To Erection of School-house	8,832 1 0			
Forming Sewer	100 0 0			
Salaries	65 10 5			
Payment charged on Dividends of 833*l.* 9*s.* 2*d.* Reduced 3*l.* per Cents.	10 0 0			
Law Charges	2 19 0			
Sundry Expenses	174 16 10			
		9,185 7 3		
To Allowance on Rents	- - -	5 2 9		
Capital of Consols sold	- - -	- - -	4,000 0 0	
Credit Balances, 31st Dec. 1852.				
To Cash in hands of Chamberlain	- - -	1,944 1 5		
Capital in Consols	4,434 8 2			
Ditto in Reduced 3*l.* per Cents.	833 9 2			
		- - -	5,267 17 4	
Arrears of Dividends on ditto	72 16 6			
Arrears of Rents	272 4 7			
		- - -	- - -	345 1 1
		11,134 11 5	9,267 17 4	345 1 1
				9,267 17 4
				11,134 11 5
				20,747 9 10
Balances brought down:				
To Amount due to Sheriffs	- - -	- - -	- - -	200 0 0
Balance in favour of the Account*	- -	- - -	- - -	7,356 19 10
			£	7,556 19 10

* *Note.*—Against this Balance a Contract subsists for completing the Erection of the School

Chamber of London,
30th December 1853.

No. 28.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Fund for providing and pursuant to Resolution of Court of Common Council,

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Expenditure, 1852.				
To Purchase of Ground and Premises	19,480 0 0			
Law Expenses	100 3 6			
A casual Payment	1 15 0			
		19,581 18 6		

No. 27.

School Account (Act 13 & 14 Vict. c. 10.) in respect of the Year ended 31st December 2852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Credit Balances, 31st Dec. 1851.				
By Cash in hands of Chamberlain		4,780 2 7		
Capital in Consols	6,600 0 0			
Ditto	1,834 8 2			
Ditto in Reduced 3*l.* per Cents.	833 9 2			
			9,267 17 4	
Arrears of Dividends on ditto	48 11 0			
Arrears of Rents	155 18 10			
				204 9 10
Revenue, 1852.				
By Dividends on Consols	245 12 10			
Ditto Reduced 3*l.* per Cents.	24 5 6			
Proceeds of Stock sold	4,012 10 0			
Rental	325 17 1			
Sheriffs Fines £1,200 0 0				
Less, due to Sheriffs 200 0 0				
	1,000 0 0			
Fees on Freedoms	986 14 8			
		6,595 0 1		
Debit Balance, 31st Dec. 1852.				
By Amount due to Sheriffs out of Fines				200 0 0
		11,075 2 8	9,267 17 4	404 9 10
				9,267 17 4
				11,075 2 8
				20,747 9 10
Balances brought down :				
By Cash Balance				1,944 1 5
Government Securities				5,267 17 4
Arrears of Rents, &c.				345 1 1
			£	7,556 19 10

Premises, but the Chamberlain is not officially cognizant of the amount due on that Contract.

JOHN KEY,
Chamberlain.

No. 28.

Lodging Houses for the Labouring Poor, under the Powers of the Act 14 & 15 Vict. c. 120. s. 12, 23d October 1851, in respect of the Year ending 31st December 1852.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Revenue, 1852.				
By Amount transferred from City's Cash	19,625 0 0			
Rent of Premises	53 8 0			
		19,678 8 0		

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
CREDIT BALANCE, 31st December 1852.			
To Cash in hands of Chamberlain - - - - - -	96 9 6		
£	19,678 8 0		
Balance brought down :			
Balance in favour of the Account, 31st December 1852 - - - - - -	- - -	- - -	96 9 6

Note.—In addition to the above a Capital of 22,469*l.* 3*s.* Reduced 3*l.* per Cents. had been placed at the disposal of this of the City's Account.

The Ground purchased as above belongs to the Corporation Estate, and the Revenue arising from the Buildings when

Chamber of London,
30th December 1853.

No. 29.

An ACCOUNT of the Revenue and Expenditure, Assets, and Liabilities of the City's Moiety of the

Dr.		Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
DEBIT BALANCES, 10th October 1851.				
To Loan - - - - -	70,000 0 0			
Ditto - - - -	15,000 0 0			
Debt to Corporation of London - - £ 20,000 0 0				
Ditto - - - 1,662 10 0				
Ditto - - - 3,809 10 0				
	25,472 0 0			
Arrears of Interest on Loan - -	831 5 0			
	- - -	- - -	- - -	111,303 5 0
EXPENDITURE, 1851–52.				
To Salaries to Lecturers, Gresham College -	663 12 5			
Poor Prisoners - - -	55 0 0			
Almsmen and Repairs to Almshouses -	284 12 5			
Rates, Taxes, &c., Royal Exchange -	425 17 9			
Salaries ditto - - - -	337 17 0			
Law Expenses - - -	14 12 8			
Incidental Expenses - - -	71 13 9			
Interest on Advances - -	56 17 5			
Interest on Loans - - -	3,180 4 1			
Loans paid off - - -	85,000 0 0			
		90,090 7 6		
CREDIT BALANCES, 10th October 1852.				
To Cash in hands of Chamberlain - - -		529 7 5		
Arrears of Rents - - - - -		- - -	- - -	162 11 3
		90,619 14 11	- - -	111,465 16 3
				90,619 14 11
			£	202,085 11 2
Balance brought down:				
To Debts and other Liabilities - - -		- - -	- - -	111,215 15 0
			£	111,215 15 0

Note.—Against the above Balance and any other Liability upon the Mercers' Moiety of the Estate, there belong to this College and the Gresham Almshouses.

Chamber of London,
30th December 1853.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
Revenue, 1852.			
Brought forward - -	19,678 8 0		
£	19,678 8 0		
Balance brought down :			
Cash in hand - - - - - -	- - -	- - -	96 9 6

Account, but the Stock not having been sold nor the Proceeds required at the close of the Year 1852, it remained to credit completed will be brought into the Charge of that Estate.

JOHN KEY,
Chamberlain.

No. 29.

Estate under the Will of Sir Thomas Gresham, in respect of the Year ended 10th October 1852.

Cr.	£ s. d.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Credit Balances, 10th Oct. 1851.					
By Cash in hands of Chamberlain - - - -			578 6 11		
Arrears of Rents - - - - -			- - -	- - -	167 7 6
Revenue 1851-52.					
By Rental - - - £5,028 12 1½					
(Overpaid) - - 0 3 8½					
	5,028 15 10				
By Cash, Loan from Guardian Assurance -	85,000 0 0				
Casual receipts - - -	95 5 11				
			90,124 1 9		
Debit Balances, 10th Oct. 1852.					
By Loan (Guardian Assurance) (3½*l.* per Cent.)	85,000 0 0				
Debt of Corporation - £ 20,000 0 0					
Ditto - - - 1,662 10 0					
Ditto - - - 3,809 10 0					
	25,472 0 0				
By Arrears of Interest on Loan - -	743 15 0		- - -	- - -	111,215 15 0
			90,702 8 8	- - -	
					111,383 2 6
					90,702 8 8
					202,085 11 2
Balances brought down :					
By Cash - - - - - -			- - -	- - -	529 7 5
Other Assets - - - - -			- - -	- - -	162 11 3
					691 18 8
By Balance against the Account* -			- - -	- - -	110,523 16 4
		£			111,215 15 0

Trust the Royal Exchange Shops, Offices, and Buildings, a Rent-charge upon the Site of the Excise Office, also Gresham

JOHN KEY,
Chamberlain.

No. 30.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Corporation of the and Aldermen of London, Governors of the said

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
To balance of Cash due to Chamberlain -	- - -	2,061 1 11¼		
Expenditure, 1852–53.				
To Hospital Expenses, clothing and keep of Inmates - - - -	1,246 19 8			
Pensions to Almspeople - - -	497 5 0			
Salaries and Allowances - -	459 16 0			
Repairs and Alterations - - -	123 17 11			
Sundry Expenses - - -	111 11 7			
		2,439 10 2		
3*l.* per cent. Consols - - -	-	- - -	6,000 0 0	
Arrears of net Rental (½ year) - - - -	-	- - -	- - -	1,250 4 8
£		4,500 12 1¼	6,000 0 0	1,250 4 8
				6,000 0 0
				4,500 12 1¼
			£	11,750 16 9¼
Balances brought down :				
To Balance of Cash overdrawn - - -		- - -	- - -	2,020 12 1¼
Balance in favour of the Account - -		- - -	- - -	5,229 12 6¾
			£	7,250 4 8

Note.—In addition to the above floating Assets there are, belonging to the Trust, Freehold Estates at

* This Account has been prepared, as it regards *form*, in accordance

Chamber of London,
30th December 1853.

No. 31.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Account created by that Act, for the Year

Dr.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Expenditure, 1852.	£ s. d.	£ s. d.	£ s. d.
To Salaries and Expenses incurred in allowing Drawback -	977 7 2		
Cash in Chamberlain's hands, 31st December 1852 -	248 14 1		
£	1,226 1 3		
Balance brought down :			
Balance in favour of the Account - - -	- - -	- - £	248 14 1

Chamber of London,
30th December 1853.

No. 30.

Poor of Emanuel Hospital under the Will of Lady Dacre, in the Management of the Lord Mayor Hospital, in respect of the Year ended 24th June 1853.

Cr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
By 3*l.* per Cent. Consols	- - -	- - -	6,000 0 0	- - -
Arrears of Rents ($\frac{1}{2}$ year)	- - -	- - -	- - -	1,050 0 0
Revenue, 1852–53.				
By Rent (net) of Estate at Brandsburton	2,500 4 8			
Dividend on Stock	180 0 0			
		2,680 4 8		
By Balance of Cash due to Chamberlain		2,020 12 1¼		
		4,700 16 9¼	6,000 0 0	1,050 0 0
				6,000 0 0
				4,700 16 9¼
			£	11,750 16 9¼
Balances brought down :				
By 3*l.* per Cent. Consols		- - -	- - -	6,000 0 0
Other Assets		- - -	- - -	1,250 4 8
			£	7,250 4 8

Brandsburton, in the County of York, and the Lands and Premises called Emanuel Hospital at Westminster.
with the Directions of the Corporation Inquiry Commissioners.

JOHN KEY,
Chamberlain.

No. 31.

Act 14 and 15 Vict. c. 146, for defraying the Charges upon allowing Drawback on Coals under
ended 31st December 1852.

Cr.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
By Cash in hands of Chamberlain, 31st December 1851	80 18 10		
Revenue, 1852.			
By One Penny per Ton retained on Allowance of Drawback to meet expenses	1,145 2 5		
£	1,226 1 3		
Balance brought down :			
By Cash in hand brought down	- - -	- - - £	248 14 1

JOHN KEY,
Chamberlain.

No. 32.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Account under the Year

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
Debit Balance, 31st Dec. 1851.			
Nil.			
Expenditure, 1852.			
To Payments to Poor Soldiers and Seamen - - -	204 0 0		
Credit Balances, 31st Dec. 1851.			
To Cash in hands of Chamberlain - - - - -	165 2 1		
Reduced 3*l.* per Cents. - - - - -	- - -	7,200 0 0	
	369 2 1	7,200 0 0	
		369 2 1	
	£	7,569 2 1	
Balance brought down:			
Balance in favour of the Account - -	- - -	- - -	7,365 2 1
		£	7,365 2 1

Chamber of London,
30th December 1853.

No. 33.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Fund for Establishing December

Dr.		Cash.	Securities.	Debts, Engagements, and Obligations.
Expenditure, 1852.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
To Books purchased - - - -	188 6 10			
Engraving Cards - - -	6 0 0			
		194 6 10		
Credit Balance, 31st Dec. 1852.				
Cash in hands of Chamberlain - - - - -		271 12 6		
	£	465 19 4		
Balance brought down:				
Balance in favour of the Account - - -		- - -	- - £	271 12 6

Chamber of London
30th December 1853.

No. 32.

Will of Sir John Langham Bart., in the Management of the Court of Aldermen, in respect of the 1852.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
Credit Balances, 31st Dec. 1851.	£ s. d.	£ s. d.	£ s. d.
By Cash in the hands of Chamberlain	159 8 1		
Reduced 3*l.* per Cents.	- - -	7,200 0 0	
Revenue, 1852.			
By Dividends on Stock	209 14 0		
	369 2 1	7,200 0 0	
		369 2 1	
	£	7,569 2 1	
Balances brought down:			
By Cash	- - -	- - -	165 2 1
Securities	- - -	- - -	7,200 0 0
		£	7,365 2 1

JOHN KEY,
Chamberlain.

No. 33.

a Library in the Guildhall of the City of London, from the 31st December 1851 to 31st 1852.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
Credit Balance, 31st Dec. 1852.	£ s. d.	£ s. d.	£ s. d.
By Cash in hands of Chamberlain	265 19 4		
Revenue, 1852.			
By Contribution from City's Cash	200 0 0		
	£ 465 19 4		
Balance brought down:			
By Cash in hand	- - -	- - £	271 12 6

JOHN KEY,
Chamberlain.

No. 34.

An Account of the Revenue and Expenditure, Assets, and Liabilities of the Account under Act
Office, in respect of the Year

Dr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
Expenditure, 1852.			
To Rates and Taxes - - - - -	23 15 7		
Credit Balances, 31st Dec. 1852.			
To Cash in hands of Chamberlain - - - -	1,710 8 0¼		
Rents in Arrear - - - - - -	- - -	- - -	87 17 6
	1,734 3 7¼	- - -	87 17 6
			1,734 3 7¼
		£	1,822 1 1¼
Balances brought down:			
Balance in favour of the Account* - -	- - -	- - -	1,798 5 6¼
		£	1,798 5 6¼

* *Note.*—There are certain Premises unsold on this Account producing an annual Rental of £87 17*s.* 6*d.* The Balance of
" Orphan's Fund," which has, however,

Chamber of London,
30th December 1853.

No. 35.

An Account of the Receipt and Application, Assets, and Liabilities of a Fund arising from the
Deed entered into with the Chamberlain for regulating the Emoluments

Dr.	£ s. d.	Cash. £ s. d.	Securities. £ s. d.	Debts, Engagements, and Obligations. £ s. d.
Debit Balance, 5th Jan. 1852.				
Nil.				
Application, 1852–53.				
To Payment in lieu of Acquittances -	120 0 0			
Cash invested in Stock - -	5,675 10 10			
		5,795 10 10		
Credit Balance, 5th Jan. 1853.				
To Capital in Consols - - - - - -		- - -	20,609 2 7	
		5,795 10 10	20,609 2 7	
			5,795 10 10	
			£ 26,404 13 5	
Balance brought down:				
Balance in favour of the Fund† - - - -		- - -	- - £	20,609 2 7

† *Note.*—The above Balance is applicable to the relief of certain public

Chamber of London,
30th December 1853.

No. 34.

55 Geo. 3., for Improving St. Martin's-le-Grand, and providing a Site for the General Post ended 31st December 1852.

Cr.	Cash.	Securities.	Debts, Engagements, and Obligations.
	£ s. d.	£ s. d.	£ s. d.
Credit Balance, 31st Dec. 1851.			
By Cash in Chamberlain's hands	1,645 8 3¼		
Arrears of Rent	- - -	- - -	88 15 4
Revenue, 1852.			
By Rents (net)	87 17 6		
	1,733 5 9¼		88 15 4
			1,733 5 9¼
		£	1,822 1 1¼
Balances brought down:			
Cash in hand	- - -	- - -	1,710 8 0¼
Arrears of Rent	- - -	- - -	87 17 6
		£	1,798 5 6¼

the Account when closed is thus applicable; Two-thirds to Her Majesty's Postmaster General, and One-third to the been closed by Act of Parliament.

JOHN KEY,
Chamberlain.

No. 35.

Surplus Profits of the Office of Chamberlain of London, pursuant to Provisions of a Trust of his Office, in respect of Year ended 5th January 1853.

Cr.		Cash.	Securities.	Debts, Engagements, and Obligations.
		£ s. d.	£ s. d.	£ s. d.
Credit Balance, 5th Jan. 1852.				
By Capital of Consols	- - -	- - -	14,926 9 8	
Revenue, 1852–53.				
By Surplus Emoluments of Chamberlain brought to Account	5,360 16 2			
Dividends on Stock	434 14 8			
		5,795 10 10		
By Capital in Consols purchased	- - -	- - -	5,682 12 11	
		5,795 10 10	20,609 2 7	
			5,795 10 10	
		£	26,404 13 5	
Balance brought down:				
By Capital in Consols	- - -	- - -	- - £	20,609 2 7

Trust Funds from the Charges of Management in the Chamber of London.

JOHN KEY,
Chamberlain.

No. 36.

A Statement of Balances upon various Accounts,

	Dr.	Cash.		
A	Royal Exchange (Improvement of Site)			
		£ s. d.		
B	Port of London Improvement.—			
	Balance overdrawn on the Chamberlain - - -	0 17 0		
C	Port of London Improvement.—			
D	Isle of Dogs Canal Account.—			
E	Sewers Prosecutions			
F	Late Court of			
	Balance overdrawn on Chamberlain (Fee Account) - -	955 12 8		
	Ditto ditto (Suitors' Account) -	104 0 9		
		1,059 13 5		
	Note.—Account			
G	Fleet Market			
	Balance overdrawn on Chamberlain* - - -	1,625 4 2		
	* *Note.*—A House remains unsold upon this Account,			
H	New Prison for Debtors.—			
I	Improvements at Temple Bar			
K	London Poor Account.—			

No. 36.

CLOSED or in SUSPENSE, on the 31st December 1852.

	Cr.	Cash.		
Account.—1 & 2 Vict. and 5 & 6 Vict.				A
		£ s. d.		
	Balance of Cash in Hands of Chamberlain - - -	190 9 9		
Act 42 Geo. III.				B
Act 43 Geo. III.				C
	Balance of Cash in Hands of Chamberlain - - -	9 9 5½		
Act 42 Geo. III.				D
	Balance of Cash in Hands of Chamberlain - - -	82 14 1		
Account.				E
	Balance of Cash in Hands of Chamberlain - - -	4 12 8		
REQUESTS Account.				F
ince closed.				
REMOVAL Account.				G
he proceeds of which would form an Asset.				
Building Account.				H
	Balance in Hands of Chamberlain - - - -	837 13 1½		
Account.—Act 51 Geo. III.				I
	Balance in Hands of Chamberlain - - - -	9 19 1¾		
	Ditto on Ground Rent Account - - - -	143 15 3½		
		153 14 5¼		
Collected on a King's Letter.				K
	Balance in Hands of Chamberlain, unapplied - -	147 13 6		

A Statement of Balances, upon various Accounts, Closed

	Dr.	Cash.		
L			Fleet Prisoners Relief Account.—	
		£ s. d.		
M			Account of Rates levied	
N			House of Correction at Holloway.—	
O			Monies received in respect of	

Note.—A separate Account of these Monies was

P			Monies received in respect of	

Note.—A separate Account of these Monies was

Chamber of London,
30th December 1853.

No. 37.

An Account of the Revenue and Expenditure, Assets, and Liabilities, of the Account under the
ended 31st

Dr.	Cash.	Securities.	Debts, &c.
Expenditure, 1852.	£ s. d.	£ s. d.	£ s. d.
To Payments to Queen's Prison and Whitecross Street Prison -	18 0 0		
Cash in hand, 31st Dec. 1853 - - - - -	3 0 0		
Capital in £3 per Cent. Reduced Annuities - -	- - -	600 0 0	
	21 0 0	600 0 0	
		21 0 0	
	£	621 0 0	
Balance brought down:			
Balance in favour of the Account - - -	- - -	- - -	603 0 0
		£	603 0 0

Chamber of London,
30th December 1853.

or in Suspense, on the 31st December 1852—*continued.*

	r,	Cash.		
Act 53 Geo. III.				L
	Balance in Hands of Chamberlain - - - -	£ s. d. 5 0 0		
in consequence of Riots in 1780.				M
	Balance in Hands of Chamberlain - - - -	252 10 9		
Building Account.				N
	Balance in Hands of Chamberlain - -	£ s. d. 1,611 7 9		
	Less outstanding Warrants since paid -	458 18 5		
		1,152 9 4		
		1,152 9 4		
Maintenance of Prisoners.				O
	Balance in Hands of Chamberlain - - - -	2,225 13 6		

directed to be kept, by Order of Court of Aldermen.

Criminal Prosecutions.				P
	Balance in Hands of Chamberlain - - - -	1,304 9 0		

directed to be kept, by Order of Court of Aldermen.

JOHN KEY,
Chamberlain.

No. 37.

Will of Elizabeth Misson for the Relief of Debtors confined in certain Prisons, in the Year December 1852.

Cr.	Cash.	Securities.	Debts, &c.
	£ s. d.	£ s. d.	£ s. d.
By Cash in hand, 31st Dec. 1852 - - -	3 0 0		
Capital in £3 per Cent. Reduced Annuities - -	- - -	600 0 0	
Revenue, 1852.			
By Dividends on Stock - - - - -	18 0 0		
	21 0 0	600 0 0	
		21 0 0	
	£	621 0 0	
Balances brought down:			
By Cash in hand - - - -	- - -	- - -	3 0 0
Stock - - - -	- - -	- - -	600 0 0
		£	603 0 0

JOHN KEY,
Chamberlain.

Appendix No. 2.

STATEMENT showing the AREA, NUMBER of INHABITED HOUSES, POPULATION since 1801, and ASSESSMENT, for each of the METROPOLITAN DISTRICTS.

DISTRICT or UNION.	Area in Statute Acres.	Inhabited Houses.		POPULATION.						Rateable Value of Property assessed to the Poor Rate for the Year ended 25th March 1852.
		1841.	1851.	1801.	1811.	1821.	1831.	1841.	1851.	
										£
WEST DISTRICTS :—										
Kensington	7,374	10,962	17,151	20,465	28,791	36,205	52,981	74,779	120,004	727,311
Chelsea	865	5,648	7,591	11,604	18,262	26,860	32,371	40,179	56,538	176,448
St. George, Hanover Square	1,161	7,630	8,792	38,440	41,687	46,384	58,209	66,552	73,230	694,380
Westminster	917	6,439	6,642	25,883	29,817	39,403	48,177	56,712	65,609	231,421
St. Martin in the Fields	305	2,439	2,307	27,437	26,834	28,893	23,970	25,091	24,640	249,290
St. James, Westminster	164	3,590	3,399	34,462	34,093	33,819	37,053	37,398	36,406	412,823
NORTH DISTRICTS :—										
Marylebone	1,509	14,169	15,826	63,982	75,624	96,040	122,206	138,164	157,696	861,485
Hampstead	2,252	1,411	1,719	4,343	5,483	7,263	8,588	10,093	11,986	72,120
Pancras	2,716	14,766	18,584	31,779	46,333	71,838	103,548	129,763	166,956	678,000
Islington	3,127	8,508	13,528	10,212	15,065	22,417	37,316	55,690	95,329	372,381
Hackney	3,929	7,192	9,818	14,192	18,920	25,164	34,527	42,261	58,429	231,393
CENTRAL DISTRICTS :—										
St. Giles	245	4,959	4,700	36,502	48,536	51,793	52,907	54,292	54,214	248,517
Strand	174	4,327	3,962	35,054	36,788	41,474	42,015	43,598	44,460	222,017
Holborn	196	4,603	4,311	34,618	36,492	41,263	42,696	44,461	46,621	162,624
Clerkenwell	380	6,953	7,224	23,396	30,537	39,105	47,634	56,756	64,778	189,779
Luke, Saint	220	6,385	6,349	26,881	32,545	40,876	46,642	49,829	54,055	143,088
East London	153	4,796	4,739	35,831	34,663	37,606	38,311	39,655	44,406	143,486
West London	136	3,010	2,657	28,387	29,360	30,038	28,217	29,142	28,790	124,610
London City	434	7,921	7,297	64,615	57,101	57,421	57,080	55,920	55,932	685,014
EAST DISTRICTS :—										
Shoreditch	646	12,642	15,337	34,766	43,930	52,966	68,564	83,432	109,257	229,552
Bethnal Green	760	11,782	13,298	22,310	33,619	45,676	62,018	74,088	90,193	130,159
Whitechapel	406	8,834	8,812	57,202	62,672	68,932	64,141	71,765	79,759	224,086
St. George-in-the-East	243	5,985	6,146	21,170	26,917	32,528	38,505	41,350	48,376	153,297
Stepney	1,257	14,364	16,259	34,909	42,017	52,289	72,442	90,687	110,775	278,238
Poplar	2,918	5,066	6,831	8,278	13,548	18,932	25,066	31,122	47,162	207,922
SOUTH DISTRICTS :—										
St. Saviour's, Southwark	250	4,659	4,600	25,529	26,399	30,147	31,711	32,975	35,731	125,314
St. Olave, Southwark	169	2,523	2,360	18,816	17,753	19,390	20,021	19,837	19,375	90,084
Bermondsey	688	5,674	7,007	17,169	19,530	25,235	29,741	34,947	48,128	128,309
St. George, Southwark	282	6,663	6,992	22,293	27,967	36,368	39,769	46,644	51,824	117,056
Newington	624	9,370	10,458	14,847	23,853	33,047	44,526	54,606	64,816	175,307
Lambeth	4,015	17,791	20,447	27,985	41,644	57,638	87,856	115,888	139,325	524,036
Wandsworth	11,695	6,459	8,276	17,648	22,372	27,490	33,090	39,855	50,764	241,915
Camberwell	4,342	6,843	9,412	7,059	11,309	17,876	28,231	39,868	54,667	209,680
Rotherhithe	886	2,420	2,792	10,296	12,114	12,523	12,875	13,917	17,805	55,897
Greenwich	5,367	11,995	14,383	42,447	53,834	58,538	63,564	80,997	99,365	272,056
Lewisham	17,224	3,966	5,927	8,056	12,406	14,984	18,426	23,014	34,835	175,253
Total	78,029	262,744	305,933	958,863	1,138,815	1,378,947	1,654,994	1,948,417	2,362,236	9,964,348

Appendix No. 2.—*continued.*

SIMILAR STATEMENT for the LONDON DISTRICTS.

UNIONS.	Area in Statute Acres.	Inhabited Houses.		PERSONS.						Rateable Value of Property assessed to the Poors Rate for the Year ended 25th March 1852.
		1841.	1851.	1801.	1811.	1821.	1831.	1841.	1851.	
										£
EAST LONDON - -	153	4,796	4,739	35,831	34,663	37,606	38,311	39,655	44,406	143,486
WEST LONDON - -	136	3,010	2,657	28,387	29,360	30,038	28,217	29,142	28,790	124,610
CITY OF LONDON - -	434	7,921	7,297	64,615	57,101	57,421	57,080	55,920	55,932	685,014
Total - - -	723	15,727	14,693	128,833	121,124	125,065	123,608	124,717	129,128	953,110

Appendix No. 3.

REPORT:—COMMITTEE OF THE WHOLE COURT.

With suggestions for the consideration of the Court with the view of submitting them to the Commissioners appointed to inquire into the state of the Corporation of London.

Read as follows:

"To the Right Honourable the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.

"We, whose names are hereunto subscribed, your Committee of the whole Court of Common Council, to whom on the 9th Day of February instant, it was referred to take the necessary steps for carrying into effect the Resolution of this Honourable Court, in preparing and submitting for the consideration of the Commissioners, suggestions for the amendment of the constitution of the Corporation, and to report such suggestions for the approval of this Court, do certify, that we met on several days and from time to time considered, as well the provisions of the Bill laid before Parliament in 1852, as also the Resolutions of the Reform Committee embodied in their Report of June last, and likewise sundry suggestions by Members of this Court, and having fully deliberated upon the same, we report to this Court the following suggestions to be recommended to Her Majesty's Commissioners as consented to by this Court.

1. That the Election Acts 11 Geo. I. cap. 18 (except the 17th and 18th sections) and the 12 and 13 Vict. cap. 94. be repealed.
2. That every Male person of full age and not subject to any legal incapacity, who shall have occupied within the City of London or the liberties thereof for a period of a year and a day next previous to the first day of September in any year, either solely or jointly with any other person or persons, any House, Warehouse, Counting-house, Office, Chambers for business, or shop, and shall, in the case of a sole occupation, be rated to the Police Rate in respect of such premises, in his own name, on or to an amount of not less than Ten pounds per annum, or in the case of a joint occupation be rated in the several names of the occupiers on or to an amount which, when divided by the number of occupiers, shall give a sum of not less than Ten pounds per annum for each and every such occupier, shall, whilst continuing to occupy the same, be entitled to vote in any election for Alderman or Common Councilman or Ward Officer of the Ward in which such premises shall be situate—with provisions as to the nature of the premises, the title to them, and the preparation of the Lists of Voters.
3. That every person entitled to vote as aforesaid, and who shall not have declared himself, or have been declared to be bankrupt or insolvent, and shall not have taken or applied to take the benefit of any Act for the relief of Insolvent Debtors, and shall not have made any composition with his Creditors, shall be capable of being elected a Common Councilman for the Ward in which the premises occupied by him are situated, or an Alderman for any Ward, or a Sheriff of the City of London, any law, custom, or usage to the contrary notwithstanding. Provided always, that if any person who may have declared himself, or been declared to be bankrupt or insolvent, or may have taken or applied to take the benefit of any Act for the relief of Insolvent Debtors, or may have made any composition with his Creditors, shall afterwards pay all his debts in full, such person shall be capable of being elected an Alderman, or a Sheriff or a Common Councilman, in the same manner as if the previous cause of disqualification had not happened.
4. That the constituency for all elections in Common Hall shall include the Liverymen, and also all those who are above proposed to be entitled to vote at the Wardmote Elections.
5. That the time for holding elections should be shortened, and that there should be one day for nomination and election in the Common Hall, and one other day for the nomition and election in the respective Wardmotes; and that in the event of a poll being demanded, the poll shall be taken and concluded on the day following the nomination.
6. That the Lord Mayor shall be chosen from those Aldermen who have served the office of Sheriff.
7. That the election of the Lord Mayor, by the constituency in Common Hall, shall be absolute.
8. That the election of Aldermen, by the Wards, should be without any veto.
9. That the election of Aldermen should be for life.
10. That the Common Councilmen should be annually elected in the several Wardmotes.
11. That the number of Common Councilmen be continued as at present.
12. That if any person holding the office of Alderman or Common Councilman for the City of London shall declare himself, or shall be declared, bankrupt or insolvent, or shall apply to take or shall take the benefit of any Act for the relief of Insolvent Debtors, or shall make any composition with his Creditors, or shall altogether absent himself from his duty for more than six calendar months consecutively

(unless prevented by illness or other reasonable cause), or shall be convicted of fraud or of any crime, then, and in every such case, such person shall thereupon immediately become disqualified, and shall cease to hold the office of Alderman or Common Councilman, as the case may be, and the office shall become vacant. But any person becoming disqualified, and ceasing to hold such office by reason of having made any composition with his Creditors, shall, on payment of his debts in full, be capable (if otherwise qualified) of being re-elected to such office; provided always, that any act done by any such Alderman or Common Councilman so becoming disqualified as aforesaid, previously to his office becoming vacant, shall have the same force and validity as if such Alderman or Common Councilman had not been so disqualified.

13. That the Court of Lord Mayor and Aldermen shall be continued as a separate Court only for purposes connected with the administration of Justice, Police, Gaols, and maintenance of any Court of Law or Equity now by charter or otherwise under their separate jurisdiction. That the Court of Lord Mayor and Aldermen shall have no separate power or authority to draw upon or order any payment out of the City's cash; and that for all municipal legislation, and other purposes connected with the City's affairs, the same be henceforth managed and transacted under and by the authority of the Lord Mayor, Aldermen, and Commons in Common Council assembled.
14. That all acts whatsoever authorized or required to be done by the Common Council, and all questions of adjournment, or others, that may come before such Council, may be done and decided by the majority of the members of the Council who shall be present at any meeting, the whole number present at such meeting not being less than one fifth part of the number of the whole Council; and at all such meetings the Lord Mayor, if present, shall preside; and in the absence of the Lord Mayor such Alderman, or in the absence of all the Aldermen, such Councillor as the Members of the Council then assembled shall choose to be the Chairman of that meeting, shall preside, and the Chairman shall have a second or casting vote in all cases of equality of votes.
15. That the Chamberlain should be elected by the Court of Common Council.
16. That in any alteration of the existing Wards it is desirable to adhere as much as possible to the present limits, to unite the smaller and divide the larger Wards, so as to make them more equal in the number of occupiers of and amount of rateable property.
17. That all extra-parochial places within the limits of the City should be included in the City of London, for all municipal purposes.
18. That the Bye Laws of the 15th April 1606, and the 4th July 1712, restraining persons not free of the City from carrying on trade therein, be repealed.
19. That the Street Tolls should be abolished.
20. That the powers of the several City Courts should be consolidated and amended, and that there should be only two such Courts for the trial and hearing of civil causes within the City, namely, the Mayor's Court, and the Sheriff's Court as regulated by the Small Debts' Act.

"All which we submit to the judgment of this Honourable Court. Dated this 22d day of February 1854.

JNO. WOOD,
Chairman."

AN

ANALYTICAL INDEX

OF THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO THE STATE

OF THE

CORPORATION OF THE CITY OF LONDON,

&c. &c. &c.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

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Acland, James, Esquire. (*Analysis of his Evidence.*)—Has directed his attention to the affairs of the corporation of the City of London, 1.—Resides in London, 2.—Is an electoral agent, 4.—Has been engaged in parliamentary elections and contests for civil offices, 5–7.—Is an inchoate freeman of the City of London, and secretary of the London Municipal Reform Association, established in consequence of the Chamberlain of the City of London having issued notice to him, in common with thousands of others who had not taken up their freedom, to take it up, 8.—Society was established in the month of July this year, and is composed of persons who feel themselves aggrieved in the manner described; others who, upon general principles, desire an alteration in the present system of the corporation of the City of London; small shopkeepers who are unable to pay the corporate demand of 6*l.* 5*s.* 4*d.* for permission to continue their trade in the City; and gentlemen, Manchester warehousemen, and others, who from feeling the necessity of corporate reform have joined the Association, 9, 10.—The Association consists of 1200 members, 11.—The only subscription is a registration fee of one shilling; all other contributions are voluntary, 12.—All the members are 10*l.* occupiers [*book in which they are entered produced*], 13.—The objects and principles of the society have been published in an authentic form. The objects were, first, to secure to all rated occupiers an equal right to a free and full participation in the privileges which are now monopolised by freemen; and, secondly, to defend the members of this association against any prosecution on the part of the corporate officials, connected with the demand that they should take up their freedom, 14.—At a meeting of the Association it was resolved to give all possible aid to this Commission, 15.—The society have rather desired to expose the abuses that exist in the constitution of the corporation, and have not as yet considered what will be the best remedy, 16.—The society has held several meetings, and has appointed a committee, who have also had several meetings, to conduct its affairs, 17.—The complaints of the society have been only against the system, and not against individual officers, 18.—As an advocate of free trade principles, is opposed to anything in the

Acland, James—*continued.*

shape of monopoly, where the effects of that monopoly are, as in this case, prejudicial to the general interests of the community, 19.—Has read and studied the Report which in the year 1837 the Commissioners appointed to inquire into the Municipal Corporations in England and Wales presented upon the City of London, and does not think with "Relation of the City to the Metropolis" there is much in the argument that, because the City of London is surrounded by more than two millions of inhabitants, therefore the two millions and a quarter, or a half, should be thrown into the municipality, 20–21.—Is of opinion that it would not be desirable to extend the limits of the City of London; is decidedly opposed on conviction to the addition of the metropolis to the City of London, 22–23.—Is speaking commercially of the great export and import trade of London; states opinion, that by way of concession instead of imposition the borough of Southwark, the municipal ward of Bridge Without, should be restored to its rights; states reasons, legal and otherwise, 24.—The limits of the ward of Bridge Without are not coterminous with those of the parliamentary borough of Southwark. The borough of Southwark comprises eight parishes, the ward of Bridge Without comprising but five of those parishes, 24*a.*—The ward of Bridge Without comprises all of what may be called the commercial part of the borough of Southwark, the part which adjoins the river. Gives his opinion of what the municipality of the borough of Southwark is. It comprises three manors and five parishes. The manors are, first, the Guildable Manor, which was the original village of Southwark. The second is the King's Manor, purchased of Cranmer, Archbishop of Canterbury in the reign of Henry the Eighth. The third is the Great Liberty Manor, which on the dissolution of the monasteries was surrendered by Abbot Parfew, with the other estates of Bermondsey Abbey. These three manors constitute, as is contended, the ward of Bridge Without, 25.—The inhabitants of Southwark did enjoy all the privileges that then existed, 25*a.*—The corporation of London take charge of the borough in many important particulars; they take charge of the manors, and have always taken especial charge of them. Gives numerous instances in which they have taken charge of other matters, 26.—It does not appear positively that any common councilmen were ever elected for this ward; but that four of the resident citizens of that ward were named as the body from which the Lord Mayor and aldermen were to select the alderman for the ward, although it does not appear that the inhabitants of the borough ever did return those four citizens; but such was the ancient practice, for the Court of Common Council in their ordinance proclaim the disuse of that ancient practice, and therefore order that those four shall henceforward be selected by the Court of Aldermen themselves, and then that one of the four should be, by scrutiny of the lord mayor and aldermen, chosen as the alderman of Bridge Without, 26*a*–28.—Believes that the following passage from the Report of the Commission which sat in 1834: "With respect to the ward of Bridge Without, it has already been mentioned that the charter of Edward VI. granted the borough of Southwark to the City, and shortly after an Act of Common Council was passed by which this was made a new ward by the title of Bridge Without. The mayor and aldermen named the first aldermen for the new ward, but the Act directed that the inhabitants of the ward should for the future elect the aldermen as was then done in the other wards. This Act seems never to have been carried into effect:" is a correct statement, 29–30.—The inhabitants of the Southwark ward have repeatedly applied, and are very desirous to be assimilated in all respects with the City of London. In 1788 they petitioned the Common Council for equal rights with their fellow citizens, 31–32.—In 1814 they petitioned the Common Council again, in consequence of

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which petition the Court of Common Council consented that aldermen should preside as magistrates in the Town Hall of the borough of Southwark; and in the year 1814, and for some years subsequently, an alderman did preside there. Some day in this year, in February, the gaol was sold by Messrs. Pullen and son, auctioneers, 33.—Thinks the gaol was the property of the corporation of London, 34.—States in answer to question as to whether the proceeds of the sale were carried to their account, that the latest financial accounts of the corporation are for the year 1852. The gaol was sold only at the commencement of the present year. Mr. Pritchard, as the high bailiff for Southwark, has 100 guineas a year; Mr. Payne, as the steward of the borough of Southwark, has 50*l.* a year; the prothonotary has 50*l.*; and there are the messenger and housekeeper at the Town Hall, and various other expenses. Then comes the Borough Compter. Mr. Newman, the keeper, has funds to enable him to pay the wages in the said compter—217*l.*; and Dr. Russell, as chaplain, for twenty-nine weeks, 60*l.* 18*s.* There are also entries for meat and potatoes, which show that in the year 1852 prisoners were in the Borough Compter. Those prisoners have been removed to the new City Gaol at Holloway, where Mr. Newman is also on the establishment. There is a court of record; courts leet are regularly held, 35.—The high bailiff of Southwark is appointed by the Court of Common Council, 36.—His authority does not extend over the whole of the parliamentary borough of Southwark; probably he may be appointed returning officer of the parliamentary borough, but as the high bailiff of Southwark he can have no jurisdiction over the three parishes which have been added as a portion of the parliamentary borough. The form of holding the quarter sessions is regularly gone through in the Town Hall, 37.—Does not think that it would be desirable to assimilate in all respects the ward which is on the other side of the bridge with the rest of the City of London. The inhabitants of the borough of Southwark are in this extraordinary predicament, that the City of London claims them as far as it answers its views, and yet it refuses them their rights as citizens. They are told, if they apply to the Privy Council for a charter of incorporation, that they cannot get it because they are a part of the City of London; and they think it very hard that they can neither be free citizens of London nor free citizens of Southwark, having an independent municipal corporation. Thinks that the course to be pursued in reference to them is, that the Commissioners should hear them, and judge of what is best in the common interest. Sees some difficulties in making them citizens of London. If the borough of Southwark were independent of the City of London it could apply for a separate charter of incorporation; Lambeth could do the same; and there would thus be for the whole of the south of London, from Battersea to Greenwich, but two municipal bodies for consultation and co-operation upon all questions of sanitary progress and local and social advancement. This would certainly be for the general advantage and health of this vast community, especially in respect of the supply of water and the general sewerage of this important district, which is generally supposed to be the source and origin of the malaria which so frequently and fatally afflicts the metropolis. Would contend that either the ratepayers of the borough, if the borough be a ward and part of the City of London, should have equal privileges with those on the north side of the river, or that the borough of Southwark should be dissevered from the civic corporation, 39.—Thinks that Southwark should be separated from the City of London, because part of the borough of Southwark is not a municipal ward, and three of the parishes of the parliamentary borough cannot well ask for municipal incorporation as a mere sectional interest. Does not know what pecuniary interest the corporation of London may have in the manors of Southwark, or in the municipal receipts within the borough of Southwark; but believes that the inhabitants of the borough hold for their part, that if they were severed from the City of London it would be just that the corporation of London should be made to concede to them a fair proportion of the pecuniary advantages which that corporation has heretofore enjoyed, or now derives or may hereafter derive, from property connected with the locality of the Bridge Ward Without, 40.—Thinks that the answer of the Court of Common Council given to one of the petitions presented by the inhabitants of Southwark to the Court of the Mayor and

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Aldermen would give its prayer, or the effects of its prayer. There was a petition in 1814, another in 1836, and one within the last two years. Was present in the Court of Common Council when the last-mentioned petition was received and rejected. The Report of the committee of Common Council gives answers to the arguments set forth in the petition, and gives reasons for rejecting those arguments. The first objection they urge is this:—"The long usage of the privilege of the inhabitants, without reference to any corporate qualification, to return from their own choice, distinct from the City of London, two members to represent them in the Commons House of Parliament;" because this municipal ward of Bridge Without did certainly as the parliamentary borough of Southwark return two members independently of the City of London, and anterior to the grant of the manors to the City. One of the objections then to the petition on the part of the corporation is, that there would be an antagonistic interest in parliament to that of the City, or at least a separate interest, 41, 41*a*.—The petition was for a complete assimilation, not for a severance. The second objection to the petition is, "The concurrent jurisdiction of the sheriff and magistrates of the county of Surrey and the police establishment at Union Hall." But that was not regarded as a reason why the alderman should not sit at the Town Hall when they established it as a court of justice. This argument was not made available upon that occasion, when it answered their purpose to vote 800*l.* a year to one of the aldermen in order that he should sit there as a magistrate. That was worse than a concurrent jurisdiction; it was rather the establishment of a conflicting jurisdiction in the instance of an opposition court of justice. The third reason is: "The powers exercised by the high steward and marshal of the king's house, the said town and borough being within the verge;" in other words, the powers exercised by the Palace Court. But the Palace Court no longer exists, therefore that can no longer be an objection. The next objection is: "The contribution to the county rates, of which Southwark forms a very considerable portion." Of course if they paid municipal rates they would no longer pay county rates. It is a peculiarity of the borough of Southwark, that as a ward of the City it pays no municipal rates as other wards do, but it does pay county rates as though it were within the county, and not within the City, 42.—It does not appear that it has ever been made a part of the City of London, which is a county of itself, so as to take it out of the county of Surrey, yet the City of London can walk into this part of the county of Surrey and administer justice there. The next reason is: "The erection of a new gaol, or such an enlargement of the Borough Compter as may render it fit for the purpose of a separate and exclusive jurisdiction." That is a pecuniary jurisdiction simply. Since that they have the Holloway gaol, which is quite large enough; therefore that would be no longer an objection. The next reasons are these: "The being subject to the Militia Laws, and to the billeting of soldiers, the Commission of Sewers of the county, and District Commissioners for the paving, lighting, and watching of the borough, and other local authorities created by acts of parliament; the establishment of the metropolitan police in the districts of the borough; the power of the several courts of the City and its officers in respect to the attachments of property, foreign attachments, &c., although granted by the charter of Edward the Sixth, and the compelling of persons to take up the freedom of the City, never having been exercised in the borough; and the trial of nisi prius cases at the assizes of the county, for which it would be necessary to make some provision or arrangement for their trial within the City, as it is now done in London at the London sittings of the several courts at the Guildhall, &c." These were the answers that were given to the petition, forming the grounds on which the petition was refused. The question is, how the corporation can claim to hold the inhabitants of the borough of Southwark in their civic thrall, without giving them those privileges which it is in their power to give them, by an ordinance of the Court of Common Council, 43, 44.—There are citizens of London, freemen of London, resident in Bridge Without, whose feelings would probably be for perfect union in privileges as in duties with the City of London. But there is a far larger and much more influential portion of the inhabitants of Southwark who are not freemen, whose opinion is that it is not desirable to become a part of the corporation of London

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as it is, but that it would be very desirable to become part of a corporation of the City of London such as it might be made, and such as it ought to be, and that the feelings of the inhabitants non-freemen of Southwark is precisely that of the inhabitants of the City of London north of the Thames, non-freemen, 45.—Does not believe that there is on the part of the inhabitants any general desire that the borough of Southwark should be taken out of the county of Surrey and annexed to the City of London, 46.—The City of London exercise jurisdiction in Southwark when the alderman sits to administer justice, the county having at the same time a police court within 150 yards, in Union Street, 47.—Is not prepared to say what is the feeling of that portion of the public of the City of London whose opinions he particularly represents with regard to this question of assimilation or of the severance of Southwark from the City of London, 48. —Thinks that it is rather a discredit to the corporation of the City of London, that though they have the control of the south bank of the river Thames, extending for miles, and they take all the waifs and strays, and all the water bailage, and so on, along that mileage of the river side, yet they neglect what appears to be their municipal duties with reference to the rights of the citizens and inhabitants of that locality, 49.—By an ordinance of the Court of Common Council representatives could be given to the ward of Bridge Without, and the privileges of a wardmote might be given to the resident freemen of that ward, so that they should elect their aldermen and common councilmen, as they are elected in the other wards; but whether Southwark could be separated from the county of Surrey without an act of parliament cannot say, as the question involves some legal technicalities which witness is unable to deal with, 50.—Would give a municipal constitution wherever it was desired, but would force it nowhere, 51.—It would be desirable that there should be a municipal borough in the City of Westminster; and thinks the same with respect to every parliamentary borough; and that there should be a municipal organization for each of those parliamentary boroughs, 52–54.—The municipal organization is to be obtained upon the consent of the majority of the ratepayers in each borough—the majority in number, and thinks the majority in rated amount. The Privy Council has not yet been petitioned, 55, 56.—Each municipal borough should have a separate jurisdiction, but not a separate police, 57, 58.—Does not think that the sewerage of the metropolis can be sufficient or effectual under different administrations, 59.—If there were a municipal borough of Marylebone, the police and sewerage being withdrawn, the functions of the town council would be purely local and independent, 60.—Does not know when the borough of Southwark first returned members to parliament, but it is of very ancient date; and this seems to show that they were not considered at that time as being an integral part of the City of London, 61–63.—Would rather place the management of the paving and lighting the streets with the sewerage than under those municipalities, 64. —Would not give to each separate municipality the supply of water, but would form a common council, which should have the power of supplying water under but one jurisdiction, 65, 66.—Wardmote functions convey the idea which witness entertains supposing there were a town council, 67.—The administration of justice is all that remains of a municipal nature; the office of justice of the peace, or paid magistracy, 68, 69. —If there was a properly elected municipality the appointment of the paid magistracy might be intrusted to that municipal body, 70.—Does not think that the administration of justice by the aldermen is more satisfactory than that by the magistrates appointed by the Crown in the metropolis; states reasons, 71.—The same objection would always apply directly or indirectly to magistrates appointed by popular election; but to a much less extent if the electors were the whole of the ratepayers, than where the electors, as in the City of London, are but a small portion of them, 72.—In that respect would assimilate the practice in the City of London very much to the practice which prevails in the large cities throughout the country, 73.—At Manchester and Salford, where there is a double municipality, and the town is divided into two boroughs, the system works harmoniously, 74.—Is not advocating, one way or the other, with reference to Southwark, but wishes to show the very peculiar and awkward position of that ward of Bridge Without at the present moment, inasmuch as they cannot have

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the rights of citizens of London, and yet they cannot apply to the Queen for a charter of incorporation for Southwark, 75.—There would be a conflict of authority if the ward of Bridge Without were united to the City of London without comprising in the union the whole parliamentary borough of Southwark at the same time. Thinks it would be necessary if the one were done to do the other, 76, 77.—To enlarge the boundaries of the City, so as to include the whole of the metropolis, the effect would be to overlay the commercial relations of the City of London; it would lose its commercial character; and it is desirable that the port and city of London should have a corporation of its own; and be able, by the agency of its municipality, to pursue commercial objects, 78.—London is too large for a single municipal government, 79.—With reference to the present constitution of the corporate body of the City of London. Thinks the corporate body conveys to the mind the aggregate governing body, taking the corporate body as a whole. The corporation is in bad odour among the inhabitants of the City of London. The freemen of the City of London, until the year 1835, were necessarily all members of a company of one of the many guilds, which by some are said to be part of the corporation, by others to be only connected with the corporation. It was in the year 1835, subsequently to the inquiry in 1834, that the Court of Lord Mayor, Aldermen, and Common Council decided by an ordinance that a person might acquire his freedom from their officers under the authority of that court without being primarily a member of any one of the guilds or liveries. The being a freeman of a municipal corporation should be a privilege, and if it were a privilege it would be desired; but it appears in the City of London this is not the case. With the redemption fine, ranging from 10*l.* 12*s.* 6*d.* to 8*l.* 6*s.* 4*d.*, for that period of thirteen years, from 1835 to 1847, both inclusive, the number of freemen admitted was but 877 annually, as against 1,000 annually who had been admitted for thirty-five years, when the redemption fine was thrice and nearly four times the amount, 80.—There was no other way open of obtaining the freedom of the City at the same time, 81.—The numbers stated include the whole of the admissions. A person becoming free of the livery of any company takes the certificate of freedom to the chamberlain of the City of London, and on payment of the redemption fine is enrolled a freeman of the City, 82.—Before the year 1835, no person could become a freeman of the City unless he was a member of a company, 83.—One becomes a member of a company by applying to the company, or by the application of the company to him to compel him to take up his freedom, 84.—A person could become a freeman by birth or by apprenticeship; for instance, was an inchoate member of a company, as being the son of a member of a company, 85, 86.—Any son of a member of a company could become a complete member on the payment of a certain fee, his father being free previously to the birth of the applicant, 87.—In order to become a freeman of the City it was necessary to pay a second fee, 88.—Residence is not necessary in addition to the payment of the fee; but is necessary for other purposes, as will be seen presently. There were 1,000 people admitted per annum from 1800 to 1834, when the redemption fine may be taken at an average of 30*l.* 12*s.* 6*d.* Then there was a third series in the last five years, terminating with the close of 1852, during which term the redemption fee to the corporation was only 3*l.* 6*s.* 4*d.* (there being a stamp of 3*l.* in addition), and with that enormous reduction from 30*l.* in the first series to 10*l.* in the second, and to 3*l.* 6*s.* 4*d.* in the third, there was nevertheless a decrease from 1,000 annually in the first period, to 877 in the second, and to 650 in the third, 89.—The cause of that decrease is to be attributed to the bad odour in which the corporation stands in the City of London, to the non-desirableness of being a freeman of the City of London, and to the natural English feeling of resistance to anything that looks like compulsion against one's interest or one's wishes. The corporation seem to have been extremely anxious to increase the number of their freemen, and since the freemen will not come to them voluntarily to enrol themselves and pay for the privilege, the corporation will go to the freemen and compel them to take up their freedom. In the course of the last year the corporation went to parliament for a bill, taking the most liberal view of this question, being desirous of terminating and putting an end to the question as

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to whether the occupiers should be prosecuted, in order to compel them to become freemen (*quotes from bill*), 90.—The bill was brought in, in the session of 1852. It was introduced at the instance of the corporation of the City of London, 91, 92.—Thinks it was brought into the House of Commons by Sir James Duke, 93. —Did not pass. The preamble proceeds: "And whereas the mayor and commonalty and citizens of the City of London are seised of or entitled to tolls on carts and other carriages belonging to non-freemen, conveying goods into or out of the said City of London." The second section enacts a very large concession. That is a declaration by the Lord Mayor, Aldermen, and Common Council, that an occupier, who is not a freeman, ought to be admitted to a free participation in the equal rights enjoyed by those who are freemen. A meeting of the livery in Common Hall was convened, and the liverymen thought fit to reject the bill. The preamble was not proved, and the bill was lost, 94, 95.—This bill was successfully opposed on the part of the liverymen before the committee of the House of Commons. In that very year the Court of Common Council resolved that their officers shall forthwith prosecute occupiers, and compel them to purchase their freedom, 96.—Believes that the Court of Aldermen and the Court of Common Council accepted that bill, 97.—In that year, when by that bill the corporation proposed no longer to ask the redemption fine from shopkeepers who were non-freemen, they actually proceeded to prosecute occupiers, by a vote of the Common Council, because they were carrying on trade, not being freemen; and at the end of 1852 the City officers prosecuted thirty-four tradesmen. The Court of Common Council seem to have been generally for prosecution, and the Court of Aldermen to have resisted their will, 99.—Prosecutions had taken place for some time previously to those specified by witness, 100.—As the law now stands, no person can exercise any retail business who is not free of the City, 101.—If he belongs to a trade of which there is a company, he must belong to the company; at least, the company can prosecute to compel him to do so, 102.—Thinks it is the general practice of poorer companies, especially if a person exercises a retail trade of which there is a company, to prosecute if he does not belong to it, 103.—With respect to the corporation, the general practice is for ward inquests to return lists of occupiers, not being freemen, carrying on business in the wards, and then the ordinary routine course would be that the City officers should be directed by the chamberlain to summon those parties, in order to compel them to take up their freedom, 104. —It is certain that the corporation claims the right to compel every retail trader to become free of the City, but it is certain, also, that it does not always compel, 105.—Believes that those prosecutions were in most instances successful; the parties took up their freedom, 106.—Thinks there is no doubt of the law on this point. If the facts are proved, they are sure of a conviction; they go before their own court, the Lord Mayor's Court, 105*a*, 106*a*, 107.—Reads letter from the City solicitor, explaining the report of the freedom committee of the Court of Common Council, which they made to the court after the rejection of the bill in 1852, 108.—The livery interfered, and procured the rejection of the bill by the House of Commons, 109.—The bill does not affect the constitution of the Court of Aldermen one way or another, 110.—Does not think that any one can bring one of those actions against a non-freeman. Does not think a freeman has any right to compel a non-freeman to pay a redemption fine. A freeman may not, according to the City law, employ a non-freeman so long as another freeman is willing to be employed. If a butcher who is a freeman employs a butcher who is not free, another butcher who is not free can inform against him, and procure the infliction of 5*l.* upon him, 111, 112.—Means if he employs a man as journeyman. Statement as to the 4,032 occupiers, against whom actions have been brought, 113–116.—This is not the act of a single corporate officer, but of several single ones, 117, 118.—The example of Alderman Finnis is partially followed by the Lord Mayor elect, Mr. Alderman Sidney. It is the common practice for the beadle so to make up their lists, 119.—The steps which the officials ought to have taken to obtain a more correct list would have been to have registered a man who had become free, and then to have transferred him to the list of the beadle of the ward in which he resided; in short, the method adopted was an unbusiness like way of proceeding,

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121, 122.—The beadles generally possess sufficient intelligence for their duties, 123, 124.—Does not think that any of the numerous statutes and charters affecting the City make any provision on this subject, 125. —Does not know that any steps have been taken to remedy these defects, except the beadle sending round the notices already alluded to, 126.—Before 1835 no person could be admitted to the freedom of the City without the intervention of one of the companies; but in that month the Court of Common Council passed a resolution to the effect that persons might become freemen without being members of a company on paying 5*l.* instead of 25*l.* as a redemption fine, 127. —This resolution was passed in consequence of the municipal inquiry, but possibly it was before the report of the Commissioners, 128–129.—Thinks it was competent to the City by an ordinance of the Court of Common Council to make that alteration in their constitution, 130.—Agrees with the remark of the Municipal Commissioners on this subject, with one exception, and gives reasons for his objection, 131. —The livery companies include about 10,000 members, of whom some 7,000 are on the parliamentary register as liverymen. Of those 7,000 about 2,000 are also on the parliamentary register as occupiers; so that the inference is 5,000 of those 7,000 live in the suburbs of London, and are not occupiers in the City, 132. —Does not apprehend that many liverymen occupy houses of less than 10*l.* value in the City. There is scarcely a room in the City of less than 10*l.* value. Those 5,000 liverymen are not occupiers in the City of London, and yet under the Parliamentary Reform Act they are electors as liverymen, 133.—Thinks there should be no occasion for a man to pass through the sieve of a company in order to become a freeman of the City of London, 134.—Does not think it desirable that the municipal franchise should be in any way dependent upon a connexion with a trading company, inasmuch as trading companies have lost their use, 135.—The franchise for the election of members of parliament should not be more extensive than the franchise for elections for municipal purposes, but it would be better to put up with that apparent inconsistency for a few years than do an injustice to some thousands of individuals, 136.—The freedom of the City is altogether independent of the companies, 137.—All members of companies are freemen, 138.—There are seven kinds of freemen; some of whom are members of companies, some are not, 139, 140.—Proposes that in future the franchise should exist altogether without reference to whether a person is a member of a company or not. Recalls attention to the position of the Tower ward. There are 604 municipal voters in the municipal list issued by the alderman, and the number of persons rated at 10*l.* in the ward is only 587; so that not only has Mr. Alderman Finnis put parliamentary electors who are not freemen on his municipal list, but he has also put those who are not 10*l.* occupiers, 141.—The freemen of companies who are liverymen, but who reside beyond seven miles, are municipal electors in Common Hall alone; they are not on the municipal list. The inequality of the wards is a matter of notoriety, as the wards without, increase their population, by drawing the inhabitants from the central wards. In the ward of Queenhithe every twelve occupiers send a member to the Court of Common Council; in the Vintry ward every thirteenth is a member, and Bread Street ward every thirteenth; while in Farringdon Without every member represents fifty-one individuals, and Bishopgate thirty-four. In the ward of Bread Street there was once a contest for the office of alderman. In that contest 6,000*l.* was spent upon a scrutiny, 142.—Thinks that that contest took place about twelve years ago. It was between Mr. Hughes Hughes and Alderman Laurence. Believes it was settled more by chance than on the merits, as they reduced the number of voters till one had eleven votes and the other ten, 143.—It would be very desirable greatly to diminish the number of the representative body, 144.—Is not quite sure that there should be a Common Council at all in the present acceptation of the term. Looks upon the corporation as a body opposed to every liberal extension of commerce. The London Docks were opposed by the corporation at enormous expense, because they held that the establishment of docks would interfere with their receipt of money from ships in the Pool, 145.—The corporators of London, common councilmen and aldermen, are all of the shopkeeping class; and, entertaining the conviction that counter

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transactions in small coins have no tendency to give a man habits of viewing in a large sense any interests which he may be delegated to promote, does not believe such men have the power of promoting them, and therefore they are not qualified for the offices they fill, 146.—The corporation is an anti-commercial body. They refuse to assist in the formation of docks when they are necessary for extending the commerce of the City of London. They opposed the extension of the Blackwall Railway to the City. After they were beaten upon that in 1835, in the year 1845 or 1846, when the Direct Manchester Railway was formed, and application was made to the Court of Common Council for permission to bring that railway into the City, the corporation resisted it. The North-western became fearful lest the Direct Manchester should gain access to the City, and they should be excluded. They retained Mr. Lambert Jones, then a member of the Court of Common Council. The solicitor for the Direct Manchester, Mr. Ashurst, a member of the Court of Common Council, specially retained another solicitor, the present Mr. Alderman Wire, then also a member of the Court of Common Council. Those gentlemen united their influence, extended their forces, and eventually established a majority. It was money influence which was brought to bear upon the Court of Common Council, 147.—There is a great disadvantage in giving the command of large funds to a body which represents only a small portion of the metropolis, for the purpose of opposing bills before Parliament which affect the whole of the metropolis, 150.—In some instances the corporation have represented the feelings of its own local constituency, and at the same time opposed measures which might have been beneficial to the entire metropolis. Does not mean to say that Mr. Wire, Mr. Ashurst, and Mr. Jones could have turned the corporation round from exclusiveness to liberality if the public feeling had not been at their back. When the Direct Manchester wound up, and the North-western had nothing to fear from its exclusive access to the City, the North-western cooled upon the question of the expediency of bringing a railway from Euston Square into Farringdon Street, and the matter dropped. In reference to the Great Central Railway Company, the corporation have over and over again declared that it ought not to come into the City. Public opinion, however, at last triuuphed, and then the Common Council declared it to be very desirable it should, and there was a sum of between 200,000*l.* and 300,000*l.* voted to assist the railway company to realize its purpose, 151.—The corporators represent but a small portion of the area, and a small portion of the population of the metropolis, 152.—Does not think that because the corporation is the only municipal body in the metropolis it is a good one. It is one of the complaints of the City of London that the Government did it great injustice at the time of the Municipal Reform Bill. Draws attention to the anti-commercial dues which are imposed upon British commerce by the corporation. The corn metage last year amounted to 9,596*l.* The corporation claim a right to measure your corn whether you would or not; that is a grievance, 153.—Corn is measured whether there is a sale or not, merely upon its entering the City of London. The case of Messrs. Combe, Delafield, and Company, between whom and the corporation of London there have been legal processes pending for the last fourteen years, is as follows: they malt their barley out of London, and transmit it from their malthouses to the brewery in their own barges. The corporation interferes, and insists upon measuring it. They say, we don't want it measured. The corporation, however, claim the right to compel Messrs. Combe, Delafield, and Company to submit to the metage of their malt or barley whenever they bring it into the port of London. Upon the river Lee there is a charge in the finance report for the last year for so much per barge upon 870 barges going up that river subject to metage by the corporation of the City of London, 155.—In the case of Messrs. Combe, Delafield, and Company the metage was performed in the following manner: the men sat in a public house close by, and when the malt was measured by other persons they charged for porterage, 156.—Does not think that Messrs. Combe, Delafield, and Company have petitioned or complained to the common council, although they dispute the legality of the charges. The corporation pays year by year hundreds and hundreds of pounds to the City solicitor for the expenses of carrying on these

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legal proceedings. There are two proceedings against Messrs. Delafield and Company; one by the corporation for metage, and the other by the company of fellowship porters for porterage; neither of which questions have been decided yet, 157, 158.—With reference to the City tolls, believes the charge is 2*d.* on the carts of non-freemen entering the City. The sum received by the corporation in 1852 for these tolls was 5,810*l.* This, however, is not the amount exacted from the public, but is the amount received by the corporation as rent for the tolls, which are on the same system as exists with regard to turnpikes, 159, 160.—Does not know whether those tolls are put up to auction, but supposes they are let by tender, 161.—The tolls are taken wherever there is an entry into the City, 162.—Thinks the expense of collecting amounts to as much as the amount given for the tolls, 163.—There was an attempt on the part of Mr. Alderman Sidney to modify the practice of taking 2*d.* upon carts entering the City, but is not aware that it has been at all improved, 164.—Carts belonging to persons well known pay at the time of passing. In the year 1835, the Government purchased of the corporation all the duties on package, carriage, bailiage, and porterage. Thinks the corporation received 162,000*l.* Can hardly imagine that these were port dues, as the following item appears in last year's receipts: "By groundage and water bailiage on corn, 1,713*l.*," 165, 166.—The average constituency of each common councilman is twenty-nine; and the average rateable property that each common councilman represents is 1,943*l.* There are three governing bodies; the Court of Aldermen, the Court of Common Councilmen, and the Court of Common Hall, 167.—The Court of Aldermen are tradesmen. They are twenty-six in number. They are magistrates by virtue of their office, and are elected for life. They decide the validity of corporate elections, and even of the elections of their own body. The aldermen are elected from the municipal lists. Money is frequently paid by or for a candidate who desires to be elected an alderman, 168, 169.—Seven of the present body have been elected by a direct money influence, 170.—Believes that there is what may fairly be called a corrupt expenditure of money coming direct from the private funds of the aldermen themselves, 171, 172.—It has been the practice for many years; but there have been fewer cases of corruption recently than there were formerly, 174, 175.—The wards differ materially with regard to the comparative purity, but money influence is more exercised where the constituency is small, 176–179.—Has no doubt but that he will be able to produce witnesses to name the aldermen who are supposed to have exercised this influence, and who can establish the statement, 180–182.—Publicans are very prominently the agents in a contested election for the office of alderman. The municipal electors of the City of London are to a far greater extent frequenters of public houses than are the occupiers who are not municipal electors; and hence the publican seems to present himself naturally as an agent for bribery on those occasions, 183.—Does not think that political considerations enter much into the choice of the alderman, 184, 185.—Suggestions for the improvement of the election of aldermen, in order to remove or diminish the existing sources of bribery, 186.—Believes that there would be a disposition on the part of the higher class of commercial men to accept municipal offices if the municipal government of the City of London were so completely altered as that none of the ill odour which now attaches in their minds to the corporation of London should attach to them, 187–189.—Would do away with the office of aldermen, 190–192.—Does not see any advantage in the existing division between the Court of Aldermen and the Court of Common Council, as distinguished from the ordinary constitution of municipal boroughs, which have a single town council, 193.—Would certainly get rid of the aldermen as a separate legislative body, 194, 195.—Thinks that one great inducement to become an alderman is, that if poverty should overtake them there is always the situation of chamberlain to fall into. Saw in the accounts of money voted by the Court of Aldermen last year various amounts for the relief and support of persons relicts of late aldermen, 196, 197.—These sums are voted by the Court of Aldermen without any confirmation by the Court of Common Council, 198.—The Court of Common Council and the Court of Aldermen are quite independent of each other with respect to money grants, 199–201.—There is as much corruption in

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the Court of Common Council as can possibly be suspected of the Court of Aldermen, 204.—Whatever municipal body may have the government of the City of London, as they will be responsible to their constituents, the funds cannot be intrusted to better hands than those who are so responsible, 205.—The management of the details of those funds must always be referred to a small body in the shape of a committee, or to officers duly qualified, and giving sufficient guarantees for the faithful discharge of their duties, 206.

Acland, James, Esq. (*Examination resumed.*)—States, in addition to his evidence of yesterday, with reference to the Court of Aldermen, that all aldermen are governors of the hospitals of Christchurch, St. Bartholomew, Bridewell, Bethlehem, and St. Thomas's. They also license the publicans of the City of London, in both of which offices they exercise considerable influence, 261.—It has been said and is believed that some aldermen who are wine merchants exercised an advantageous influence for personal purposes. Is not aware of any alderman being a brewer, 262.—Uses the words "an advantageous influence" rather with reference to their being the governors of the royal hospitals, 263.—Means that their positions as governors of hospitals give them a certain patronage and power of recommendation, 264.—They have Church patronage, 265.—They appoint to some of the livings in the City. Many charges of nepotism have been brought against the common council of the City of London. Enumerates some, 266.—A portion of the patronage resides in the Court of Aldermen, 267.—Some of them are appointed by this Court, some by the Court of Common Council, and some by the votes of committees of the Common Council, 268.—The only officers out of the list who are appointed by the freemen of the liverymen are the chamberlain and the two bridge-masters. The list might be considerably extended. Admits that there are in both Courts gentlemen who endeavour as far as they can to resist the perpetration of such evils. States that the common councilmen are 206; not 240, as they were at the time of the last Commission. Since that Report was published there have been two material changes; the one a reduction of the Court of Common Council from 240 commoners to 206, leaving always the 26 aldermen in addition, 269.—The reduction was effected by an ordinance of the Court of Common Council, under pretence of making a fair distribution, and they certainly have a less unequal distribution of the representatives of the wards than formerly, 270.—It diminished the inequality of the representation of the wards in a very slight degree, 271.—Can state how it was done, by referring to the numbers of the wards given in this Report. The wards were not altered, but the numbers returned by some of the wards were, 272.—The numbers returned by the smaller wards were generally diminished. Aldgate has been increased from 6 to 8. Aldersgate had 8, and has still 8; it has 173 municipal voters. Aldgate ward had but six members and 227 voters. The ward of Billingsgate was reduced from 10 to 8. The ward of Bread Street, with only 106 municipal voters, has been reduced from 12 to 8 members. The ward of Bridge had 15; it has now but 8. Does not see why Bridge ward should have so many as that, unless there be a portion of them for Bridge Without. The number of electors is only 153, dividing which by the members of the common council for the ward of Bridge Within gives but 19 for each, 273.—Does not see that it has increased any but Aldgate and Coleman Street. In some cases they have been reduced. Farringdon Without, which as regards rateable property and the municipal constituency is most inadequately represented in the Court of Common Council, has not been increased. The municipal constituency of Farringdon Without are 815; it has but 16 members, which gives 51 constituents to each member, while several of the wards have but 12 or 13 to each member. The entire municipal constituency of the City is not one third of the occupiers of the City rated at 10*l.* and upwards, 274.—The Court of Common Council is composed of 206 members, who are elected annually, and 26 aldermen, who are elected for life. The municipal ward list serves for the election of both. The elections of common councilmen are generally preconcerted. In several of the wards there are precincts, which constitute a sort of sub-committee. At the precinct meetings, which are rarely attended by more than from 6 to 12, and very often not by more than 2 or 3, the list of common councillors is agreed upon to be recommended to the

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court of wardmote. At the court of wardmote the list is represented as the list of candidates recommended, and it generally consists of old candidates. At those precinct meetings it very often happens that cake and wine and other refreshments are provided for the few who are assembled to prepare this nomination list. Then, if any person be proposed as a candidate, he is proposed against this nomination list, and is put at the bottom of that list at the wardmote, in order to the taking of the votes for the election of the common councillors. He is considered an intruder. The preliminary committee of the wardmote, the precinct meeting, or, where there are no precincts, a clique of publicans (for they exercise very considerable influence in the election of common councilmen), prearrange who shall be the preferable candidates, and those candidates are returned directly in the case of precincts, indirectly in the other case, to the wardmotes, as the parties who should be elected. Is not aware of any case of direct bribery in the election of common councilmen. There is at all events the semblance of purity and popularity in the election of common councilmen, as compared with the case of aldermen, where there has been a contest, and where money power has been exercised. But considerable influence is exercised by the common councilmen in the distribution of the enormous patronage which belongs to them. That influence is exercised very generally in committees. It is an object with many individuals to become members of particular committees. Thinks allowances are made to the extent of 2,825*l.* a year by the Court of Common Council to those committees, to some committees 200*l.*, to others 300*l.*, and so on. Thinks there are about twenty committees, many of them exercising powers over very great properties, 275.—The committee men are paid in meal or in malt; in money for attendances, or in dinners, junkettings, swan hoppings, trips on the Thames, and a variety of ways in which this money is applied, 276.—In some committees the whole of the money is applied in the payment of those members who attend the meetings, 277.—The committees decide as to the manner in which the money shall be distributed; the total allowed is 2,825*l.*; the system is a great hindrance to business, 278, 279.—The committees appoint such officers as they deem necessary. Some of them have clerks, 280.—Those which have clerks are paid besides. The officers of the corporation are for the use of the committees. Gives instances, 281.—Most committees are standing committees; some for special purposes. Gives instances, 282.—Does not think the members were paid for attending the Wellington committee. Does not think that the common council voted a sum of money for that particular committee. They vote so much per annum to a standing committee for expenses, 283.—In the case of the Wellington committee the published accounts of the corporation shew whether they did vote money for that special purpose or no. There is great difficulty in getting a quorum to attend when there is no allowance. A committee, which has 400*l.* allowed it, may please to have an excursion, and when the money is nearly exhausted there is great difficulty in getting a quorum. There was a deputation sent to Ireland, and they had 400*l.* voted for their expenses. They went to Ireland; but they made a tour of the lakes to finish the money, 284.—Supposes they went to Ireland on business of the Irish Society. Sometimes, when there is a pile to be driven in the river, they vote 400*l.* for expenses, and the committee takes two or three days on the business. They go to Windsor or Reading, and take their wives, 285.—It is eating, drinking, and pleasuring money, 286.—In some cases it is used for business; in many for pleasure, 287.—Considers the allowances very small if used as a remuneration for their services, 288.—Jurymen are paid. They are compelled to be jurymen. They seek to be common councilmen, 289.—Many common councilmen are members of several committees. The great fight is to become members of those committees which have most money and most influence, 290.—Members of committees are chosen by vote of the common council. In 1849 the consolidated committee of the Court of Common Council made a report to the Court, the purport of which was that the newspapers had of late said a great deal about the corporation in no very flattering terms, which led Her Majesty's Government to misunderstand the motives of the corporation, and that a sum of money ought to be voted to the consolidated committee to enable them to put themselves right with the public through the press. The

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Court received the report, and voted 1,000*l.* annually for this purpose. Is sure the effect of that is to induce a paper, by the purchase of a number of copies, to suppress what is unfavourable, and to give as favourable an account of their proceedings as it can, 291.—The details of the expenditure of this sum of 1,000*l.*, together with many others, are not laid before the public, 292.—The members of the consolidated committee have the management of the details of this expenditure. They determine what newspaper and how many copies shall be taken, 293.—Does not think a question is brought before the committee. The committee business is in the hands of two or three active individuals. Believes that application is made to them by people connected with the paper to take so many copies when they have an article in favour of the corporation, 294.—Does not know who the individuals may be who manage this business. The consolidated committee includes 14 aldermen and the Lord Mayor, 295.—It is a standing committee, 296.—A common councilman is only elected for one year, 297.—The same person is very often re-elected, 298.—It generally is so, 299.—A common councilman generally serves till he is promoted to some office in the corporation, or dies. Besides the 2,825*l.* allowed to the committee, there is 500*l.* for the procession on the Thames. Very much of the 2,825*l.* is spent in dinners at the hotels, 300.—Does not think that incompetent persons are generally placed in offices of importance, 301.—The higher offices are filled by competent persons, 302.—To some extent there has been an improved feeling of late years in regard to the selection of men to fill important offices, as, since the period when Lord John Russell announced his intention to bring a bill into Parliament to reform the City public censures have been so general that the corporation cannot but have seen the absolute necessity of being more careful and more vigilant, 303.—A clerk may be appointed to a situation of 150*l.* a year, who, probably, is not worth 80*l.*; still his incompetency is covered by the sufficiency of his superior, who takes the responsibility, 304.—Leaves the Commission to form a judgment upon the motives from the list of appointments he has read to them of sons and nephews of common councillors, and sons and nephews of aldermen and late aldermen, who are appointed to the offices, 305.—The common hall is a very ancient court of the corporation, and consists of the liverymen of the various guilds There may be 10,000 of these liverymen, and at whatever distance they may reside they are good electors at the common hall, provided they are on the livery of a guild. Of those 10,000, 7,000 and some hundreds are on the Parliamentary register, and residing within seven miles of London; the rest are either non-occupiers in the City of London, many of them supported by charities of the guilds, and a considerable number in most of the towns of the United Kingdom. There are not above 400 liverymen who take any general interest in the proceedings of the common hall, and something less than half that number may usually attend; but should say that the functions of that court are exercised commonly by from 50 to 100 of th-10,000 liverymen, 306.—Those functions are: the election of the Lord Mayor, the sheriffs, the chambere lain, the bridge masters, the auditors, and officers called aleconners, 307.—The attendance is larger when it is anticipated there is a real fight to come off than if the arrangement is preconcerted, and all settled beforehand, 308.—The elections are almost all arranged beforehand, the above-mentioned 400 liverymen being at the beck and call of two, three, or four individuals, who may be called the managers of the common hall elections, which are generally conducted under a system of undisguised bribery and corruption, 309.—This remark applies sometimes, though not generally, to the election of Lord Mayor; almost invariably to the elec tion of sheriffs; and with very few exceptions to tha- of chamberlain and aleconners, 310, 311.—The corruption upon the present system commenced in 1831, when there was an election for the office of mayor between Sir John Key and Sir Peter Laurie. Thinks it was for the second mayoralty of Sir John Key. Alderman Lucas took a prominent part in the election, and, being an extensive lighterman, he was well known along the shores of the Thames by the people connected with the navigation and business of the Thames, who, under the corporation, must of necessity be freemen, in order to hold certain offices, or members of livery companies, because the occupations of those people are corporate, and they must of necessity be liverymen to be members of

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the waterman's company, or fellowship porters, or any of those trades connected with the commerce of the Thames in the hands of the corporation of London. The election cost for the two candidates from 12,000*l.* to 15,000*l.*, a very large proportion of which went to those men who are now called 'long shore men, large bodies of whom were brought by Alderman Lucas to vote for his friend Alderman Key, 312.—By 'long shore men now is meant all those liverymen who are to be bought for tickets of 1*s.* or 1*s.* 6*d.*, who recognize their leaders in the self-constituted managers of those elections, and who, by preconcert, go to the hall on every occasion of an election to hold up their hands. When it comes to a contest, it is taken out of the hands of the 'long shore men, and of course the great body of the livery are appealed to, and in most cases respond to the appeal, 313.—Generally the holding up the hands settles the business; for, the constituency being large, and distributed over the kingdom, a poll is a very costly affair, 314.—The 'long shore men are not divided specifically into bodies, but each of those three or four managers considers that he has an influence over this or that man, and calculates that he can bring up a certain number of voters, 315.—In electoral matters party politics have nothing to do with this organization. The question is how much can the voter make by the transaction, 316.—In all contested elections by the liverymen, similar to the contest between Sir John Key and Sir Peter Laurie in 1831, a considerable portion of the money is spent in defraying expenses, 317.—Had no personal means of becoming acquainted with the fact, but there has been no secret of it made in the City, and the agents connected with the election have themselves avowed it, 318.—In the City of London it is held by lawyers, among others, that there is no law against bribery at common hall elections, and possibly at municipal elections, 319.—It is believed in the City that at municipal elections no personal consequences will ensue disadvantageous to the party taking or giving a bribe, 320.—No one could bring in question before a court of justice the validity of an election, all being parties to the transaction. There was an election in 1846, between Sir George Carroll and Mr. Thomas Wood, which cost 4,000*l.* or 5,000*l.*, 321.—At an election for members of Parliament, you must get the man into a room by himself, and then bribe him. In the City of London no such concealment is necessary. You go to the committee room of a candidate, where you can ascertain the market price of your vote, whether 2*s.* 6*d.* or 10*l.*, and you can get it and take it, 322.—It is a matter of notoriety that open bribery is practised at municipal elections in the City of London, and no less a matter of fact that the elections at common hall are almost invariably venal, 323.—Bribery is practised in two ways at common hall. Men are bribed to prevent the election of a man to an office he does not wish to fill, or they are bribed to secure the election of a candidate to an office which he desires to fill, 324.—The most recent instance of bribery was in the election of the Lord Mayor elect, Mr. Alderman Sidney. It was only to the extent of 200*l.* or 300*l.*, 325.—Mr. Alderman Sidney is generally supposed to be a corporate reformer. It was not thought desirable in the City that he should be Lord Mayor, and it was declared by an agent that two other names should be returned to the Court of Aldermen from which to select the chief magistrate; but the party who made this threat, who was a manager of those 'long shore men, received a bonus, under the inducement of which he did not carry his threat into execution, 326.—In the last election to the office of chamberlain, which took place this year, the committees of the rival candidates openly tendered payments of money to those who voted for their respective candidates, 327.—The candidates were Sir John Key, the present chamberlain, and Mr. Scott, the chief clerk,—the deputy chamberlain,—the man who does the business in the office, 328.—It was a very closely contested election, 329.—There were committee rooms open for the two candidates, at which bribes were undisguisedly tendered to the voters. Was a retained agent for one of the candidates, but not on the committee, 329–331.—Money was given to parties to vote in favour of Mr. Benjamin Scott, the candidate for whom witness was agent, 332, 333.—Within his personal knowledge, money was certainly given to persons to vote for Mr. Scott, but would state, in addition, that Mr. Scott was certainly the popular candidate, and being an advocate of purity of election, it was only in consequence of the wholesale bribery of the other party, which jeopardized the election of the man who

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really had the majority of legitimate votes, that Mr. Scott paid to a very limited number of persons money for their votes, 334.—Has no doubt these payments were made with Mr. Scott's knowledge. There was no necessity to bribe, if the legitimate liverymen polled in sufficient strength for Mr. Scott as they did for a considerable portion of the time of the poll; but when the numbers were turned, and it was known, as will be proved, that Alderman Key was bribing largely, a small and insufficient effort was made to counteract it, and Mr. Scott was urged to spend another thousand pounds, by which means he might win his election, but declined to do so, 335.—In particular cases, parties were solicited to vote for Mr. Scott, but had been offered higher terms from Sir John Key, which they afterwards accepted. This was confirmed from information received from the agents in the payment of money from Sir John Key, 336.—Mr. Scott's committee believing that extensive bribery was practised on the other side, wrote circulars to liverymen living at Bristol, Manchester, and other considerable distances, informing them their expenses would be paid, which by liverymen in the City of London is always understood to mean something more than expenses, 337, 338.—The disfranchising all liverymen who do not reside within seven miles of St. Paul's would not materially affect the question. Thinks the majority of those who come up from the country come from feelings of desire for corporate reform. It is somewhat singular, that this was an election in which the aldermen took one side, and the general feeling of the reputable livery and even the bribed portion of the livery was on the other, 339.—The aldermen voted on the side of their brother alderman, Sir John Key. They imagine the chamberlaincy is an heirloom to their court for decayed aldermen, and felt that it would break through that rule, and prejudice the anticipations of some of them, if Alderman Key were not elected to the office, and nineteen of them agreed to find 100*l.* apiece towards turning the scale. 340.—The office of chamberlain of the City is a very high office, with a good salary, and large advantages, but very little to do. The duties, however, are so complicated, that it requires a man of great clearness of intellect, great assiduity and experience in the office, to discharge them; therefore worn-out aldermen are not the best qualified persons to fill the office; and those duties are almost all of them discharged by Mr. Scott, who for that reason, as having been acting and efficient chamberlain for many years, sought the office of chamberlain, 341.—The principal had better not give much attendance or perform many duties, inasmuch as he is not so competent to discharge them as his deputy, 342.—Does not believe 2,500*l.* a year to be, by a considerable sum, the full amount of the emoluments for the office of chamberlain. Mr. Scott might probably be able to give the most correct information on that point. The chamberlain himself might be the most competent person to inform the Commission, but is not sure of that. He has a privilege in reference to the balance in hand which is not clearly understood. There was a certain fund applied by Act of Parliament to buying up and exhausting certain offices. They have all been bought up and exhausted, and believes there is a balance of 70,000*l.* left, which cannot be disposed of without special Act of Parliament, 343.—The chamberlain has the use of it, to this extent, that if there be an expenditure of corporate estate funds beyond the assets in hand he has always the power of taking temporary accommodation from it, 344.—As no account is rendered of any interest on such sum, believes the chamberlain must have the advantage of that accruing interest, 345.—Is not aware that it has ever been investigated by any of the public bodies of the City, 346.—The annual profit accruing to the chamberlain upon the balance in hand is put considerably too low, as fluctuating between 1,000*l.* and 2,000*l.*, 347, 348.—No alteration has taken place in the mode of remunerating this officer, "by making his emolument dependent upon "his dealing with the balance intrusted to his care." If it were not an heirloom of the Court of Aldermen no such system would be allowed to exist, 349.—Objects both to the amount of remuneration and the mode in which it is given. On the part of the chamberlain himself, it is an office nearly approaching to a sinecure, but it is one of great labour and responsibility to the deputy or chief clerk, by whom the duties are performed, against whose salary the duty should be set, and not against that of the chamberlain, 350, 351.—He is not called the deputy chamberlain, but is certainly a servant of the chamberlain. An overture was

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made to Mr. Scott during the contest, that his situation should be improved pecuniarily if he would resign, but if he persisted in the poll he would lose his appointment. He did not resign, nor has he been removed. There is no other person of experience who could take the office, the duties of which are very laborious and responsible, as referring to such large accounts for a corporation like that of the City of London, 352–355.—The unsuccessful candidate, with a small salary, discharges the responsible duties of the office for the successful candidate, who receives a large salary, 356.—Cannot say why Mr. Scott remains, as he did not succeed in obtaining the office of chamberlain, 357.—The chamberlain appoints the principal clerk, Mr. Scott, but thinks the latter has a voice in the appointment of the subordinate clerks, of which there are several, his brother holding one office, 358.—Mr. Scott would have been fully competent to the duties of chamberlain, but thinks the salary now paid to the chamberlain would have been an excessive addition to Mr. Scott's present salary. Has no doubt he would discharge the duties for 2,000*l.*, and just as ably as they are now performed at 1,000*l.* for himself and 3,000*l.* for the chamberlain, which for the sake of argument we will suppose to be the amount of salary now received, 359–361.—The chamberlain and clerk or deputy have each to give securities, the latter to the chamberlain, 362–364.—Mr. Scott is paid by the City, 365.—Cannot imagine any advantage in keeping up a distinction between the constituency of the common hall and that of freemen. Sees no reason why the freemen should not have the power of electing the lord mayor and other officers now elected by liverymen, 366, 367.—The open system of bribery applies to common hall elections only, 368.—In the election of lord mayor, the liverymen elect two men from whom the aldermen select one, who is, with few exceptions, the next alderman in rotation, though occasionally an unpopular alderman will be passed over, 369.—It is desirable that the lord mayor should be elected directly without reference to the Court of Aldermen, and that he should be eligible from the general body of citizens, 370, 371.—The prospect of one day becoming lord mayor may probably induce some persons, among the present class of aldermen, to obtain the office of alderman, as the lord mayor can frequently save 1,000*l.* or 2,000*l.*, out of the funds provided for him, 372–375.—It is desirable there should be a municipal body exercising such functions as the corporation of London now exercise, they being trustees for an immense amount of municipal property. They are bound properly to administer to the City estates, held by them as municipal trustees, 376–378.—Does not believe the citizens of London would be satisfied to be without municipal institutions, while there are such institutions in other great country towns, 379.—It would be preferable that the lord mayor should hold office for more than a year, 380.—The mode of election and time for which aldermen should hold their offices are regulated by the Municipal Reform Act. It would not be advantageous to put the corporation of London within the operation of the Municipal Corporation Reform Act. That would recognize the continuance of the Court of Aldermen, a certain number of whom would go out of office triennially, 381–384.—Under the Municipal Act there is no distinct Court of Aldermen; they are a portion of the town council. There is an annual election, when those who have served three years retire, and others come in, 385–387.—Nothing but the thorough reformation of the municipality of the City of London will induce the merchants, bankers, and higher classes of the commercial population to assist in the proper government of the City, 388.—With this reform, the inhabitants of the City would possess this advantage over the inhabitants of the rest of the metropolis having no municipal institutions, that the municipal funds held in trust by the corporation, meaning those which have descended to the present corporate trustees from times past, would be administered under the responsibility of popular election, by which is intended such an extension of the franchise that every person contributing towards the municipal rates should possess the municipal franchise, 389–391.—The aim in reforming the corporation is chiefly to provide a good machinery for administering the City property; excising the magisterial duties from the mere municipal functions, 392.—There are several other important functions; for instance, a power is vested in the corporation to impose tolls, restraints and annoyances, upon the

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trade and commerce of the port of London. This is certainly not a beneficial function, and one which ought to cease, 393, 394.—No doubt there are feelings connected with old historical recollections which would render the citizens of London unwilling to see themselves deprived of their municipal institutions, 395.—The City public entertainments have frequently a political purpose. It is convenient for the minister of the day, dining at the Mansion House, to put affairs straight with popular feeling, in the interest of his party, 396, 397.—Believes the annual allowance to the lord mayor for public entertainments is about 10,000*l.*, which witness thinks in the next mayoralty may not be sufficient to cover expenses. In the present it may have been, and in some has left an overplus, 398–400.—It is quite right that these expenses should not be defrayed out of the chief magistrate's own purse, as many of them could not afford it; but believes, if the merchants and bankers were members of our municipality, they would prefer paying them out of their own means, to receiving them from the funds of the corporation, 401.—The lord mayor's office is in the abstract an expensive one, but not as regards that officer himself, if more money be allowed than will pay the expenses. It must of course depend upon his liberality, whether he exceeds the allowance; but thinks that generally speaking he does not find himself a loser at the end of his year of office, though it is not thought creditable in a lord mayor, by his brother aldermen, to have saved money, 402–405.—In the Report of the Commission it is stated that the emoluments "rarely meet the expenditure," and that the excess of the outgoings above the income averages 3,000*l.*, though it is believed that frequently the lord mayor saves money out of the amount allowed him, 409.—The lord mayors differ very much in their expenditure, 411.—The office should be put in such a situation that a man of moderate fortune might accept it, and that the legitimate expense of it should be defrayed by the public, 413, 414.—Sheriffs are elected at the common hall, 415.—The expenses of the shrievalty always exceed the allowance made by the corporation. More money is paid for voting against than for the election, 416.—In the Report of the Municipal Commissioners it is stated that on an average each sheriff exceeds his receipts by 2,000*l.* This is outset by his having the power of appointing to the lucrative office of under-sheriff, hence the immorality of the common hall elections for the office of sheriff. There are more lawyers than men of any other description in the Court of Common Council, namely 21 out of 206. Many who are included in this number of 21 have been active in procuring such persons to be elected sheriffs as would appoint them to the office of under-sheriff. Lawyers are the originators of the system. It can be proved that in many instances one professional member of the Court has procured the appointment of many sheriffs for the above reason. They also procure a rejection of the sheriffs who have been named. The business is done in all cases by the two or three managers of the common hall elections, who with bribes varying from 1*s.* to 10*l.* can buy over the 400 liverymen, 417.—To do what the Court of Aldermen expect of him a sheriff must spend 3,000*l.* above what he receives, 418.—Each sheriff is expected the next 9th November to pay 700*l.* towards the expense of the dinners at Guildhall, 419.—The expense is divided between the sheriffs and lord mayor, 420.—The office of sheriff involves considerable expense; regular dinners are expected, also a dinner to the judges at the Sessions House, 421.—The duties of the shrievalty may be discharged with reasonable hospitality at half the amount which is now lavished upon the office, but in doing so the person holding the office must place himself in direct antagonism to the Court of Aldermen, 422.—Does not think the office either of alderman or lord mayor an expensive one, 423, 424.—The office of alderman has been extended for life on account of its patronage, 424.—The lord mayor is a magistrate, and has considerable patronage; has from 8,000*l.* to 12,000*l.* a year paid him to fulfil the duties of that office; must go through the office when elected, which is a reasonfor its being annual. Not so with aldermen, 425.—The mayoralty is considered too great a prize to be held for more than a year, 426.—Mr. Sheriff Wallis is a sheriff of economy. Difference between the invitations to his table and Mr. Sheriff Wire's. The corporation do not like the intervention of economical principles, 426.—There are two bridge masters, whose salaries vary from

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200*l.* to 400*l.* a year. The office is procured by bribery, 427.—Auditors, the only other officers in connexion with common hall whose salaries are trifling, are mere formal officers elected yearly by the 400 liverymen, 427, 428.—Does not think the auditors qualified either by station or mental qualifications to investigate effectually the accounts, 432.—They are not generally professional accountants, but clerks, 433.—They audit the chamberlain's accounts, 434.—Argues that the audit is inefficient from the fact of the return of the accounts of the corporation for the last year being so very imperfect, 436.—In the Report of the Municipal Commissioners, the auditors, a few years back, applied unsuccessfully to the chamberlain for the means of investigating the ultimate application of all the sums which had passed through his hands. He being in many instances unable to furnish the full bills of particulars. The common council interfered to protect him; does not know whether any attempt has since been made to support the auditors in their demand, 437.—A person elected sheriff who refuses to serve has to pay a fine of 400*l.*, but can generally by bribery to the amount of 100*l.* or 150*l.* prevent himself being elected, 439.

ACLAND, JAMES, Esq. (*Second Examination.*)—States, with reference to a document which he handed to the Commissioners when last before them, that he has received a letter from Mr. Borlase Childs, requesting him to correct the statement, that he, the surgeon of the police force of the City of London, is the brother to a partner of an alderman, and wishes to withdraw his name from the list of persons holding under the corporation who are related to members of the governing body of the corporation. Wishes to correct his former statement, that the corporation had allocated a certain sum for the purpose of inducing a better representation by the press of their proceedings. Believes the fact to be this, that in 1849 a report was made by the consolidated committee to the Court of Common Council, to this effect, that whereas it appeared to the committee that the motives and objects of the corporation had frequently been misunderstood, owing greatly to the imperfect publication of the reports, the committee proposed a more systematic and periodical publication of them, and suggested that it should be left to them to make temporary arrangements for these purposes, and to report to the court the provisions, if any, which they might think fit to suggest for permanent adoption. The court resolved in the affirmative, and referred it back to the committee to carry the same into execution. Believes he before stated that the court sanctioned the allocation of 1,000*l.* to the above purpose, and that it has done so each year to this time; but wishes to correct that statement, as no such vote was come to as a formal vote, but is prepared to prove that it was well understood by the committee that the court sanctioned them to expend not more than 1,000*l.* a year for that purpose, 440.—The proceedings of the corporation are tricksy; there is much of that understanding as regards the appropriation of funds for purposes not to be recognized in public courts, where the press are, 441.—Assumes that the committee have spent the money, but cannot prove it, 442.—There is no trace of any actual vote, putting any given sum at the disposal of the committee. There is a sub-committee of three members of the consolidated committee, who have dealt all along with this vote as though it were a vote of 1,000*l.* a year, and have so treated it in figures, consultations, &c., 444.—They have purchased newspapers 300 at a time continually, according to their own admission; they have in their financial report an entry of 1,000*l.* under this heading: "To Mr. Hallkeeper," (who is avowedly the person who has dealt with the transaction of the newspapers,) on account of disbursements of his office, consisting of expenses of assistants, watchmen, newspapers, &c., in the year 1852; and several smaller sums to the same individual, including 100*l.* under the head of advertising. In the year 1851 is the same entry of 1,000*l*; 1850 the same entry; in the year 1849 the same entry. Believes in the year 1850 it is 1,200*l.* It is admitted that papers were purchased, but there is no account excepting the entry of 1,000*l.* to the hallkeeper, 445.—Does not doubt the accuracy of the report in the public papers, of a statement of Mr. Wood, in which he says that the money spent in buying newspapers has not exceeded 150*l.* a year; but remarks that it is not denied that any other sum was paid with reference to dealings with the press,

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446.—Cannot prove that payments have been made out of this 1,000*l.* beyond the 150*l.*; but states that the sub-committee had it under consideration to publish a newspaper of their own, with the balance which they had not spent of the 1,000*l.*, and the 1,000*l.* accruing for the year ensuing, and the 900*l.* which they pay for the shorthand writer's report of the Old Bailey proceedings. It was proposed to throw those reports into their own newspaper, 447.—As the sub-committee have never had the manliness to publish a report of the 150*l.* which they acknowledge to have spent, and as they have the power to spend the whole 1,000*l.*, witness argues that they are open to the assumption that they may have spent it all, 448–451.—The committee spent money at that period in in deavouring to establish a newspaper called the Citizen, 453.—The Old Bailey reports are on sale at Cheapside, but believes they are entirely given away, 454, 455.—Believes the Court of Hustings to be an obsolete one. There are many complaints is the Lord Mayor's Court, with reference to foreign attachments; is not able to enter into details, 456.—The Sheriffs' Court is still so called, though it is in point of fact a County Court. The City of London opposed the extension of the County Courts Act within its jurisdiction, till compelled by public opinion to apply to Parliament for a specific Act for extending to it the operations of that court. The operation of that Act proved very beneficial; business increased enormously; profits are considerable; fees are in consequence much reduced. The court presided over by a judge appointed by the Court of Common Council, many members of which are traders, and often plaintiffs in the court, and many are lawyers, and often appear before the judge as representing parties to suits before him; and it has been said that when legal gentlemen who are members of the court ask for costs, they get them more readily and more frequently than others; has never heard improper motives urged against the judge of the court, but thinks his position with reference to those who appoint him open to objection, 457.—The judge should be appointed by the Crown, 458.—The jury are not able to interfere with the awarding of costs, 462.—Aldermen are generally quite unfit for the office of magistrates, 463.—Recommends barristers for that office; to be appointed by the Crown, and to receive salaries, like the magistrates of Liverpool, to be paid out of the funds of the corporation, 464–467.—The recorder of London is appointed by the Court of Aldermen. The present appointment is highly to their credit, 469–472.—Would propose that there should be an end of the Court of Aldermen, and that in future the recorder should be appointed by the Crown, 473, 474.—The recorder is so appointed in all other corporations by the late Act; and is strongly opposed to the City of London being made an exception. It seems unjust to use its old charters as a guard, to exempt it from being dealt with as other portions of the empire. It is objectionable, because, if it thereby got better terms other parties would be dissatisfied, and if worse terms then it might complain it had not equal justice, 475.—Has a very strong opinion that the more commercial portion of the City of London will not participate in any municipal arrangement which continues anything like the existing system. The municipal institutions of other towns, under the Municipal Reform Act, secure aldermen as well as common councilmen; but the aldermen of the City of London have rendered themselves so unpopular with the superior classes of the civic community that he doubts whether that class would become a portion of the reformed corporation, if it resembles the present as nearly as that in the provinces, 476.—The name of aldermen would always involve ridicule in the City of London, 477.—Does not think it desirable to abolish the mayor and sheriffs, 478.—Does not object to an alderman in Manchester, but only to what the term alderman implies in London, 479.—However the functions and situation of alderman might be altered there would still be an objection to retaining the name in London, as it is most desirable that the higher class of the community should be induced to co-operate in the municipal government of the City of London, 480.—Statement respecting the Old Bailey, 481.—The same objections apply to the system of the county magistracy in England, at the sessions, as to the Old Bailey, 482.—The committing magistrates sit on the bench at quarter sessions in counties; but takes objection, first, in principle, to the system as applied to the City, 483.—Practically the trials in the City of London are always at the Old Bailey; there are no

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quarter sessions, 484.—Knows of no other criminal court than the Old Bailey, 485.—When the recorder, the common sergeant, or judge of the Sheriffs' Court, sits as judge, the aldermen take part in the proceedings on trials at the Old Bailey. Does not know if they do when the judges of the land preside; but the three courts sit at the same time, and the aldermen are necessary to the constitution of the other courts. Was present at one of the three Old Bailey courts within the last fortnight, when the seat of honour was occupied by an alderman, and a judge of the court was in an inferior position; it was not the principal court, 486, 487.—In the principal court the lord mayor sits in the middle of the court, because he is considered the head of the commission, but he takes no part in the proceedings. In the other case the alderman takes the seat of honour, 488.—The Old Bailey absorbs all the attention, 489.—There is less sessional business in the shape of trials in the City of London than elsewhere, partly because the alderman is generally prayed to deal summarily with the case, when he has the power, which is much more extensive than it was, 490, 491.—The principal alteration he would suggest in the superior criminal courts of the City is, that the magistrate should take no part in them, whether he be an alderman or not. Would next mention a practice at the Old Bailey which is most objectionable, but which is sanctioned by the corporate authorities, that of setting apart the best places in the court, in the shape of a gallery, and charging money for admission into it, 492.—Cannot tell the precise proportions which the different officers of the corporation get of this money, but knows that money is actually taken by the doorkeeper, who is the tenant, contracting with the under-sheriffs, believes per annum. Understands that a part of the money received by the under-sheriff from the doorkeeper goes to the lord mayor, another part to the mace bearer, and another part to enhance the profits of the sub-shrievalty, 494, 495.—The doorkeeper, who is usually one of the footmen or servants of the sheriff, pays a sum of money under contract to the sheriff, chancing whether he makes a profit or loss, 495–497.—The payments made by the doorkeeper to the under-sheriff are notorious, and it is also notorious that the doorkeeper pays the under-sheriff for his place, 498–500.—The fee exacted by the doorkeeper varies in proportion to the interest the public take in the trial. Whilst on the subject of civil and criminal courts, wishes to mention that the corporation, by its officers, makes out the jury panels; that the moment a person is elected a common councillor his name is removed from the common jury panel, and put upon the special jury. There are members of the Court of Common Council who are constantly in attendance on those courts, in order to get their guineas as special jurors. The same thing used to occur at the Nisi Prius Court at Guildhall, and has no doubt that some of them made very good special jurymen, 501, 502.—The Courts of Conservancy of the Thames are generally considered mere excuses for parties of pleasure for the lord mayor, aldermen, and friends. The aldermen receive 13*s.* 4*d.*, for attending each court in the out counties; thinks, Kent and Essex; and 10*s.* for each court in the home counties; Middlesex and Surrey, 503. By the municipal law a freeman may not employ a non-freeman to the prejudice of a freeman, which law tends to give the freeman a higher rate of wages than the other can command, and without regard to the value of the labour. Gives a case, and thinks it a most objectional monopoly in favour of a small section of the operatives, not only against the employers but to the prejudice of the great mass of the labouring class, who must not undertake work unless they pay the corporation 6*l.* 5*s.* 4*d.* for the privilege of doing so, 504.—Does not think the magistrate fined illegally, but thinks the law must be wrong which caused him to regret being obliged to fine, 505.—Is quite sure that the rate of wages received by labourers thus incorporated is much higher than labourers of the same description who are not. Gives a case, 506.—Besides the payment of an entrance fee, some companies have bye laws limiting the number of their members, the higher class companies especially, and those which are trustees of very large estates, 507, 508.—In all companies which admit operatives they are admitted as a right upon paying the admission fee, but all those companies which demand the highest price in the shape of fines necessarily exclude operatives. Suppose the fine to be 15*l.*, how few could find that sum. Since the year 1835 an operative may become free of the City on

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paying 6*l.* 5*s.* 4*d.*, 509, 510.—Being free of the City does not entitle a man to be free of any company, nor enable him to become a fellowship porter, 511.—There is one fixed price of admission to fellowship porters, fixed by their rulers, 512, 513.—A poor company is never full, as the admission of freemen is a great source of income. In rich companies they are exclusive, 514.—If a man becomes a freeman of the City, the ordinance of 1835 holds him harmless to work as a journeyman butcher, 515.—Wards do not comprise any certain number of parishes. Parishes are broken in the arrangement of wards, which is very objectionable. Charities are sometimes left to wards, sometimes to parishes, sometimes between the two, and as wards do not comprise entire parishes there is great difficulty in the arrangement, 516.—As the present division of wards cannot be maintained, it is scarcely desirable to keep up the division, except for the charitable purposes of the trust, 517, 518.—If there be a division in the City of London, it need not be in the form of wards; objects to that form as it encourages party feeling and local prejudices, 519, 520.—If there be anything in the objection it would apply to other towns in England as well as London, 521.—Has no plan prepared for the better government of the City of London, but is preparing one, 522.—Admits that the City of London police is well managed, but thinks that the metropolitan police should be homogeneous, and under one authority, 523.—The City district is not only surrounded but intersected by the metropolitan police; there are parts of the City which a City policeman has no right to enter. Alludes especially to the parishes of St. Bartholomew and Glass House Yard, 524.—Does not know that the expenditure is extravagant, but on general principles thinks the consolidation of the two would tend to greater economy in the management, 525.—The extension of the metropolitan police with the City of London police would require a greater increase of the staff than would be necessary in any other portion of the metropolis. Lives in Milk Street, Cheapside, and knows that the warehouses and counting-houses of the City of London are left in the sole custody of the police, 526.—Port of London is an intricate subject because of the defects of the present municipal system. The corporation assume to be conservators of the Thames; but it is of the highest importance to the commercial interests of the City of London that they should not remain so. Their power under their old charters enables them to impose so many vexatious restrictions upon trade that it is highly desirable those charters should be abrogated, and the port of London be set free. Statements as to metage duties, 527.—The City of London's account of its revenue is incomprehensible. Ventures to say they have nothing like the amount of cash in hand they profess to have, 528.—They do not produce any account of their gross receipts, 529.—The account of expenditure is complete, if you take for granted, for instance, that 1,000*l.* covers newspapers and candles; but particular items are not specified; therefore, without a more searching audit, cannot say they are correct, 530, 531.—An effectual audit never takes place. That financial account appears under various heads. The corporation have mortgaged the present Smithfield Market for 100,000*l.* within the last few weeks, 532.—Believes that the City have an unlimited power of executing charges upon their property, 533.—This disadvantage results from the mode in which brokers are appointed in the City of London: a broker acting for the corporation puts a poor man out of court; he is backed by his employer, a wealthy corporation, to stand against which would be madness on the part of a poor man. The effect of the corporation licensing a man to act as a broker gives a fictitious position to that broker. He gives security for a most inefficient amount, but he pays a fine for his admission to the freedom of the corporation, which is the great object of the brokerage system, as far as the corporation is concerned. If it is desirable that a broker should be licensed, the licence should be efficient as a guarantee to the public against any malpractices, 534.—Within the Stock Exchange they have their own rules with regard to the admission of brokers, 535.—Believes that it is necessary for a broker to have the sanction of the corporation and the Stock Exchange, in order to act, 537.—The markets, which are the private property of the corporation, yield a legitimate revenue; but with respect to Billingsgate, which is not their property, but which they lay claim to, they have acted illegally and oppressively. Produces the 9th and

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10th Victoria, Cap. 346, and reads provisions, 538.—The question has never been tried in a Court of Law, 539.—It is a desperate thing to fight against the corporation, 540.—Can produce witnesses who stood in the markets when these payments were not made, 541.—Believes they took the same tolls before the act passed, 542.—Thinks the power of the corporation would crush any one who complained, 543.—The fellowship of free porters are at issue with the corporation, and are seeking justice at their hands. When the Dock Act was passed a clause was introduced compelling the dock company to make compensation to those whose interests they interfered with. With respect to the free porters, it is contended that they should have, and it is believed that some one has had, for them, a similar compensation to that which the ticket porters received, 544, 545.—Thinks that the merchants of the City of London would buy up the privileges of coal, corn, and fruit meters at a fair estimate, 546.—Does not know of any trade privilege which it is desirable to maintain, 547.—The trade privileges are very numerous and various, 548.—Knows of none of public utility, 549.—Statement respecting the property of the companies, 550.—There was a good deal of bribery in the contest for the mayoralty of 1846. Gives list of persons who were bribed. Has receipts of 11 or 12 who were bribed on that occasion, 551.—The receipts were given under the shape of attendance at 10*s.* per day, 552.

ACLAND, JAMES, Esq. (*Third Examination.*)—Statement with regard to the Irish Society. It is in the interest of the 12 principal guilds of the City of London; and the salters company, having very few salters, were often obliged to substitute an alderman, which was so inconvenient that the corporation undertook its management by a Board, 553.—Cannot say how the change was legalized, 554.—It is still the property of the companies. The change had the effect of giving the corporation considerable patronage. Gives instances, 555.—There is a strong feeling that the Irish estates are not in good hands, 556.—Has no personal knowledge, except such as a perusal of the Irish papers has given him, 557.—Addresses a few observations to the Commissioners on the practice of the corporation, through their agent, the remembrancer, interfering mischievously with the passage of Bills through Parliament. Gives instances. Hands in statements with reference to charities within the City of London, 558.—Statement respecting the coal tax which was granted to repay money lent to the Sovereign in former times, 559.—Part of the proceeds of these coal dues is applied to the improvement of other parts of the metropolis besides the City. The citizens of Westminster have to pay 13*d.* per ton, and have only expended on the metropolis 8*d.* The City of London take 4*d.* from the inhabitants of Westminster. The fourpence tax received by the City in 1853 amounted to 62,440*l.*, 560.—It has been complained with justice that the corporation obtained an undue advantage in extending the 20 miles by the road to 20 miles as the crow flies, 561.—Thinks that it is unreasonable that coals brought by land should pay the same as seaborne coals, 562.—Reads statements of the produce and expenditure of the City estates for the year 1852, 563.—Duplicates of the account are extremely difficult to get. Is unable to understand it. Gives various items of the account, 564.—The chamberlain makes payments, the comptroller renders an account of what he thinks the corporation should debit the chamberlain, and in such account there appears 9,000*l.* more than the chamberlain debits himself, 565.—The comptroller does not execute the same duties as auditor. Gives case, 566.—Dues are to be accounted for to the comptroller before they are paid into the corporation, 567.—The comptroller's part is rather a preliminary check, 568.—The auditor bears no relation to the comptroller, 569.—The comptroller receives nothing; he is only the check, 570.—He renders an account. Has that account. It is a practice with the corporation to merge a great many items under one head. Hands in statement of the difference in the accounts between the comptroller and chamberlain. Hands in the charges connected with the office of lord mayor. The benevolences of the Bridge House Committee in 1852 stand thus: "The Right Honorable William Hunter, lord mayor, the usual benevolence out of the Bridge House estates, for feasts during his mayoralty, 50*l.*; T. Cotterell and R. Swift, Esquires, Sheriffs. The same during the shrievalty, 50*l.*,

Acland, James—*continued.*

571.—Thinks they are feasts in which the members of the Bridge House Committee participated beyond their allowance from the corporation, 573.—Does not think it is for the purpose of charity. These items come afterwards: St. Thomas's Hospital, *5l.*, Parishes of St. Olave and St. John Southwark, *2l.* 13*s.* 4*d.*, 574.—Thinks that there is no head in those accounts under which such an item could fairly range, 575.—Does not know amount of secret service fund, 576.—Believes it is applied to any purpose the corporate functionaries think they have an interest in, 577.—Will let the Commissioners have evidence that some of the funds are misapplied for secret service, and are not accounted for. Hands in extracts from accounts referred to. Submits a list of returns to be demanded from corporation. The interest of the monies does not go to the chamberlain, but to the account from which he and that portion of the corporate establishment are paid, 578. —Means that there are paid salaries out of the profits of balances. Continues list of returns which ought to be called for, 279.—Thinks the accounts are drawn up in a form which shall be least intelligible, 580, 581.—Thinks they are made unintelligible on purpose, 582.—Has never heard of any complaints of the form in which they are drawn up, 583.—Has prepared a scheme to substitute for the present municipal government of the City of London, 584.—Gives outline of such scheme, 585.—Would have the coal dues abandoned at once, 586.—The book does not show to what extent they are mortgaged, 587.—Proposes that all mortgages and debts shall be paid off; that the Incumbered Estates Act for Ireland be applied to the corporation of London, 588.—Would sell the property of the corporation to pay all debts, Would pay off the debts of the corporation, 589, 590.—Cannot see how a corporation in debt can make a difference with reference to the specialty suggested as affecting its payment of the money it owes, 591.—Has made many calculations, and is of opinion that the economy which would be effected in getting rid of all useless machinery would go very far towards defraying the large expenses of that scheme, 592.—Thinks it is not insolvent, but that it does not know how far it is from insolvency. Simplification is the first thing necessary, 593.—Proposes that the whole of the landed property of the corporation should be sold, and the proceeds vested in the manner described, 594.—The Irish property belongs to the guilds, which are not part of the corporation. Let the guilds pay the value of any part which belongs to the corporation, 595.—The proceeds of those estates go to the guilds who found the money, 596.—The corporation does not receive an income for managing the estates, 597.—Has nothing more to say to the Commission at present, 598.

Adams, Mr. Serjeant. (*Analysis of his Evidence.*)—As assistant judge cannot agree with the recorder that the effect of the restoration of the jurisdiction to the Middlesex Sessions has been injurious; on the contrary, though it has greatly increased his duties, believes that the public have been much benefited by the change, and is borne out in that opinion by the chief magistrate of police. The recorder states that if the criminal jurisdiction were concentrated, cases might be taken on particular days, witnesses need not be detained for a whole week, and the expenses would be much reduced; now all these advantages have been attained by the restoration of the jurisdiction of the sessions. In 1853 the sessions sat 132 days, tried 2,650 cases; there were but 40, which for special causes were not tried on the days on which the bills were found, so that the average detention of the parties in each case did not amount to half a day; and the cost of a trial at the sessions does not exceed 30*s.*, while at the Central Criminal Court it averages about *5l.*; the saving to the country has exceeded 8,000*l.* With respect to the evil of "counsel handing over briefs to one another just to suit their own convenience," it is a complaint of very old standing, but doubts if it is caused, though it may be increased, by the increase of the jurisdiction of the sessions. There are other lucrative courts to which the bar go, and believes that the court over which he presides is not the only cause whereby briefs are so handed over. No counsel can take a brief for a case in the Quarter Sessions Court, without knowing at the time he takes it the day it will come on; the arrangements are so complete. The sessions are never overcrowded. Male prisoners are tried on Wednesdays, female on Tuesdays, all bailed cases on Wednesdays. This arrangement was made to avoid interfering with the

Adams, Mr. Serjeant—*continued.*

Central Criminal Court, which tries very few cases on Mondays, and the judges do not attend there till Wednesday, 7227.—Some of the same counsel attend the Old Bailey Court, but not all, and the question is whether the minor inconvenience to certain counsel of not being able to practise in both courts must not yield to the great public advantages resulting from the present arrangement, 7228.—The recorder in his evidence refers to a particular instance, in which the counsel was supposed to be at the sessions, but that could not be, as on that particular morning there was but one prisoner to try, who pleaded guilty, and the court did not sit 10 minutes. The Court of Quarter Sessions sits from 36 to 46 weeks in every year, and if the sittings of the Central Criminal Court were monthly the two courts need never clash. But the sittings of the Central Criminal Court, no doubt for a sufficient reason, are extremely irregular; sometimes the adjournment is for a fortnight only, sometimes six, five, three or four weeks, 7229.—Though at such uncertain intervals, they are all fixed days, but it is impossible for a court which has to sit from 36 to 40 weeks in a year not occasionally to interfere with the other. The sittings of the Central Criminal Court are fixed to meet the convenience of the judges, the arrangement of terms, &c. Every endeavour is made to prevent the sittings of the two courts from clashing. The recorder is of opinion that it would be better to consolidate the criminal jurisdiction, and have but one court. Such a consummation would equalize the duties of the metropolitan criminal judges, which are now most unequally divided, for while in 1853 the assistant judge sat 132 days, and tried 2,560 cases, the number of cases tried by all the judges of the other courts united, including the judges of the land, was only 1,135, and the number of days on which that court sat 56,—the recorder, common serjeant, and commissioners, sitting on an average 40 days each. If such a jurisdiction were formed it would obviate the inconvenience of the counsel having to attend different courts, and the prison officers would have a better means of identifying old offenders. Presumes that the recorder, in virtute officii, would be at the head of it, and a more efficient man could not be found to fill the office. Such a jurisdiction would only require about 36 sittings in the year, and the judges to attend, say 8 or 10 times. In cases at the sessions, believes grand juries to be perfectly useless, and, if dispensed with, and all ordinary cases of committals of police magistrates, much time and cost of trial would be saved, 7230.

Aldermen:—

The mode of election and time for which aldermen should hold their offices are regulated by the Municipal Reform Act, *Acland*, 381.—Under the Municipal Act there is no distinct Court of Aldermen; they are a portion of the town council. There is an annual election, when those who have served three years retire, and others come in, *ib.* 385.—The name would always involve ridicule in the City, *ib.* 477.—The court acts for the whole City in its collective capacity, *Dillon*, 697.—The court claim a very extensive power over elections, *Pulling*, 892.—Mr. Scales was three times returned and three times objected to by the Court, who then claimed their right to exercise the franchise themselves; witness objects to their possessing that power, *ib.* 892, 893.—Thinks the court sits about once in a fortnight or three weeks; they have the power to order prosecutions independently of their right to be apprized of questions which come before the Court of Common Council; thinks it an objectionable power, *ib.* 909, 910.—Within the limits fixed by the Court of Common Council the Court of Aldermen can exercise discretion as to votes of money for prosecutions, *ib.* 913.—The inducement the court have to interfere in respect to prosecutions is, that the aldermen individually are magistrates of the City of London, and are therefore sometimes exposed to a number of actions, *ib.* 916.—Has no doubt that they discharge the functions of a public prosecutor out of the city funds. The principle is bad, *ib.* 917.—Supposingt he power of the court to direct prosecutions were abolished, the cost would fall first upon the rates, and then upon the Home Office, *ib.* 920.—Are unpopular at the present time; thinks many of the powers which they exercise might be taken away, *ib.* 904.—It has become the common practice that no question can be brought before the Court of Common Council without the assent of the aldermen; the aldermen sit with open doors, *ib.* 905–908.—The elections of aldermen

ALDERMEN—*continued.*

are generally free from bribery. *Bennoch*, 1239.—Has known the expenses of a candidate for an alderman's gown to be 1,500*l*., *Wallis*, 1378.—The court should be swept away, *ib.* 1417.—Would make them as responsible as possible, and would elect them every three years, *Hyde*, 1510, 1511.—Would maintain a separate court and keep up their magisterial powers; in Liverpool they are not a separate court, *ib.* 1512–1514.—One great evil is that they are elected for life, *Alcock*, 1767.—The first person who threw up his gown was Mr. Robert Williams, a banker in Birchin Lane, from which time there was a sort of slur cast upon the position, *A. Cotton*, 1797.—Power of aldermen over hospitals, *Pulling*, 1969.—Thinks they ought not to continue as magistrates though they have discharged their duties to the utmost of their abilities, *Bennoch*, 2024.—Perfectly independent of the Court of Common Council, *ib.* 2027.—The aldermen must pass through the office of sheriff before they can be lord mayor, and generally when there is any difficulty about a sheriff, when there is an alderman who has not served, they fall back upon him, *ib.* 2117.—Objects to their being elected for life; would unite that court with the Court of Common Council in one body, *Morley*, 2152.—The alderman having the conduct of the various wards show an admirable example as to charity, *Rogers*, 2668—There are two courts in which the aldermen sit as magistrates; at the Mansion House, when called upon by the Lord Mayor to assist him, and at Guildhall, *Merewether*, 4896.—Statement respecting the court, *ib.* 4909–4935.—The division of duties between them and the common council has worked satisfactorily, *ib.* 4979–4980.—Has never known the aldermen sitting at the Central Criminal Court interfere with the judges in the question of what the sentence to be passed should be, *Stuart Wortley*, 5497.—When any great crime has been committed, and the parties are too poor to prosecute, the Court of Aldermen are the most efficient body to direct proceedings to be taken, *Pearson*, 5668–5673.—Believes that they perform their duties more to the satisfaction of the citizens than any paid magistracy would do, *Key*, 5908.—The court always acts promptly with regard to condemning ruinous buildings, *Woodethorpe*, 6828–6829.—Does not think 26 gentlemen could be found in any assemblage of public representatives who could vie with them, either in their private or public characters; as a body they are possessed of between three and four millions sterling, *Lord Mayor*, 7146.—Would have the Court of Aldermen retained for the dispatch of the business which now comes before it, and that the aldermen should, as at present, be continued for life; they should have the power of appointing two paid magistrates for the police courts of the City. The aldermen should not have the power to draw cash, except for magisterial duties, and the scale of payment should be settled by the corporation at large, *ib.* 7161.—Would give to the aldermen the same power of appointing a magistrate in the police courts which they now have in the election of their recorder. In reducing the number of aldermen to 18 the public interests will require one or two paid magistrates, and would give to the aldermen optional power to appoint if necessary. Would certainly retain to the aldermen the functions of magistracy which they have at present, *ib.* 7200.—Would not deprive the aldermen of any power which they now possess, but in arranging a new system would leave the magistrates free from anything like the imputation that they have the power of drawing money out of the chamber for any improper purpose, *ib.* 7204–7205.—In right of their office are connected with the royal hospitals; they have the exclusive management of Emanuel Hospital. *ib.* 7206.—The statement made by the recorder contains the opinion of the whole Court of Aldermen, *Farebrother*, 7222.—Thinks the aldermen, from their business habits and information, are better able to discharge the functions of magistrates in the City than paid magistrates, *Jones*, 7795.—If magistrates, they ought not to be periodically elected, *ib.* 7797.—List of lucrative situations held by aldermen under the corporation in the eighteenth century, *Pearson*, 8476.—Statement disproving that they are small shopkeepers, as stated in No. 146, *ib.* 8478–8479. *See also* Courts.

ALIENS:

A great many are shopkeepers in the City; supposes it is winked at, *Pulling*, 777.—The son of an alien (British born) can become a freeman of the City, with assent of the common council, *Merewether*, 5185.

ALLCOCK, MR. GEORGE FREDERICK, (*Analysis of his Evidence.*)—Is a citizen of London, 1749.—Resides in the City, 1750.—Has been a wholesale and retail gold refiner and bullion dealer for the last thirty years, 1751, 1752.—Has never been connected with the corporation, but has taken an active part in the elections as a liveryman, 1753.—Wishes to call attention to the fact that this constituency does not fairly represent the citizens of London. The franchise now lies with the freemen householders for all wardmote officers. The freemen do not comprise more than one fifth of the inhabitant householders; the objection is that the freemen disqualify every other inhabitant, who unless they occupy houses and are free of the City have no vote, 1754.—Proposes the extension of the franchise to every inhabitant householder paying scot and bearing lot with six months occupation, 1755.—There is a combination of the old members of the corporation to keep out new ones. If any gentleman tries to get in for the purpose of making some useful reform, he is met with the statement, "We are very comfortable as we are, we do not want any reform," 1756.—The liveries ought to have no influence in the election of corporate officers. Some of the poorer companies had rights conferred on them in early ages which they exercise at the present day to the detriment of beginners in trade. Gives various instances, 1757, 1758.—Does not think it desirable that the liverymen should be electors in common hall, 1759.—Would deprive those liverymen who do not reside in the City of their franchise, 1760, 1761.—His house of business is in the Ward of Aldersgate, 1762.—There are about 900 inhabitant householders who would be entitled to the franchise if the word "freemen" were not attached to it, 1763.—There are less than 200 freemen householders; at the last contested election for ward officers only 110 polled, and they were brought up by the 8 common councilmen who represent the ward, 1764.—The alteration he recommends would increase the constituency of his ward from 200 to 900, 1765.—Such an alteration would secure a good representative body. It would make an entire alteration in the body who are now elected; they would be of a better class; the franchise now rests among the smaller class of shopkeepers and traders who prefer men of their class; the proposed alteration would enable every gentleman to support a friend if he felt inclined. The election of aldermen stands upon a wrong basis, they very often receive no vote at all; Sir Peter Laurie never recorded a vote in his life; when Alderman Cox died no one stood forward, so he was elected as a matter of course. The constituency is so small that in a great many wards if there was a contest it would not amount to above 30 or 40 votes in each, 1766.—The extension of the franchise would not remedy it so long as the inequality of the wards continues; the next point is the equalization of the wards; if carried out properly, you would not want half the present number of aldermen. Another evil with respect to aldermen is that they are elected for life, 1767.—Would have paid magistrates to the two police offices in the City who understand the profession and are not dependent on a solicitor, 1768.—Would allow the aldermen to remain part of the corporation, but not a detached part as now; they have means at command uncontrolled by the common council, they can grant pensions to their own relatives, 1769.—Would abolish their right of presiding as magistrates, because they are not men competent to perform the duty, 1770.—Would deprive them of their magisterial duties, abolish their separate court; incorporate them with the common council, and cause them to be periodically elected, 1771.—The extension of the constituency would remedy the various evils arising from the elections in common hall. If all citizens took an interest in those elections you would not find men come forward for a situation of 3,000*l*. or 4,000*l*. a year, and literally buy it. In the late election for chamberlain a person (not a liveryman) was paid for coming from the workhouse to vote, 1772.—If the common councilmen were elected by the extended constituency they might be trusted to elect the chamberlain and bridge-masters, 1773.—The lord mayor as the principal officer of the corporation should be elected by the whole constituency, which would prevent partisanship in the common council, 1774.—There would be no occasion to go to a great expense, unless there were corrupt means. In any reform of the the corporation, the bribery clause as applied to members of Parliament ought to be inserted. It would send back a great many who are brought to the poll if the bribery oath were put to them, 1775.—It is the general belief in City elections that

ALLCOCK, MR. GEORGE FREDERICK—*continued.*

bribery is not illegal, in fact they make a boast of it, 1776.—At the last election for chamberlain two guineas were given to some of the butchers in Newgate Market for a vote, 1777.—The bullion business has nothing to do with the corporation, 1778.—The only thing to complain of in the corporation with respect to the bullion trade is the founders visit, which produced no advantage; they withdrew all their charges, they gave notice at the Bank of England that they should seize their weights, which are the best in the kingdom, because they were not stamped at Founders Hall, 1779.—With respect to the election of aldermen, there was a contested election for the ward of Bassishaw; one of the candidates thought he could make half a dozen friends liverymen and present them with their freedom, and so carry the election; the opposite party heard of it and made twelve instead of six, and gained the day, 1780.—He paid the fees on admission of those persons to freedom, 1781.—Persons are entitled to vote immediately on their taking out their freedom. 1782,

ALMSHOUSES:—

The London almshouses were originally built for a particular purpose; that purpose ceased, and the subscribers withdrew their money to the extent of 843*l.* 15*s.*; but there are outstanding accounts for building, repairing, &c., amounting to 4,367*l.* 2*s.* 4*d.*, *Merewether*, 6773.

ALSTON'S Evidence. *See* GIBBS.

APPRENTICES:—

When committed to Bridewell are not allowed to mix with the criminal part of the prisoners. The bindings have been about 470 a year for the last 7 years. States nature of the bond, *Sewell*, 6270.—The Chamberlain's jurisdiction with respect to apprentices works beneficially, *Merewether*, 6758.

ANDERTON, JAMES, Esq. (*Analysis of his Evidence.*)—Is one of the under-sheriffs of the county of Middlesex. This is the second time he has held the office. They are annually appointed by the sheriffs, upon their election, as under-sheriffs of London and Middlesex, but only derive benefit from their appointment as under-sheriffs of Middlesex. The secondary of London is, in fact, the under-sheriff of London, appointed by the Court of Common Council, 7589–7594.—The sheriffs usually appoint their own solicitors. There is also a deputy, who retains his office; he takes a certain portion of the fees, and a certain portion is given to the under-sheriff, 7595, 7596.—Witness's share of the emoluments last quarter was 175*l.* which is about the usual amount. It is not so much as it used to be, 7597, 7598.—The under-sheriffs have to keep a carriage and an additional servant, and are expected to contribute to various charities, 7599.—Has been appointed by two sheriffs, Sir John Musgrove and Mr. Alderman Wire, quite unexpectedly, 7600.—The under-sheriffs do not go on from one sheriff to another. Each sheriff appoints one, 7601.—The under-sheriffs attend constantly at the Old Bailey, and attend the sheriffs upon all public occasions. They used to attend the Courts at Westminster, but Messrs. Burchell now perform those duties, 7602.—The under-sheriffs do not attend at Nisi Prius at Westminster, nor when the Grand Jury are sworn at Westminster. Mr. Burchell attends, 7603, 7604.—The necessity for the office of under-sheriff is to indemnify the sheriff from any loss, and for that indemnity he has the fees of office, 7605.—It is a mere private contract, in consequence of the acts of the subordinate bailiffs. Had to pay in his former under-shrievalty from 200*l.* to 300*l.*, in consequence of a wrong execution on the part of the officer. Takes security from the officers, but in this case the sheriff's officer and his sureties failed. The under-sheriffs are liable to the amount of thousands of pounds, 7606–7610.—The secondary attends at Nisi Prius in London, 7611.—If the corporation would take the same responsibility in the case of Middlesex which they do for London, thinks the separate under-sheriff would not be necessary. The secondary gives security to the amount of 10,000*l.* to the corporation, besides having purchased his office; therefore in the event of his failure the corporation would be liable, and not the sheriffs; whereas, in Middlesex the under-sheriffs are liable to the sheriffs, and the sheriffs personally liable, 7612.—The system is precisely the same in other counties in England, 7613, 7614.—The secondary takes the security for the bound bailiffs; he is in fact under-sheriff of London, 7615.—In London the under-

ANDERTON, JAMES, Esq.—*continued.*

sheriff is not answerable for the conduct of the bailiffs; only in Middlesex, 7616.—Much has been said about the common council. Has been one of the representatives of the ward of Farringdon Without for seventeen years. Has had thirteen contests, but never solicited a vote nor spent a sixpence. The electors under the Parliamentary franchise consist of about 1,500, but is sorry that the number of municipal electors is only half that amount, and they are annually decreasing; last year the decrease was 58. That arises from persons not taking up their freedom, 7617, 7618.—This shows that it is important the municipal franchise should be put upon a more extended basis. With regard to the Irish Society, has held the office of deputy-governor. Went to Ireland in 1846, and examined the whole of the estates under the immediate management of the Irish Society, 7619.—The corporation of London appoint the members, but from that moment their authority ceases except as visitors in the event of any complaint being made, 7621.—The year after witness was in Ireland, a petition was presented to the Court of Common Council, complaining of the manner in which affairs were conducted; upon which the corporation, exercising their visitorial powers, appointed a committee to go into the question, 7622.—The object of the management of this property by the Irish Society is simply for the benefit of the inhabitants of Coleraine and Londonderry, where the property is situated, 7623, 7624.—A letter was received, with a copy of the resolutions passed by the Synod of Ulster, commending the Irish Society for what they had done in regard to Presbyterian churches. They also received an address from the Dean of Derry and others, trustees of Foyle College, thanking them for an additional grant to the college, and calling attention to the fact, "that in consequence of the London companies having withdrawn their annual contributions, the support of the school is chiefly dependent upon your liberality." Upon this the Irish Society established for ever an annual exhibition of 30*l.* for five years, therefore hopes they will always have five scholars at the Dublin institution, to each of whom there is 30*l.* a year allowed, 7625.—They have considerable property in Derry and Coleraine, 7626.—Much of it is let on perpetuity leases, and the houses are in a bad and dilapidated state, 7627.—In these cases a notice was served upon the tenant to repair, or the conditions of their leases would be enforced. Where parties had long leases and sub-let to others, it was determined to get rid of the middlemen, and as the leases fell in, to let only to occupiers, 7628.—The local manager of the estates is Mr. Green, at a salary of from 400*l.* to 500*l.* a year, with a house adjoining to Londonderry, 7629, 7630.—Is quite sure the society, by its agents, does not interfere in any manner as landlords in local or general politics in Ireland, and would remove any agent exercising undue influence over their tenants, 7631–7633.—The estates are managed chiefly by the agent; he is not agent for any other properties, 7634, 7635.—Is not now on the committee of the Irish Society. Thinks the great fault in the present system is, that no person except the governor can be on the society more than two successive years, and just as you are used to the management you go off, 7636.—It is a popular committee, as it is the only one of the corporation having line money attached, 7637–7639.—The governor, deputy-governor, and twenty-four members, were allowed 590*l.* 15*s.* for attending at fifty-four meetings held during the year, and their entertainments. Witness's share was 15*l.*, 7640.—The governor is seldom removed. Mr. Alderman Humphrey has held the office some years. It has generally or always been an alderman, 7641, 7642.—With regard to certain items under the head of tavern expenses and allowances to members from 1828 to 1831, referred to by the Commissioners, from the report of a case in the House of Lords, the Skinners Company versus the Irish Society, supposes the money was spent in line money and dinners, but the amount is not so large now by any means. While a member of the society, there were sixteen lawsuits, all of which were then settled. In the case of one action went with Mr. Wood to Ireland, and settled it without going to trial, receiving only travelling expenses, though both were professional men, 7643, 7644.—Gave in aid of public improvements and the employment of the people, 1,484*l.* Is not aware that the sum of 3,460*l.* was expended in the contested election of the late Mr. Alderman Thorp for Coleraine; there has been nothing of the kind during the last few years, 7645.—Is not surprised at anything they did formerly. The

ANDERTON, JAMES—*continued.*

society was then composed of members belonging to the twelve livery companies. It is now chosen from the common council, irrespective of the companies, 7646.—The Irish Municipal Act provides that the corporations of Londonderry and Coleraine are to submit their byelaws to the Irish Society previously to their being presented to the lord lieutenant, 7647.—Has never known them to interfere with the action of the municipal bodies of Coleraine and Derry, but believes they cannot act upon any byelaw till it has been submitted to the Irish Society. Cannot tell whether there is any object in maintaining that power. Their powers are entirely confined to that part of Ulster, 7648–7650.—Believes some few years ago the power was exercised, 7651.—At present, thinks the byelaws would be agreed to as a matter of course. The corporation have nothing to do with the funds of the Irish Society, but it would be their duty, as visitors, to interfere if those funds were misapplied. It is so stated by Lord Langdale, Lord Lyndhust, and Lord Campbell, 7652–7654.—The London Committee go over occasionally to inspect their Irish estates. Believes the last three or four years they have been yearly, 7655–7659.—When witness went, spent 400*l.* There were seven in party. Entertained the gentlemen resident in the neighbourhood, the principal tenants, and clergymen of various denominations, Catholics and Presbyterians, 7660.—Doubts whether so much is usually spent. Was absent about a month, 7661, 7662.—Visited every estate, and almost every house. There was at that time great famine and distress; gave instruction to the agent that every labourer and poor man on the estate should have employment at good wages, and that he should buy up all the quick he could get for the purpose of planting the property, 7663.—The sum paid last year for the attendance of members was 560*l.* 12*s.* 6*d.*, and for their visiting the society's estates 300*l.*, 7664.—The gross receipt for the year for which witness has handed in the accounts was about 8,500*l.*, and the expenses about 2,000*l.*, including 400*l.* to the secretary, who devotes the whole of his time to it. Does not see how the expenses could be much reduced. Believes the vice-admiral and some of the other officers have not been reappointed. There are many expenses a private gentleman would not incur; he would reside upon his estate, and look after it himself, 7665–7667.—With regard to the law expenses in the same year, which amounted to nearly 3,600*l.*, the society had got into debt considerably, having, in addition to the suit with the Skinners Company, sixteen advowson suits with the Bishop of Derry, all of which were then settled, 7668.—The society had foolishly given some vacant livings to Englishmen instead of Irishmen, and the bishop claimed the right of presentation. The law was in favour of the society, as the judges declared, but the jury decided in favour of the bishop, and he has got the advowsons. Thinks they are better with him than the society, 7669–7671.—Large sums were spent that year in the promotion of education, and other public and benevolent objects, 7672.—Does not believe the suit in which Lord Langdale's decision was given has made a material difference in the management of the society. There is every desire on the part of the gentlemen connected with it to manage the funds for the benefit of the people of the district, 7673.—In the year above mentioned the society spent 3,481*l.* for schools and churches, and for public improvements, and for the employment of the poor, 1,484*l.* Since that time they have allowed 700*l.* a year for the recorder of Londonderry, and expenses connected with the corporation and the office of mayor, 7674.—Believes there is a clause in the charter that some allowance shall be made, 7675.—The twelve companies claimed for many years any surplus which might remain in the society's hands, but the result of the law suit with the Skinners Company was to put an end to those allowances, 7676.—They now feel bound to spend all the surplus for the benefit of that part of Ireland in which their estates are situated, 7677.—In 1847 the mayor, aldermen, and burgesses of Londonderry presented a petition to the Court of Common Council, making complaints with regard to the management of the society. A day was appointed for hearing the petitions, and persons were to come from Ireland, but instead of coming, their solicitor wrote, stating that they understood, by the advice of counsel, that the corporation had no power to rectify the errors complained of, therefore they declined to attend them; and after considerable expenses had been incurred on both sides, the petition was not proceeded in, 7678.—The corporation of Derry applied for the allowance of 700*l.* for the recorder while witness was on the society, but were refused, as not having any legal claim; however, the society afterwards thought it better to make the allowance instead of their laying a borough rate upon the inhabitants. It is not a fixed annual charge, only so long as the society choose to give it, 7679–7681.—Should say Londonderry is a flourishing town, 7682.—With regard to the 4,000*l.*, entered last year as repaid to the Union Bank of London, they had to borrow money to carry on the suits. They were several years paying it off, but believes they are now free, 7684–7686.—Can give no account of the balance in favour of the society of 1,400*l.* upon the receipts of last year, not being now on the society, 7687.—They have a house in London built by the society; they are in daily communication with the agent in Ireland, and with other parties. There are also continual applications for charities of all descriptions, which are always closely investigated, 7688–7690.—Never expects public property to be managed like private property. They have done a great deal of good, more than a private individual could do, 7691, 7692.—Thinks they look after it, and manage it as closely as can be expected, and as honestly, 7693.—Whether it might be managed more economically, must refer the Commissioners to the observations made by Lord Langdale and Lord Lyndhurst in the suit by the Skinners Company, in which various charges of wasteful expenditure were made against the Irish Society. When witness was in Ireland, the deputation visited twenty-one schools, and gave them donations; sixteen churches and chapels. Laid the first stone of a Presbyterian church in Londonderry, to which the society gave a liberal donation. Also visited various hospitals and public institutions, and gave annuities and donations to several aged persons, 7694.—Refers to Mr. Hankey's evidence condemning the lord mayor's dinner at Guildhall as a heavy and useless expense. Produces copies of letters on two occasions requesting tickets for Mrs. Hankey. Mr. Travers says, "Nothing would induce the higher class in the City to undertake the office of lord mayor." At a dinner given to Sir John Pirie, heard some of the principal merchants say they would feel proud to fill that office, but could not afford time to reach the office by the duties they would have to perform as aldermen. Believes there are not twenty-six more honourable men than the Court of Aldermen. Mr. Travers alludes to "the smaller shopkeepers who belong to the common council." There is not a shopkeeper among the six common councilmen of this ward, which he ought to know. He says, "Every educated man thinks the office a humbug." Believes there are among the councilmen gentlemen of as high respectability and education as Mr. Travers. Hopes the lord mayor's show will never be done away with. Thinks it the strongest demonstration of the advantages of self and popular government. The tens of thousands drawn out upon the last lord mayor's day, without the necessity of a single soldier, and almost without the necessity for a single policeman, astonished every foreigner who saw it. Besides, it is the only working man's holiday in the year. With regard to the accounts of the corporation, was given a committee "To investigate the accounts of the City and Bridge House Estates, and report whether any reasonable retrenchments could be effected; also to inquire and report by what authority (if any) the Court of Lord Mayor and Aldermen grant pensions, and draw upon the chamber of the City for payment of the same, or for any sum of money, without the previous sanction or authority of this court." After which was chairman for several years of a committee, "To inquire into the duties, salaries, fees, profits, and emoluments of the several offices of the corporation; also into the amount of the City's revenue, the sources from which it arises, how expended, specifying each item in detail in this year and 1797, and report what reductions can be made; to consider the charges of admission of persons to the freedom; to inquire into the nature and extent of the duties of the prothonotary of the Borough Court, and the expediency of continuing the same, or whether any alteration should be made in the said office." Various alterations and improvements in the mode of keeping the accounts were suggested, and it was ordered, "That all officers and tradesmen of the corporation do in future send in

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separate bills and accounts for all business done in its several departments, and warrants be respectively drawn for the same accordingly; and that the comptroller, remembrancer, and solicitor do also deliver in separate bills and accounts for all business done or expenses incurred in relation to the City dues upon coals, corn, and all other duties belonging to the City, and also in respect of the general property and estates of the City." Also, "That the hall-keeper so keep his accounts as shall enable the committee for letting the City's land, or other committees, to draw warrants for the same under each head of expenditure." The accounts have since been kept in the way so recommended. Although that committee frequently worked four and five hours of the day, they never spent a farthing of the corporation money. With regard to the members of the common council, issued an address in 1841, and is still of the same opinion, "That it is but an act of justice to the Court of Common Council to declare that I have at all times witnessed, both in the court and the various committees in which I have been present, the most anxious desire to promote the interests of their fellow citizens, and am surprised that so many individuals engaged in large mercantile and trading establishments should be willing to devote their valuable time to the affairs of the corporation, without any other advantage to themselves than what arises from the satisfaction of having faithfully and honestly discharged a public duty." Some few years ago, being then a reformer, as now, thought the allowances to committees too much for the duties performed, therefore in 1841 got an order of the court made, that all the committees should make a return of their duties and the amount of property under their control. The Coal, Corn, and Finance Committee stated their duties to be, "To examine the accounts of the coal dues monthly at the coal market, and to see that all the amounts are paid into the chamber of the City; they were, in 1839, 139,818*l.* 16*s.* 1*d.*; in 1840, 144,471*l.* 3*s.* 10½*d.*; in 1841, 157,847*l.* 12*s.* 2¾*d.* To give directions for the necessary repairs of the coal market in Thames Street, and the offices connected therewith; to let such offices to proper persons, and audit the collector's accounts of the rents for the same half-yearly; the produce, in 1839, was 582*l.* 15*s.* 6*d.*; 1840, 573*l.* 6*s.* 9*d.*; and in 1841, 597*l.* 14*s.*" For these and other duties which they have to perform, they are allowed 200*l.* a year. Formerly they used to spend 1,200 a year. The City Lands Committee, which is the chief committee of the corporation, in 1808 spent 1,417*l.* 17*s.* 1*d.* a year; they are now allowed 400*l.* a year, and have "To manage and let the estates belonging to the corporation; to grant building and repairing leases, and see that the covenants are duly performed; to ascertain if any encroachments have been made upon the said estates, and on applications for leases, to view the premises, attended by the City architect, to enable the committee to form an opinion of the value thereof; to see that the rents reserved by such leases are paid into the chamber of the City, which for the last three years have exceeded 44,000*l.* a year; to grant leases of premises within the manor of Finsbury, holden by the corporation on lease from the prebendary of Hilliwell and Finsbury (one sixth part of the net yearly rents being payable to the prebendary), and to see the rents are paid into the chamber of the City, which for the last three years (after the above deduction) have exceeded 11,000*l.* a year; to let the tolls collected at the gates and bars of the City, which were then let for three years from Midsummer 1841, at a gross rental amounting to 4,795*l.* per annum; to audit artificers' bills, and the various officers' accounts." They also report, "The amount of income under our management for the last three years has been: in 1839, 71,939*l.* 15*s.* 2¾*d.*; in 1840, 70,038*l.* 6*s.* 7¾*d.*; in 1841, 69,999*l.* 14*s.* 8¾*d.*" Has been on that committee from twelve o'clock till five, going out in all weathers to view the estates before they were let; and the committee, consisting of the lord mayor, eleven aldermen, and twenty-nine commoners, are allowed 400*l.* a year, which upon an average is about 6*s.* 6*d.* for a dinner and pint of wine afterwards. The Bridge House Committee have an allowance of 300*l* a year. In 1807 they spent 1,900*l.* 11*s.* 6*d.*, of which the tavern expenses amounted to 1,162*l.* 10*s.* The property under their management exceeds 30,000*l.* a year, and, like the City Lands' Committee, they have a great deal to do. There are returns from other committees to the same effect. With regard to any reform in the corporation, hopes the abominable Act of 11th of George the First will be repealed, and repealed upon the grounds stated by the lords in their protests at the time that bill passed. There was a petition against its passing, signed by many thousand inhabitants of the City, and all they state in opposition to it has been realized, and so continues at the present moment, 7695.—Should say there is no necessity for so large a number as seven members of the Irish Society to visit the estates in Ireland; but there is an advantage in the tenants personally knowing their landlords to be present; they can make known their grievances, if they have any. Many of the poorer tenants expressed their surprise and pleasure when called upon, 7696.—Wishes to draw the attention of the Commissioners to the lieutenancy of the City of London. There is a large sum of money collected in the way of rates as a "trophy tax" for the militia. The lord mayor is at the head of that commission, and claims the right of opening it whenever he pleases. Persons are put on totally unconnected with the City, which is not right, as they have to collect and distribute the funds of the citizens, 7697, 7698.—They are appointed by the Crown by a commission; so that when the lord mayor wishes to put any members of his family into the commission, and to wear a red coat, he opens the commission, and they are put in, 7699.—The commissioners stand in the position of lord lieutenant; the whole office of the lord lieutenant is put into commission, 7700.—The trophy tax is imposed by Act of Parliament, by the commissioners in the first place, and afterwards by the common councilmen of the respective wards. The order goes from the commissioners of lieutenancy. It is a sort of county rate, 7701, 7702.

ARCHITECT:—

The City architect makes an annual report of the improvements, and the Improvements Committee give a detailed report of the cost, not only generally, but of each individual property, *Dakin*, 7363–7364.—Mr. Bunning is both architect and clerk of the works. Thinks no man could be found equal to him in the discharge of the multifarious duties connected with his office, *Taylor*, 7848–7854.

ASHLEY, Mr. GEORGE CROWLEY, (*Analysis of his Evidence.*)—Resides at Isleworth, 4110.—Is a Roman cement manufacturer, 4111.—Is very seriously affected by the regulations with regard to watermen upon the river Thames, 4112.—Has heard Mr. Beck's evidence, 4113.—Takes fully the same view of the case, 4114.—Has been subject to penalties for infringement of the laws of the Watermen's Company, 4115.—Was summoned to the Mansion House in August 1851, and fined 2*l.* 2*s.* for expenses. Had a barge in London; the captain came on shore for orders, leaving three competent persons on board. The barge was moved from Lambeth about a mile down the river. An informer saw it, rowed on board, and took the command of her; almost immediately after the captain came on board. Was fined because neither of the parties on board were free watermen, 4116.—The captain's absence for a short time was sufficient to render witness liable to the penalty. If he had been on board, although in his cabin asleep, he could not have been fined. The waterman who laid the information was a man from Kingston, who got his living principally by this means, 4117.—A considerable portion of his business has been on the line of the Grand Junction Canal. Witness's factory is about a mile higher up the river than the entrance of the Grand Junction Canal. Employs those boats which travel on the canal. They dare not move a yard on the river without a free waterman. These boats travel in pairs, but the law requires that they should have a free waterman for each. Paid these useless watermen 124*l.* on two contracts only on that line of canal. Has paid these watermen 1,000*l.* within the last 15 years; most of the watermen who look out for these jobs are lazy characters. While the boat is being loaded they have nothing to do, and frequently get intoxicated. In one case a drunken man ran a boat on shore, at a loss of 60*l.* to witness, and at 40*l.* to the owner of the barge, 4118.—They have nothing to do; the tide takes the barge down and brings her up, the master of the boat himself steering. With regard to the efficiency of these watermen, one of them in broad daylight ran a barge into Kew Bridge, one of the easiest bridges to pass on the river; the barge was sunk, and

Ashley, Mr. George Crowley—*continued.*

witness lost 120*l.*, 4119.—Is not aware of any benefit arising from the system of free watermen, 4120.—Would throw the trade completely open, 4121.—Does not think it would be necessary to substitute any system in the nature of police to protect the public against the negligence of the watermen, 4122.—There should be some stringent regulations with respect to those who ply in pleasure boats; but would have the trade carried on in barges entirely open. Witness has annually about 15,000 tons of stone brought to his factory from Harwich; but from their being loaded beyond the limits of the City, no free watermen are required to navigate them, 4123–4126.

Assessment:—

The assessment in the City is as high in relation to the annual value as the assessment in the rest of the metropolis. It is continually changing from year to year, and generally on the increase, *Payne*, 6669.

Attorneys:—

Particulars about, *Wortley*, 6482.

Auditors:—

Auditors are mere formal officers elected yearly by the 400 liverymen. Does not think the Auditors qualified either by station or mental qualifications to investigate effectually the accounts. They are not generally professional accountants, but clerks. They audit the chamberlain's accounts, *Acland* 427-434.—The Common Hall of the Livery elected the Auditors, but gentlemen were selected by the corporation to fill that office, *Williams*, 2777.—The power of electing is in the hands of persons who are not always interested to send the best men, *Scott*, 4464.—Would increase their powers of pulling the separate accounts to pieces, and putting each item under its proper head, *ib.* 4673–4678.

Babington, Anthony, Esq. (*Analysis of his Evidence.*)—Is stamp distributor for Londonderry, and land agent for several properties in the counties adjoining, 8082.—Lives three miles from Londonderry, on the lands of the Irish Society, 8083.—Complains that the tenants have found inconvenience from the management of the society; the members of the deputation labour under great difficulties; half of them retire every year, 8084.—Believes the London companies are not fluctuating bodies, but hold their estates for life, 8085.—Witness thinks, from his own experience, that the deputations often take great pains, but sometimes they spend but one day in Londonderry, although they are away from London nearly a month, 8086.—The deputations wait till they return to London to decide points. They report to the court, and generally make that the ground for any change in what they had proposed doing, 8087.—Believes the London secretary has the principal management of the estate, though he seldom accompanies the deputation; he is a life officer, 8088–8090.—Thinks the whole system of management very expensive for trust property, 8091.—The society receive full value for their landed property, and in 30 years have not spent any money to improve it except giving a sum of money for a school, 8093.—The money spent in charitable objects by the society is not judiciously expended; they have given money which should have been laid out for Derry and the plantation to charities of the London companies, when they were able and willing to support their own, 8094,—Witness does not think that, under all circumstances, Londonderry would have an exclusive right to the proceeds of this property, but that, as the rest of the plantation is provided for by other means, this ought to be given to Derry, 8095–8097.—The extent of the rural property of the society is 1,500 Irish acres, about 3,000 English, 8099.—The rental is between 2,000*l.* and 3,000*l.* a year. Does not recollect any money belonging to the society being laid out on that part of the property, 8100.—There are 40 or 50 tenants on it, 8101.—The farm buildings have been erected by the tenants as long as witness recollects, 8102, 8103.—There are no repairs done by the society, 8104.—Nor draining or improvements of any kinds. There was a bog field reclaimed by the society in the year of the famine, upon which they employed some persons; in the course of a few years the tenant was obliged to throw it up, he could not keep it at the rent, 8105.—Supposing the land were let on liberal leases, and left to the enterprise of the tenant, the principal part of them would not be able to undertake any outlay upon it, 8106.—Complains that leases are not granted in a way encouraging to the tenant to improve. States two or three cases, 8107.—The landlords generally in the north of Ireland do not erect buildings on their property, though some of the companies do assist their tenants, 8108.—The Irish Society manage their estates differently from most others in the north of Ireland, 8109.—States difference. Is afraid, from the society's standing order, that there is no chance of improvement on their property at present, 8110.—Thinks, if the tenants could get a sufficient tenure, that they would improve the property, 8111.—The society appear to wish to turn everything to money. There was an application made for land for waterworks; the society fancied they had a right to the same price as any one else. The tenants were paid for their holdings, and the society were paid to the full extent of their reversionary interest. It was just the same in the case of the cemetery and railroad, 8112.—Thinks it would be a great advantage to Derry that this property be sold, the money invested, and the proceeds administered to those public purposes to which the income of the property is applicable. Were the gentlemen of the deputation permanent, things would be better done, 8113.—Draws a distinction between the property of the Irish Society and that of the City companies, 8114.—The resident agents of the City companies have lived in great harmony with the most respectable part of the inhabitants. Gives an instance of the society's charging a tenant for a house built by him for three years; it was afterwards remitted, but the money already paid was not returned, 8115.

Barrington, Anthony, Esq.—*continued.*

Ballast:

With respect to ballast, there is a sort of jurisdiction claimed by the Admiralty. That more particularly refers to the Trinity House, *Merewether*, 5277.—To take ballast from the river, private parties must apply for licences to the Lord Mayor, and can only work according to the conditions set out upon it, *Leach*, 7531–7532.

Bateman, Henry, Esq. (*Analysis of his Evidence.*)—Is connected with the City of London as a merchant. Is a freeman and has been for the last 30 years, and a liveryman of the Goldsmiths Company, 2338.—Is not a common councilman, 2339.—Carries on his business in the City, 2340.—Is a timber merchant, 2341.—There are many points connected with the corporation to which witness wishes to call attention. Feels qualified to do so from having lived there for the last 30 years, and having taken considerable interest in the elections of the ward in which he lives, for the last twenty years. Is a resident in the ward of Bishopsgate, one of the most influential wards returning 14 members to the common council. No one has interfered more in the elections of common councilmen than himself, 2342.—Has never been a candidate, has often been asked to be so, has no interest in the corporation in any way, being perfectly independent of it. Has often tried in his own ward to induce persons to come forward as common councilmen, but the office is so unpopular and so generally low in public opinion, that when he has asked any one to be a member of the council the remark has been thrown back upon him, Why are you not a common councilman yourself? 2343.—Attributes this indisposition to accept offices connected with the corporation to the opinion of modern active men, that it is a tiresome worn-out trouble, some thing in the way of improvement, and persons are hopeless of mending it. It then comes to this that persons of another class have come to be common councilmen. Has been instrumental in getting gentlemen to become common councilmen for whom witness has great respect as the best gentlemen of the class to be got. Has been obliged to ask them to come for lack of others, and has generally succeeded in getting them the situation but the misfortune is that when this class is grouped together the men who are desirable will not join them, 2344.—Does not think it desirable to abolish all the municipal institutions of the City. Would certainly abolish the present corporation, 2345.—Gives outlines of the change to be effected in the civic institutions of London, 2346.—Does not think it desirable that liverymen should retain their votes for the City officers. Knows how liverymen are made; in olden times the institution was good and right for its then purposes, skilled men of the trades banded together, and the men who were then skilful in their hands were considered fitting men to be taken care of and put in some position. Is a timber merchant, but belongs to the Gold-

Bateman, Henry, Esq.—*continued.*

smiths Company. The liverymen of the Goldsmiths Company are very few of them goldsmiths; it is a great high Tory political organization, they will not elect a man who is not a high Tory, 2347.

Baths and Washhouses:

The City has not expended anything in baths or washhouses further than by giving 50*l.* or 100*l.*, now and then, to such institutions already established in the neighbourhood, *Bennoch*, 2052.

Baylis, Mr. Samuel. (*Analysis of his Evidence.*)—Is collector of tonnage dues, 7090.—Has been so since August 1849, 7091.—Was appointed by the Thames Navigation Committee, under sanction of the Court of Common Council, 7092.—At a salary of 200*l.* a year, out of which has to pay a clerk, and partly a messenger, which reduces it to about 80*l.* Is also collector of wine duties, 7093.—It is a City duty, 7094.—Is not aware of the origin of the tonnage dues; they were under the management of the Government up to the time witness took them, 7095.—The tonnage is from one halfpenny to three farthings per ton, 7096.—Gives list of vessels exempt from tonnage, 7097.—There is no difference between the dues on British and foreign ships, 7098.—The rates apply to every class of vessel, 7099.—Of whatever national character, 7100.—The dues become payable on the ship's entry being made either inwards or outwards, 7101.—The ship's entry is a Custom House operation, 7102.—When Government collected the duties they were collected by an officer in the customs, 7103.—They are collected in the long room, and a seat is appropriated to the corporation officers, 7104.—Sits in the office where the reports are received, 7105.—Is practically a Custom House officer, 7106.—Gets the information from which the dues are collected from customs' document, 7107. —A ship cannot depart in cargo without clearing at the Custom House, 7109.—It is a similar process with ships clearing out, 7110.—The process of the collection of wine duties is much the same, 7111.—The duty is 4*s.* 9½*d.* per ton of 252 imperial gallons, 7112. —That is a uniform duty on all varieties of wine, 7113, 7114.—Does not collect any other duties, 7115. —The tonnage duties are paid daily into the chamberlain's office, 7116.—The wine duties are paid weekly into the chamber, 7117, 7118.

Beck, Mr. Edward. (*Analysis of his Evidence.*)—Will substitute present evidence for that given on a former occasion. The existing rules and regulations for the Watermen's Company are felt to be very oppressive; first, as to the laws for regulating the watermen and lightermen on the river, an Act was passed in the 4th and 5th years of Queen Anne, called "An Act for the Encouragement and Increase of Seamen and for the better and speedier manning of Her Majesty's Fleet." It appears that watermen were at all times liable to serve, and in cases of refusal they would be deprived of the benefits as free watermen. The before-mentioned Act, with others, was by an Act passed in the 7th and 8th George IV., chapter 75, called, "An Act for the better Regulation of the Watermen on the River Thames between Yantlett Creek and Windsor," repealed or consolidated into this Act of George IV.; and by section 57, the court of mayor and aldermen were empowered to make byelaws for the government of the freemen of the Company of Watermen, and therefore the Watermen's Company are not independent of the lord mayor and aldermen. To become a free waterman, a person must serve seven years apprenticeship to a free-waterman, or the widow of one; and by section 11 of the byelaws, it is expressly stated that an apprentice shall not be employed at any other business than a waterman or lighterman during his apprenticeship; and by section 15, it is ordered that no apprentice shall depart from his master's or mistress's service unless pressed into His Majesty's service; but such apprentice may serve on board a merchantman with the consent of his master or mistress, if he has been in such employ for two years, and during the time of his serving on board of any merchantman or in His Majesty's service, his wages shall belong and be paid to his master or mistress. It is supposed that these acts and byelaws were made to ensure a sufficient number of skilful watermen; but it will be seen by section 101 of the Watermen's Act it does not extend to any western barges, and that all flat-bottomed boats and boats navigated from the town of Kingston in Surrey, and places beyond the said town, should be deemed western barges; and

Beck, Mr. Edward—*continued.*

these laws do not apply to barges or vessels trading without the limits of the corporation, nor do they interfere with the Trinity House of Deptford Strand, save as to the prices of fares, which are to be the same. These all show that an apprenticeship is not necessary to ensure skill and ability in watermen and lightermen. The same regulations apply to barge owners; none but freemen are allowed to carry goods for hire or reward for other persons. Will exemplify the working of the monopoly by his own position, premising that he does not do it on private grounds alone, but on the same principle as the abolition of the East India Company's charter and the corn laws have been advocated, and feeling satisfied that it will benefit those who think themselves benefited by the present restrictions. After being at sea many years and trading to all parts of the globe, witness settled at Isleworth, where he has a large wharf, but to which there was no established business; but found that not having been apprenticed to a free waterman, he could not employ his capital in working barges to carry goods on the river for any one who thought proper to employ him, without employing another person who was in that position. Did not find the plan answer, and gave it up when the other branches of the business enabled him to do so. Continued to employ free watermen for some time, but from the trouble the men employed by him gave, took the earliest opportunity, when business allowed, of building a craft of his own, and obtained a licence for it from the Waterman's Hall, which only enables him to do his own lighterage, and does not permit him to carry for others. Considers this restriction a great hardship, as he could often get a freight down for his barges instead of sending them down empty, which is generally the case, except when by mutual accommodation he carries small quantities for a friend. The before-mentioned laws regulating the apprenticeship, as well as those affecting large barge owners, are constantly evaded; the former by binding a boy to a free waterman for the sake of obtaining the privileges, who rarely shows himself on board a barge, and never can be capable of managing one; and the latter, by purchasing the use of the number and name of the widow of a free waterman. The byelaws also expressly forbid the employment of men or boys in barges who are not free watermen, yet this is continually done. Unintentionally committed an error in stating that he was not permitted to carry lime from the Medway upon hire. Was under a misapprehension as to the limits of the jurisdiction of the Watermen's Company. Will endeavour to show the absurdity of the restrictions alluded to. Not far from witness's place of business resides a gentleman who is a coal owner in the north; if he hires witness's vessel to bring him a freight of coals from the north, any crew may bring them up the river opposite his house without the aid of a free waterman, but if it is necessary in order to get them close to his premises to unload part, then he must employ the barge of a free waterman. If witness brings a cargo of coals direct from the collieries his men must not unload them in the usual manner called whipping, but they must be carried on the men's backs in sacks or baskets. With regard to the conservancy of the river there are numerous shoals. Isleworth is a place of great trade, but from the want of money being expended in clearing away those shoals, by soil accumulating, there is not a free passage. As to the amount of trade done at witness's wharf and at the wharf adjoining, as much as 25,000 tons come up to the wharfs during the year; but sometimes, on account of the shallowness of the river, they are obliged to go to considerable expense in rigging out a kind of landing way over which the goods are brought on shore. Has always found Mr. Leach, the gentleman who acts for the City in witness's neighbourhood, very accommodating, but supposes he cannot do what is necessary for want of funds. The City, as conservators of the river, ought to clear away the obstruction offered by Battersea and Putney bridges. Pays City toll, 2½d. per ton, to Isleworth. Does not think it suitable that the City should have the conservancy of the river, because those who sit on the committee can hardly be acquainted with the subject. Would suggest that the carrying trade on the river should be thrown entirely open. That the system of free watermen should be abolished. That bargemen should be registered in a similar manner to watermen. Would place the conservancy of the Thames under no existing branch of the Government machinery. Would recommend a permanent establish-

BECK, Mr. EDWARD—*continued.*

ment with district boards working under its orders. Such a board should compel owners of property to maintain it, and not allow it to waste into the river for want of embankment. The wash of the steam boats is carrying away, year by year, portions of islands into the Thames, which should be prevented. The tolls alluded to are applied partly in maintaining the towing-paths, 4104.—Proposes that the board to superintend the conservancy of the river should be appointed by the Government from men well acquainted with the subject, 4105.—Would not let the corporation or the citizens have anything to do with it. Considers the present regulations are oppressive on many deserving and able men, who have lost the advantage of a free waterman through not having been able to be bound apprentice when young, 4106, 4107.—No vessel above 90 tons can come up to Kingston bridge; but if all impediments to the navigation were cleared away, and a sufficient sum raised for deepening the river and for the maintenance of good locks, there would be no reason why vessels of 200 tons should not come up to Kingston, 4108.—Sea-going vessels which can get under all the bridges but Battersea and Putney at certain times of the tide. Believes the great floods in the Thames are owing to the admirable way in which the land is drained, 4109.

BEQUESTS TO DEBTORS:

Thinks some higher authorities than the keeper of a prison should deal with the bequests, *Merewether*, 2429.

BELLAS, HUGH, Esq. (*Analysis of his Evidence.*)—Is an inhabitant and general merchant of Coleraine, 8233–4.—Has been connected with the municipal commissioners of Coleraine for twenty years, and was their chairman for three years, 8235.—Whilst chairman applied to the deputation of the society for aid in supplying the town with water, but did not get any grant, 8236, 8237.—Statement as to the rates of Coleraine, 8238, 8239.—The society do not contribute to the municipal purposes of the town, as they ought to do as trustees. They have given several donations for religious and educational purposes, 8240–8244.—Founds their claim to assistance from the society, on the belief that the land was given for civil, religious, and municipal purposes. The leases which are granted on lives renewable for ever have had a most beneficial effect on the town, 8245.—The greater part of the property of the society is held under these long leases, particularly the business part of the town (8246), which is the main streets, 8248.—Strictly speaking, the water-side property belongs to the Clothworkers Company, 8249.—Thinks the best course to pursue would be to sell the property, and devote the receipts to the good of the town, 8250.—The citizens mostly think that the influence of the society is not beneficial (8252), and that their management of the property is not conducive to the general interests of the town, 8254.

BELTON, Mr. S. T. (*Analysis of his Evidence.*)—Was appointed by a public meeting of the ratepayers and inhabitants of St. Marylebone to make certain statements to the Commission, 1992.—The meeting was not very numerously attended, but the most influential persons were there, and has no doubt the parish was fairly represented, 1993, 1994.—Was instructed to state the injurious effects of the coal and cart duties. The coal dues levied upon the parish amount to 22,000*l.* a year, including the gas, which alone is equal to 5,000*l.* a year, 1995.—There are 17,000 houses in Marylebone parish, averaging ten rooms each. Allowing a ton and a half to each room, according to the quantity supplied to the Marylebone almshouses, believes the estimate, as a general one, will come to the amount stated, 1996.—The tax averages about 1*l.* a house. It has been collected for some years from the inhabitants of the various parishes round London, who have received no benefit whatever from it, for the purpose of paying 1,000,000*l.*, which was borrowed for building London Bridge and its approaches. That amount has been paid off some time, therefore it is now applied to making new streets in the City, and a small portion in Westminster and Middlesex, 1997.—Believes about 40,000*l.* or 50,000*l.* of it was paid for the improvements in Oxford Street, 1998.—The entire expense of New Oxford Street was not defrayed from that fund, only that part which fell upon the public. The ground rents were raised, being only 10*l.* or 20*l.* a year upon the old houses, 1999, 2000.—Does not consider Marylebone so much benefited as St. Giles and St. George, Bloomsbury, a great many poor and dilapidated houses in those parishes being pulled down, and the poor population dispersed over Marylebone. The houses which formerly let for 30*l.* or 40*l.* a year now pay a ground rent alone of 70*l.*, therefore those improved ground rents ought to go to liquidate the money borrowed, and the coal dues need not be levied, 2001.—Supposes those ground rents are part of the revenue of the Crown, but though paying so much from Marylebone parish, there are no means of ascertaining the receipts from this property, nor how the money is expended, 2002.—The expenses of a large improvement like that of New Oxford Street might possibly be defrayed from a parochial rate. The injustice of the coal dues is this, that to pay for those fine streets in other parts of London the poor man is deprived of a fire one day in every week, the duty being equal to 7 lbs. of coal per week. Does not say the City has this to answer for, the laws having been made when the population was much smaller than it is at present, 2003.—Objects both to the principle and application of the tax. For this reason: the citizens of London collect it, and there is perhaps much of it spent for useful purposes in the City and other parishes, but the majority of them receive no benefit from it. It is injurious to trade, as driving manufacturers from the neighbourhood of London, which would be beneficial to the working population. At Reading coals are 2*s.* 6*d.* a ton cheaper than ten miles nearer London, though those coals pass through London. Steamers take in coals below Gravesend, to save the tax, which injures the London trade, 2005.—Has no doubt a rate for the improvement of the metropolis would be more willingly paid than the present coal tax, 2006.—Agrees that the whole of the metropolis benefits from an improvement in particular parts. In the case of St. Giles and St. George, Bloomsbury, the parties in possession receive large improved ground rents at the expense of Marylebone, 2007.—A general metropolitan tax would be equally injurious, unless under control. The vestry of Marylebone is a municipality without a head. They are elected under Sir John Hobhouse's Act, every ratepayer having a vote. The vestrymen superintend the paving, lighting, and all other acts which a municipal body have to do, 2008.—It is no doubt advisable that each district of the metropolis should not merely look within its own precincts for the purposes of improvement. Marylebone has expended within the last year 25,000*l.* for paving Oxford Street, which benefits the whole of the parishes around, as well as the City, from being the principal thoroughfare to it. Believes 500*l.* a year is received from the neighbouring parishes to make good the expense, 2009.—If there was a general tax levied, it might be a benefit. Some portion of it ought to go to the improvement of the localities, and there should be some mode devised for that purpose, 2010.—Has had several conversations with the leading parties in the parish as to being incorporated under the Municipal Corporations Act, but cannot find they wish for any alteration in the present system, 2011.—No doubt being incorporated under the above Act would supersede the vestry, and interfere with their functions. The vestry, is now elected, by all the ratepayers, whether male or female householders, voting by ballot, 2012.—Does not think that a town council elected under the Municipal Corporations Act would be any improvement to the parish of Marylebone. It would be an improvement to the parish of St. Pancras, and perhaps also to Paddington, 2013.—If the Parliamentary borough of Marylebone were incorporated, those three parishes would be thrown together, 2014.—Therefore the town council would be a differently constituted body from any one of the present parochial vestries, and there would be only one governing body for the three parishes instead of three, 2015.—Does not think it would be an improvement to the parish of Marylebone, but taking the three parishes together, it might be an improvement, 2016.—There is generally a very strong parochial feeling in those large parishes. Witness wishes also to refer to the cart duties levied by the City of London. At the present time they are let to contractors for 5,000*l.* per annum, and is informed that they collect something near 10,000*l.*, giving 5,000*l.* clear profit to the contractors. If a man, not a freeman, takes a load of goods into the City three or four times in a day, he must pay 2*d.* each time, 2017.—A toll is paid every time a cart passes the toll collector with a

Belton, Mr. S. T.—*continued.*
different load, 2018.—Believes those who go constantly into the City make some contract with the toll collector; they give 1*s.* a week, 2019.—The power of compounding only rests with the collector, 2020.—He may demand a toll each time if he pleases, 2021.

Bennett, Mr. Benjamin. *See* Gibbs.

Bennett, James Charles Graham, Esq. (*Analysis of his Evidence.*)—Is a solicitor in the City of London, and also an election agent. The complaints which exist against the present system are, 1st, the seven days' poll, and the mode of taking it; 2d, the want of a complete register of the liverymen who are entitled to vote, for the guidance of the clerks on taking the poll, and for the guidance of the secondary or sheriff's deputy, on objections being taken to any vote tendered; 3d, the absence of arrangement of the polling booths according to the alphabetical order of the companies; 4th, the absolute impossibility of identifying who are and who are not liverymen, and the consequent absence of all check against the personation of voters, whether living or dead, against voting more than once, and against false and fictitious voters; 5th, the want of a specific enactment against bribery, which the Act of 11th George I. chapter 18 does not contain; and, lastly, the total absence of all means of putting an end to or preventing bribery, corruption, the manufacture of false voters, perjury, suborning of perjury and conspiracy. These are heavy words to utter, but witness is in a situation to prove that all these practices exist at elections in common hall, 4179.—An opinion unhappily prevails among the liverymen, that inasmuch as the Act is silent on the subject of bribery and treating, it is no wrong, not even a moral wrong, to be paid for their votes, 4180.—The election for members of Parliament for the City and for the county are all tainted with 'longshore influence, to the disgrace of the voters, 4181.—The expenses attendant upon the contest for the office of chamberlain at the last election were very large indeed. A poll was demanded. Gives particulars of each day's poll. It lasted seven days. The result shows that there were 362 false votes polled during the contest, against which, under the present system, it was and is quite impossible to guard, 4182, 4183.—Believes the ultimate result of the poll was obtained by bribery and corruption, aldermanic influence, and various other modes resorted to on the occasion, which were exceedingly disgraceful. Stood upon the hustings during the whole of the contest, and during that time five persons were given into custody for pretending to be voters, they having no qualification, 4184.—There were check clerks, and they ought to prevent any vote being improperly recorded. But they have no means of detecting improper votes, for the reason that no alphabetical order of the companies nor of the livery existed. Witness next offers a few suggestions, by way of remedy for the existing evils: 1st, to limit the poll to one clear day, as in the Parliamentary election contests; 2d, to limit the constituency to those of the livery who reside within the Parliamentary range of seven miles; 3d, to disfranchise all almsmen, whether resident in the almshouses, or receiving pecuniary or other charitable assistance, among the liverymen, as well as all those who have received back all or any part of their livery fines; 4th, to compel the master and clerk of each company to revise the lists of their liverymen once a year, excluding those resident beyond the seven miles limit, and all classes of almsmen, and to make printed annual returns to the sheriffs of those only who are found eligible to vote; 5th, to divide the Guildhall into polling booths, arranged in alphabetical order of the companies, or to compel those liverymen whose companies have halls to vote at their halls, the Guildhall being appropriated only to those who have no hall; 6th, whether the poll be taken at Guildhall or in the halls of the companies, to make it compulsory upon the masters, clerks, and beadles (excepting in case of sickness, or from other unavoidable cause) to be present during the entire poll. Witness adds, he has no objection to the corporation of London as a corporation. Admires it and its institutions, though he is neither a freeman nor a liveryman, 4185, 4186.—Does not think it would be advisable to admit freemen as well as liverymen to vote, or to alter the franchise in any respect beyond what has been stated, 4187.—There are a large number of persons connected with the City of London by way of business who live

Bennett, James Charles Graham, Esq.—*continued.*
more than seven miles from it, 4188.—If the power of giving votes on paper were adopted under proper management, it would have a good effect, 4189.—The effect of limiting the franchise to those resident within seven miles would be to retain the votes of many persons of an inferior class who might reside in the City, but to disfranchise the masters who might come to their business during the day, 4190.

Bennoch, Francis, Esq. (*Analysis of his Evidence.*) Has been a member of the common council since 1845, 1148.—Is a wholesale warehouseman in Wood Street, Cheapside, 1149, 1150.—Resides at Blackheath now, but lived in the City for 4 or 5 years, twenty years ago, 1151, 1152.—Has taken a very active part in the business of the corporation as a common councilman, 1153.—Appears before the Commission in an independent and impartial capacity, not for the purpose of accusing the corporation but to speak of facts which have come within his own knowledge, 1154.—Was sent into the common council to endeavour to effect certain reforms. It happened soon after some prosecutions had been engaged in against some wholesale warehousemen. They defended themselves by raising a fund sufficient to pay their expenses, and the corporation was defeated, 1155.—The point at issue was whether they conducted their business by retail or wholesale. The corporation attempted to prove that a wholesale dealer who divided a dozen pair of stockings into three sales was really carrying on a retail transaction. They employed spies for the purpose of ascertaining the fact, 1156.—The question was raised for the purpose of trying to convict them of trading by retail and thereby obliging them to become free of the City, the object being to get the money, 1157.—Within the last two years as many as 4,000 summonses have been issued for the purpose of obliging traders who were not retail dealers, but exercising the profession of merchants or bankers, to take up their freedom, which some three or four hundreds have been frightened into doing, 1158.—The summonses included merchants of all descriptions, wholesale and retail. Produces a statement of the number of freemen made from 1800 to the present time. At certain periods the people became very much offended with the proceedings of the corporation and declined to take up their freedom. They then reduced the money to be paid for the purpose of becoming free. In 1836 the numbers rapidly rose in consequence of the reduction of the price, 1159.—The document was made by the clerk of the chamber to the court of aldermen, 1160.—It has been circulated to the whole of the members of the corporation, 1161.—The return was made in the year 1849, 1162. Draws attention to one point indicated by the return, 1163.—Believes that above 300 of those who have taken up their freedom during the present year were induced to do so by fear of the law, 1164.—In some cases the people were sold up in consequence of the summonses. The resistance of the higher class prevented the corporation going to the extent they would otherwise have done, 1165.—No legal proceedings were taken against any of the higher class of merchants during the late proceedings; on a previous occasion it was agreed that they should proceed against one firm, Ward and Co., of Wood Street; others agreed to defend that action by a joint purse. The City agreed to be governed by the result of that action, 1166.—The result was that they were entirely defeated and were obliged to pay all the expenses, 1167, 1168.—Quite recently they have renewed the attempt against the wholesale merchants, and by a resolution of the court of common council, even gentlemen who had been in the habit of considering this an essential element of corporation reform joined with a great number of others to compel those men to take up their freedom under the persuasion that such a proceeding would draw the attention of the Government, and bring about a reformation which they are unable to effect themselves. Hands in a series of resolutions which were agreed to, 1169.—A committee was appointed six months ago for the purpose referred to in the last question. So soon however as the Royal Commission was announced the committee suspended its meetings, 1170.—The report was brought up to be presented, but is not quite sure if it was presented. Could furnish a copy, 1171–1173.—It was proposed that a certain number of aldermen should be elected every seven years, 1174, 1175.—Believes that the committee consisted of about 30 or 40 members, 26 or 28 common councilmen and the aldermen, 1176.—Thinks that persons should be al-

BENNOCH, FRANCIS, Esq.—*continued.*

lowed to trade in London without being freemen, 1177.—The bill was opposed by the companies because it provided that all persons residing and paying rates should have all the privileges of freemen and liverymen. That there should be only one body of electors. The principal thing was that it provided that the officers of every kind should be elected by a common constituency, whereas the livery had the privilege of electing the lord mayor, the chamberlain, the bridgemasters and the auditors, 1179.—To apply the general Municipal Act to the City of London would be absurd on account of its enormous magnitude and he great variety of interests involved, 1180.—Sees no objection to the Municipal Reform Bill being applied to the City with certain alterations arising out of its peculiar condition in connexion with the great number of charities left to it for specific purposes, but does not think this applies to many of our other municipalities. The City of London, through the municipality, have always been advocates for every thing calculated to promote the liberties of the people. But it singularly happens that in all matters connected with their self-government, with the institution with which they are immediately connected in all matters of popular liberty and of popular privileges within their own jurisdiction, they have never led, it has been with great difficulty that they have been dragged at the tail of popular opinion. Would refer for example to the New River Company and other cases, 1181.—Does not know of any work of public utility which has been voluntarily promoted by the corporation. Believes that through some of their members they endeavoured to remove and ultimately did remove Farrington Market from the place where it stood, and established one of the finest schools in the kingdom, the City Schools. The greatest improvement was that of London Bridge, but this they were goaded into by several members of their own body before they gave their consent, 1182.—Is not a member of the market committee, 1183.—The corporation has bought land and are having it drained and walled in, and have contracted to construct slaughterhouses, 1184.—Is of opinion that the arrangements are unnecessarily expensive, 1185.—They have bought land for 58,000*l.* and there must be an enormous expense to make that sum up to 400,000*l.*, 1186.—They have bought 78 acres, 1187.—They were prudent to buy a large quantity of land, 1188.—Part of it will be resold on building leases to get the land in the proper shape for a market, 1189.—The whole of the sum will not be lost to the City. The committees thus are formed; each member is appointed for 4 years, and serves 2 years before qualified to be chairman. As one member retires another is appointed; incompetent persons are frequently appointed; only those whose time is of little value will consent to be on committees, 1190.—The chairman of a committee is always expected to take the chair at convivial meetings, 1191.—The dinners are paid for out of the corporation funds, 1192.—Payment managed by vote of the common council. A certain sum is placed at the disposal of each committee, and only the signature of the chairman is required that so much money has been expended. That document is given to the hall keeper, and he gets the money from the chamberlain, 1193.—The tavern bill is generally sent to the hall keeper, 1194.—Thinks there is no audit of those tavern bills, 1195.—At one time the committee received a certain fee, which was liable to great abuse; men had their names entered above the line, and then absented themselves. That is, the names were read over, and then a line drawn; those who come under the line did not receive any fee, 1196.—The committee could not divide it among themselves instead of spending it on dinners, but if there was any surplus and the chairman had behaved well, he would very likely have a piece of plate presented to him, 1197.—It is to the interest of the committee to see that the charges are moderate, 1198.—The money is allotted to them to spend as they please, 1199.—There is no law to prevent their dividing it among themselves if they thought proper, 1200.—The dinners almost invariably take place on the days on which they meet for business, which is the inducement for the gentlemen to attend, 1201.—The committee receive no other payment for services rendered. Has been frequently connected with committees where no allowance is made. Thinks they are generally most numerously attended, and by the most competent persons, 1202, 1203.—There are about 16 or 18 committees of common council in a year, 1204.—There are 16 paid committees, 1205.—Total of money paid in this way 2,900*l.*, 1206.—Is not aware of money being spent in any way but for entertainment, 1207.—Each committee decides how the money shall be spent, 1208.—The practice has prevailed for a number of years; gentlemen are placed on the navigation committee who have hardly anything else to do. They have a barge at their command, and another boat or two, and go in procession down the Thames and inspect a pier or rock, and return to dinner at Greenwich or Blackwall. The whole thing is a farce. They are men who are utterly incompetent to perform their offices, 1209.—The duties of the conservancy of the Thames are efficiently performed by the harbour master, 1210.—Does not think it advisable to unite members of the Trinity House with members of the Corporation. When any one shows himself particularly "au fait" at any thing upon a committee, the chances are he will be excluded from that committee, 1211.—Might do very well if done independently of the corporation; all the resolutions of that committee have to be brought before the court of common council, who might reject them, 1212.—The river Thames, the banks, and the navigation are of such importance that they ought to be referred to a competent committee. The regulation of the port of London and the navigation of the Thames concern the metropolis generally, 1213, 1214.—It is most injudicious to confide the interest of the whole of the metropolis to a small part of it, 1215.—Does not think it possible to give the corporation of the City a power to conduct its affairs to the advantage of the whole metropolis, 1216.—The objection to a mixed committee of the common council, with representatives of the great mercantile bodies of the metropolis, would be that their decision, though right, would be liable to be overruled by the court of common council, which is exclusively a City body, 1217.—The court of common council does not adequately represent the interests of the metropolis at large, 1218.—Does not think it would be possible to form a committee partly of the members of common council and partly of the great mercantile bodies, 1219.—There would be this advantage in keeping up a connexion between the conservancy of the Thames and the corporation, that it would be a very proper application of part of the funds of the City of London, 1220.—The state of the river is not only a metropolitan but a national concern. It would be better to have the bridges and every thing connected with the river under the superintendence of a central committee. Should advise this Commission to call upon each committee for an account of every item that has been spent in the last 10 years, and upon Mr. Scott, the clerk to the chamberlain, for the amount of money put into the hands of the hall keeper for purposes in connexion with each committee, and on the hall keeper for an account of every item for which he has paid money during the last ten years. When the return is made the Commission will discover that in 1849 there was a very large sum of money expended, some in dinners to Members of Parliament to manifest their gratitude for the assistance received in the House of Commons, 1221.—Is not aware of any grant to the committee for conducting the Smithfield bill, 1223.—Thinks no specific sum has been assigned to any committee for the general purposes of opposition. Thinks more than 1,000*l.* was expended in the opposition in various ways. Articles were written and sent to the newspapers with a sum of money, 1224.—It was done through committees or one of the officers of the corporation, 1225.—The money was sent that, instead of an advertisement, the newspaper might be induced to allow it to appear as a paragraph, 1226, 1227.—No doubt he will be able to prove it, 1228.—Believes that 150*l.* a year has been the whole of the money spent in that manner, 1229.—The statement with regard to the money sent to the newspapers is distinct from the one to which he has adverted; that was 3 or 4 years ago. Does not think there has been a penny expended in any other way than was described in the court of common council within the last three years. The members of the court of common council have no right to inquire into the proceedings of a committee to which they do not belong, 1230.—As a member of common council might move to get an account of the proceedings of a committee, but if it was a popular one would never get it, 1231.—In most cases, a return asked for properly would be granted, 1232.—The desire of the common council is to give every information to their fellow members, 1233.—Some money must have been expended in getting up petitions against the removal of Smithfield market. Believes Mr. Acland was engaged pro-

BENNOCH, FRANCIS, Esq.—*continued.*

fessionally to conduct the opposition to the Government bill. Mr. Acland was in the shed at top of Cheapside as the expounder of the model, showing the advantages it would give to the public at large, 1234. —Has no personal knowledge on the subject, 1235.—Believes the election of common councilmen and aldermen is generally conducted honestly. There is no ground on the part of common councilmen to expend money, as they are elected annually, but there is ground for an alderman who is elected for life. Gives an instance. A large sum of money is sometimes expended in the case of an election of lord mayor. Gives an instance, 1236.—Does not think bribery is much practised at the elections of aldermen, further than by means of what has become now a City peculiarity. The lower class of the livery of London are of the very lowest description; the pretence of a certain amount of payment is, that poor men cannot afford to give up their day's work, 1237.—Is speaking of the elections in common hall, 1238.—The elections of aldermen are generally free from bribery, 1239. —The largeness or smallness of the ward makes very little difference. The elections in common hall are very anomalous: the livery elect the lord mayor, the freemen elect the aldermen, but the liverymen elect the lord mayor from among the aldermen; the livery can elect the sheriff, to which office there is a fine for non servitude, but the common council can excuse the payment of the fine; the livery elect the chamberlain, who is accountable to a committee of the corporation, the livery also elect the bridge masters, who have no more to do with them from the moment of their election, 1240.—The livery have nothing to do but elect in common hall for certain offices, 1241.—Thinks that election is under the Statute of the 11th George I.; it occupies several days, 1242.—Sees no advantage in keeping up the plan of election in common hall, 1243.—Would have only one constituent body which should elect members to represent them, and all officers under the corporation in common council assembled should be elected by the common council, 1245. —Would destroy the common hall altogether. It has been a nuisance for a number of years. You will find more corruption in the companies than the corporation. The livery companies are no longer what they used to be, the protectors of the trades whose names they bear, they have become private charitable companies with large funds, which are expended in making themselves comfortable, 1245.—Proposes to cut off the connexion between the companies and the municipal body of the corporation. Advises examination of gentlemen employed by various candidates for office in the corporation, 1246.—Wishes to call the attention of the Commissioners to the fact that freemen can elect members of common council not being liverymen. Persons who are freemen and not on the parliamentary register cannot vote for members of common council according to an Act passed 6 years ago. The constituencies are so small, and gentlemen refuse to take up their freedom because they do not like to do any thing on compulsion. The way to get a proper constituency is to establish a law by which all men paying certain rates and occupying certain premises should have the right of exercising the franchise, 1247.—Sees no objection to the qualification under the Municipal Reform Act. Would not make it necessary that in order to vote people should appear in the Parliamentary Register, 1248.—The qualification which prevails in boroughs under the Municipal Reform Act would be a proper one for the City of London, 1249.—Would abolish all special privileges, such as the privileges claimed by the livery, and all metages which have been purchased by individuals who do no service but receive the pay, hiring persons to conduct the duty, and keeping the balance. Gives an instance, 1250.—Would have to compensate for all offices which have been purchased. All offices by purchase have been abolished by the corporation for many years, 1251.—In the case of the oyster meters as the appointments fall in, the corporation appoint some one to do the work, and he receives the pay. Alderman Muggeridge took great interest in the question of the corn dues. His evidence would be very valuable. The result has been shown to be that ships are driven from the Thames to the Severn because in the one they can clear their cargo for 14*l.* or 15*l.*, and the other 50*l.* or 60*l.*, 1252.—The Corporation claim the right of measuring all goods which come into the port of London, 1253.—Believes this applies to all corn brought for home consumption, 1254.—

BENNOCH, FRANCIS, Esq.—*continued.*

Thinks the grant of metage was originally intended as a protection to the public, and as an accommodation to those who wished their corn properly measured, 1255, 1256.—Does not think it was intended that the City should force their measurement on those who did not wish it, 1257.—They require all persons to have their goods measured, and they receive the dues thereon, 1258. —The tolls of the City ought to be abolished, 1259, 1260. —The toll is not more than twopence, but when people are continually going through it becomes a very important matter, 1261.—There is a man watching at each entrance into the City to demand the toll, 1262.—The toll is disliked chiefly on account of the manner in which it is demanded, 1263.—Is not sure whether the tolls are leased out by the City, 1264.—There is no toll upon carriages; persons who live beyond the City, as tradesmen drive as near as they can, and leave their carts and come into the City to buy their goods. In consequence of that inconvenience a great many persons have established themselves in certain trades just beyond the City bars. The exaction therefore operates to the disadvantage of the City itself, and the inhabitants are injured because persons are prevented going into the City to buy their goods, in consequence of the toll, 1265.

BENNOCH, FRANCIS, Esq. (*Second Examination.*)—When last examined was about to go into considerations with reference to the financial accounts of the corporation, 2023.—With reference to the Court of Aldermen, so far as their conduct has come under his observation as magistrates, they have discharged their duties to the utmost of their abilities; but thinks they ought not to continue as magistrates. The great objection witness has to the Court of Aldermen, as at present constituted, is that they have the control of the City purse, as much as the general corporation in Common Council assembled, 2024.—They are perfectly independent of the Court of Common Council. Gives instance, when the present lord mayor performed a certain work, which was esteemed by his brother aldermen of value to the City, they, of their own accord, caused his portrait to be painted, and a vote of thanks to be emblazoned at an expense of some 300*l.* or 400*l.* They have the right of pensioning the widows and orphans of relations of deceased aldermen, 2026.—Thinks the Common Council has the same power, but that they would have more discretion, 2027.—Instead of giving pensions they should elect some of the friends of deceased common councilmen to occupy some of those offices which are in their gift, 2028, 2029.—Their property consists, to a considerable extent, in possessions within the City, 2030.—Has no doubt that the corporation, as landlords in the City, in the management of their outlying estates, conduct them with consideration equal to that which is shown to tenants in the City, 2031.—Belongs to the City Lands' Committee. Before a lease lapses notice is given that the lease will lapse within a certain time, and if then the occupier desires to continue, he must give notice to the committee within a certain time, 2032.—The estates of the City are liberally and kindly administered as relates to the tenants, and they are sufficiently prudentially administered as far as relates to the property itself; there is a very fair return obtained from them, 2033, 2034.—Believes the staff of agency to be preposterously large as refers to the management of the property, and that in that manner the net receipts of the estates are rendered less than they ought to be. Thinks as far as the estate is concerned the agency is not extravagant, 2035, 2036.—The agents are very few indeed. The comptroller of the City lands, who has a staff of clerks, invites all parties to come and apply to him. The property lies in the City, or contiguous to it, 2037.—Nearly all the City property is either near or in the City. There is some property of the City in Marylebone, some in connexion with Conduit Fields' Estate, on the left-hand side of Holborn; again in Finsbury, and two or three other parts of the metropolis, 2038.—It is generally well-conditioned property; easily managed, 2039.—The committee has nothing to do with the management of the property of the Irish Society, 2040.—It is a doubtful matter whether the property of the Irish Society belongs to the City as a corporation. It is under their management, 2041.—There is a regular account kept between the comptroller and the chamberlain, which is published annually. He pays it in as he receives it. The Irish Society employ an agency. The amount never

BENNOCH, FRANCIS, Esq.—*continued.*

appears in the general account of the corporation 2042.—Considering the small area of the City, it would be better to have all the sewers of the metropolis under one management. Is a member of the Commission of Sewers in the City, 2043, 2044.—There is a sub-committee appointed as a delegated body, who, together with the surveyor, attend the General Commission of Sewers when anything in connexion with the City is under their consideration, 2045.—Thinks the joint action is practically and properly carried out, 2046.—That the City should give up all separate jurisdiction over its own sewerage, 2047.—And that it should be merged in one General Commission of Sewers, or such other body as might be deemed best, under a complete system of municipal government. With respect to the accounts is unable to see anything that would justify any charge of peculation or malversation, in connexion with the members of the corporation; but thinks that the total expenditure is much too large, 2048.—Witness here makes statement as to the expenditure from the blue book published by the City, 2050, 2051.—The City has not expended anything in baths or washhouses, further than by giving 50*l.* or 100*l.* now and then to such institutions already established in the neighbourhood, 2052.—They have paid no attention to the building of an improved class of dwellings for the labouring poor; that is one of the arguments against the past conduct of the corporation; therefore, in the neighbourhood of Clerkenwell and Moorfields, where improvements have not been made, the population has sunk to the lowest points of degradation, the labouring classes being obliged to live near their work. There being no other accommodation provided for them, families, to the number of three, four or five crowd together, to the injury of their health and morals, 2053.—Thinks it is the same in other parts of the metropolis, 2054.—There seems to be a great misapprehension in the minds of some witnesses as regards the manner in which the coal tax is expended. The coal tax is 1*s.* 1*d.* per ton, of which the City receive for the expenses of collection and other matters 1*d.* They receive and appropriate to public improvements, under Act of Parliament, 4*d.*, and 8*d.* is handed over to the Government for the purpose of making general metropolitan improvements, 2054.—The evil of the coal tax lies in its being levied at all; that the proceeds of the coal tax have been distributed with sufficient equality over the whole of the metropolis, 2055, 2056.—4*d.* per ton belongs to the City itself, and is applicable to purely City purposes at the discretion of the Corporation. It was originally granted for the purpose of completing the approaches to London Bridge; then the period was extended to complete other improvements contiguous to London Bridge, 2057, 2058.—Thinks the authority under which that 4*d.* was levied expires in 1864. Till that period it is altogether pledged to public bodies, who advanced the money by which the corporation have been able to effect certain public improvements, 2059, 2060.—Cannot say whether there is any money derived from the coal tax which is now at the discretion of the City, but thinks not, 2061.—Thinks there is not any amount of the tax upon coal which is now levied, granted in perpetuity, 2062.—It will wholly expire in the lapse of time, unless renewed by Act of Parliament, 2063.—It would be advisable to anticipate the period at which the coal tax will expire, and substitute a general rate, 2064.—Has no fear of the unpopularity which generally attaches to a direct tax of this description. The coal tax bears particularly hard upon certain trades, 2065.—Objects to any special tax which bears upon one commodity, and perhaps presses heavily upon one particular trade, and gradually, especially in the case of the tax on coal, presses at least heavier on the poor man, who can very ill afford to pay it, 2066.—Witness next refers to certain discrepancies between the Chamberlain's account and the amount of salaries returned by the officers. Thinks the discrepancy arises in this manner: All the gentlemen have attached to their own offices certain fees, which vary to a certain extent year by year, as in the case of the mace-bearer. Those fees are received by themselves, and they receive the salary out of the chamber; but the fees swell up the salaries, as certified by their own return, far beyond the amount appearing in the chamberlain's accounts, and make the whole discrepancy amount to above 10,000*l.* Enters into particulars, 2067, 2068.—Mr. Scott, the chief clerk of the chamberlain's office, has been in the service of the corporation twenty or

BENNOCH, FRANCIS, Esq.—*continued.*

twenty-four years, and, of course, with a gradual promotion or advance of salary; but as he, within the last few days, has resigned his office, thinks it very likely that a re-arrangement might be made of the offices, so as to save 500*l.* or 600*l.* a year. Witness here enters into more particulars, 2069.—How reductions in legal salaries alone might be effected, without impairing the efficiency of any office, 2070.—The remembrancer during the recess arranges all the ostentation, and settles questions of precedency in connexion with the lord mayor's dinner. Believes he is a solicitor; but has not any private practice, 2071–2073.—The remembrancer's brother, who is solicitor to the City sewers, is permitted to have private practice. Would throw the three offices of town clerk, secretary, and remembrancer into one office, 2074.—For some time the duties of the bridge-house comptroller and solicitor were combined in the same office, and no inconvenience was experienced. Believes the double salary was not continued. Would abolish the high bailiff of Southwark and the common pleaders altogether, because they are no use to the corporation. Would unite the offices of clerk of the peace and coroner together, 2075.—The coroner is appointed by the common council. After mentioning many more offices which might be united, and reductions made, comes to the conclusion that in the general expenditure, without impairing in the slightest degree the efficiency of any office of the corporation, from 40,000*l.* to 50,000*l.* per annum might be saved. Thus, therefore, you have for use, at four per cent. a capital for the improvement of the City of a million and a quarter, and that in perpetuity, 2076.—As they are nearly all annually elected, Parliament would call upon those gentlemen, at the end of their year of office, to resign their offices without compensation; but thinks, although they have no legal claim, they have decidedly an equitable claim to compensation, 2077, 2078.—Reads a curious document collected from the leading men in Liverpool, Manchester, Glasgow, Edinburgh, and Dublin, which applies to such matters, 2079–2081. In some of these boroughs the income is much more than in London. States the aggregate of the particular salaries of those analogous officers in those several towns. The aggregate expenditure of above 100,000*l.* by the corporation of London, in connexion with its offices, is much larger than the whole expense of the civil government of the United States, 2082.—The federal government, and what is perhaps still more startling, the expenditure of the corporation on itself, in administering the funds it possesses, is larger than the whole amount of its revenue from rents, tolls, and fees from brokers, three great items of its income. The accounts kept by the Manchester corporation might be taken as a model of accounts for every corporation in the kingdom, 2083.—Manchester has not the same kind of property which the corporation of London has. Liverpool resembles London more nearly in that particular, 2084, 2085.—Witness has taken the expense of certain offices in London, and the aggregate expense of analogous offices in connexion with Liverpool. Enters into particulars, 2086.—Cannot say whether much is done by contract at Manchester. That information might be obtained from some officer from that place, 2087.—The subject of salaries has not been sufficiently brought forward, but when it has it has generally been decided that the office should not be disturbed, 2088.—An opportunity of reduction occurred at the recent vacancy of the chamberlain's office, 2089.—The question was referred to a committee, who published a report, which has been placed before the Commissioners, recommending that the office should continue as it had been. The report was received by the common council, and may be considered as their opinion, 2090, 2091.—Believes there was a long discussion when the office of chamberlain fell in, and a strong opinion on the part of a large number to reduce the salary by at least 1,000*l.* a year; but it was remembered that one of the candidates had served the corporation, and that an office of that kind having fallen in, he was a fit person to elect, 2093.—It is in the power of the common council to reduce salaries, 2094.—Except in cases where the officers are appointed, and their salaries fixed by the aldermen, but those are very few. There is a general rule now that no money of a general nature shall be paid by the chamberlain on the order of the Court of Aldermen. A late lord mayor expended a large sum in exhibiting himself at Oxford, &c., and there was

BENNOCH, FRANCIS, Esq.—*continued.*

a general feeling on the part of the common councilmen that it ought not to be repaid, so the chamberlain received an order to that effect, 2095.—Does not know the legal right with respect to the public purse, 2097.—Some legal officers of the corporation think the common council have the power of controlling the expenditure by the aldermen, and some that they cannot; but the custom is that the aldermen can do as they like. They have, to a large extent, done as they liked, 2098.—Witness only recollects one instance in eight years of the common councilmen exercising any authority over the aldermen, 2099.—The first report of the Commission on Municipal Corporations in 1835 contains the character of the common council of the City of London, and speaks of them as a body which has watched vigilantly over the interests of its constituents, and has studied to improve the corporate institutions with zeal and justice. If that be true they must have become sadly degenerate since. Holds that in doing justice to its constituents you ought to watch carefully the expenditure of the money, which in point of fact belongs to them. Believes no charter has ever been granted without expressing that the benefits arising from it are to be to the Court of Aldermen, the common council and the commonality. Apprehends that by the commonality is meant the constituency, as well as those who represent them. It frequently happens in cases of emergency in any department where an extra officer is wanted that he is appointed, and there always seems great reluctance to destroy the office, in consequence of which many offices have become almost sinecures, and so they go on till we find a staff of 150 officers, where one-tenth would be quite sufficient. There is a certain amount of patronage in connection with the election of those officers; the offices have been retained, and on a vacancy another officer has been appointed. This arises from the changeable nature of the corporation. A man enters the corporation determined to do all the good he can; he finds it impossible to make any impressions, and retires, 2100.—The multiplication of offices has been greatly owing to a want of system in the corporate administration, 2101.—The present state of things has been the growth of some hundreds of years; some of the old customs which are still retained are a disgrace to the corporation, for instance, the election of sheriffs, 2102.—With regard to the hospitality of the corporation being popular in the City, the avidity with which people receive the invitations arises probably from their being anxious to see what has been so much talked about, and then to laugh at it, 2103.—Believes the feeling in the City with regard to lord mayor's show is that of universal contempt; the transactions of the City may be counted by millions in the course of the day, and to have the thoroughfares blocked up for this parade is absurd, 2104.—Does not think there is a feeling in favour of it on the part of any class, 2105.—The lord mayor pays half the expense of the show, and the sheriffs each pay one quarter; then, after all are invited who have a right to go, the lord mayor has about 100 or 150 cards, and the sheriffs each 50 or 60 for private friends, each of which, in fact, costs from 10*l.* to 12*l.*, 2106.—Thinks it a gross injustice on the merchants who are elected sheriffs, that they must pay a fine if they do not serve, and if they do serve to be obliged to spend 2,000*l.* or 3,000*l.*, and go through scenes from which they would naturally shrink, 2107.—On the last occasion a gentleman was elected to serve as sheriff, who refused to join in all the usual extravagances, so the lord mayor in the present year, has had to add three-eighths to his expenditure, and the other sheriff about two-thirds. Several members of the common council have tried to make an impression on the court as to the importance of their standing between the merchants of the City and the unprincipled men who, as soon as the name of a likely man to serve as sheriff is whispered, present themselves at the counting-house of the gentleman so named, and offer to prevent the election for a certain sum. They would then assemble the liverymen, and crowd the hall with them, and as they always vote as it is signalled to them, the common hall elections are a complete farce. Should the gentleman named refuse to bribe, he has, if he does not wish to serve, to pay the larger amount of the usual fine, 2108, 2109.—The general body of the common council, by a vote, have the power to exact or remit the fine, 2111.—It is levied as a matter of course, unless a person applies to have it remitted, 2112, 2113.—Gentlemen have applied to the Court of Aldermen to have the fine remitted, and been refused. Believes the Court of Aldermen also have the power, 2114.—The common council have power to excuse the fine, whether the man gives a good reason for it or not; but as those fines go to support a school for orphan children, they perhaps think it rather a good thing to enforce it, 2115.—There are two aldermen who have not served the office of sheriff, 2116.—The aldermen must pass through the office of sheriff before they can be lord mayor, and generally when there is any difficulty about a sheriff, when there is an alderman who has not served, they fall back upon him, 2117.—Witness having finished his observations reads the outlines of a scheme which he proposes to substitute for the present system, 2120.—Proposes that a change should be made at once, and not wait till to vacancies occur, 2121.—Has no fear of the political consequences arising from such a body as has been described sitting in the metropolis, and representing the population, 2122.—Thinks that were his plan adopted, the chief power would not be vested in the central municipality, as he proposes that each municipality be re-divided into twelve wards, each ward to have a representative in the central council. The present division of the City is most absurd; produces a plan which he thinks would be a great improvement, which involves two new streets. In connection with the boundaries begs to put in a paper showing certain alterations proposed by the reform committee of 1852, which, even if not adopted, serve to show that some members of the committee have devoted their attention to that matter, and to a general reform of the corporation, 2123.

BENNOCH, FRANCIS, Esq. (*Third Examination.*)—States a case to prove that the aldermen within the jurisdiction of the City can do with the City purse whatever they think fit. There is a byelaw to prevent the chamberlain from paying money for any expenses beyond that boundary, without the consent of the common council, 2124, 2125.—Thinks that the common council could not legally restrain the aldermen in any expenditure of money, but as they are part of the common council, and agreed to the byelaw, they could not infringe it, 2126.—The aldermen who are members of the common council have only votes like the others, 2127.—States case to show the advantage of the byelaw, 2128.—Except in certain things the Court of Aldermen has co-ordinate power with the Court of Common Council for all financial purposes, 2129.—States a case with regard to the expenditure of 133*l.* for cloth for the ministers of State, in evidence of the fact that a custom once established is seldom repealed voluntarily, 2130.—There are certain officers appointed by the committee of City lands, among them the keeper of the Monument. He was either a common councilman, or a connexion of one, and had received for many years an average income of 240*l.* or 250*l.* a year out of the money received from those who go to see the Monument. He performs no part of the duties himself, but employs two men, to whom he pays 80*l.* or 90*l.* a year. In 1851 the price of admission was reduced from 6*d.* to 3*d.*, and the profit of that year was 1,337*l.* The corporation receive no benefit, 2131, 2132.—The expenses of repairing and lighting are not paid out of this money. They are not considerable, 2133.—The Irish Society is an independent society, and keep their own accounts. They must be called on to give their own evidence if required. If the remodelling of the corporation on the plan suggested be adopted, it would effect a saving of 80,000*l.* or 90,000*l.* a year, and allow 20,000*l.* a year for all the expenses of the municipality of the City of London, 2134, 2135.

BENNOCH, FRANCIS, Esquire. (*Fourth Examination*).—Wishes to make some statement with regard to the Gresham Committee. Appears as chairman of a committee appointed to endeavour to establish in London a mercantile and maritime college. Is accompanied by Dr. Waddilove, Messrs. T. P. Lowell, Cook, Leoni Levi, and Anderson, as a deputation from that committee. In that position was brought into connection with the Gresham Committee in endeavouring to induce them to assist it, regarding the Gresham College foundation as the nucleus of an institution on which might be built the superstructure which is desired to be raised. A public meeting was held in May last at the London Tavern, presided over by Lord Harrowby, at which were present 100 or 150 of

Bennoch, Francis, Esq.—*continued.*

the leading merchants, shipowners, and traders of London, who recommended that communication should be opened with the Gresham Committee, the Corporation, and Her Majesty's Government, on the subject. In consequence a communication was made to the Gresham professors, and an answer received requesting a statement of the committee's views in connection with the Gresham College. Accordingly a statement was drawn up of the whole history of the Gresham College from its commencement. Reads the statement. Accompanying this historical sketch was sent a scheme to be engrafted on it. It was not wished to interfere in the least with what seemed to be the will of Sir Thomas Gresham, but to establish something in harmony with the present time, and be a great aid to the mercantile classes. Reads the scheme of the "Mercantile and Maritime College." There is no place in London where boys can be thoroughly educated for the pursuits of commerce and the marine. Reads the letter sent to the Gresham professors with the above scheme, and their answer, showing that instead of being opposed to it they were desirous of doing all they could to carry out the views of the merchants of London. Wishes to draw the attention of the Commissioners to this point, that though any opposition to an established system may seem clamour, the only clamour now raised is to show that the Gresham College has seven lecturers and a sum of 1,200*l.* or 1,300*l.* per annum to deliver lectures, and, with the exception of the lecture on music, can scarcely ever obtain an audience. A similar letter was written to the Gresham Committee. Reads their answer, declining to agree to the proposition submitted to them. Letters were also sent to the different companies to assist in the matter, also to the Chancellor of the Exchequer, and a courteous but not satisfactory reply was received in regard to the amount of money realized by the sale of the Excise office. As a proof that the merchants are seeking such an institution, several of them have enrolled themselves as students in a similar institution established by Mr. Leoni Levi, at Liverpool. There are three sessions in the year, and they pay 2 guineas for each session. Several of the large mercantile houses have enrolled some of their principal clerks, and attend many of the lectures themselves. Whilst the question has been discussed in London, colleges of this kind have been established in Sweden, in Austria, and Belgium. About two years ago a committee was formed to effect certain reforms in the Customs; when their labours ceased it was proposed to present their chairman Mr. Ingram Travers, a merchant, with a testimonial, and his letter to the testimonial committee bears so strongly on this subject, cannot forbear quoting it. Reads the letter. The Government, we observe, in regard to their civil officers, have also discovered the importance of some sort of examination as a guarantee of the fitness of individuals to perform the duties which shall come before them. Mr. Cook is present, who can show the greatest importance of a nautical education being applied to youths who enter our mercantile marine. It has been thought right to bring this matter before the Commission, in order that, if they think it of sufficient importance, they may speak of it in their report, and lead to the conversion of what is now a comparatively useless theatre for lectures which few attend, and fewer understand, into a noble institution, by which the merchants of the metropolis, and youths entering on commercial life, might be greatly benefitted. Dr. Waddilove has gone into the question with regard to the legal position of Gresham College, and some matters tend to show that the trustees have not been so faithful to their trust as they ought to have been. Whenever the question is thoroughly investigated, fears it will be found that the professors and trustees, instead of working together for the public good, have more frequently acted in a spirit of antagonism, and have cared less for their duties than their self interest, 7269.

Billett, Mr. William Bartholomew. (*Analysis of his Evidence.*)—Is the senior churchwarden of the parish of St. Pancras, and appears before the Commission in consequence of a resolution passed by the representative vestry, desiring to have a corporation for the parish of St. Pancras, 4127.—Reads the resolution and the report which was presented to the vestry, 4129.—States the grounds on which the parish desire an incorporation, 4130.—Refers to that part of the parish running from the work house up to Battle Bridge, Agar Town, Holmes' estate, and another portion nearly opposite Battle Bridge. An application was made to the commissioners of the Calthorpe estate to take in that portion on the northern side; they took in two streets, Swinton Street and Acton Street, but refused the rest of the property, because it would not pay them. In 1840 the commissioners of the Kentish Town estate refused to take in Agar Town because it would not pay them; and in the New Road there is about half a mile which has no less than five paving commissions on it under five different managements, 4131.—Complains of the effect produced on the parish by the managements of those departments being distributed over various properties, 4132.

Billett, Mr. William Bartholomew—*continued.*

Billingsgate Market. (*See* Markets.)

Bills in Parliament:

Money was spent confidentially with respect to Bills in Parliament by the corporation, *Scott*, 4660–4673.—The City oppose Bills only when they propose to take their property from them, not if they made an alteration in any custom, unless the repeal would be injurious to the City, *Tyrrell*, 5463–5466.

Blake, Henry, Esq. (*Analysis of his Evidence.*)—Has been connected with the corporation of the City of London above 8 years. Is a common councilman, and has been chairman of the Freedoms' Committee about 12 months, 7480–7483.—In 1851 made a motion in the Court of Common Council to refer to the Freedoms' Committee to consider what amendment could be made in the Act of Parliament for the reform of the corporation passed in 1849, and the efficacy of which had been impaired in its progress through the House of Lords. In consequence of witness's zeal on that occasion he was placed on the Freedoms' Committee. Mentions this to disprove what has been said in certain parts of the evidence, that if a man shows zeal on any particular question he is thereby debarred from being on the committees. Wishes to contradict the impression conveyed in the evidence that the committee have exercised undue severity in forcing non-freemen to take up their freedom within the City of London. Can truly say that they have done their duty in as merciful a spirit as was possible. Wishes to allude to Mr. Acland's evidence in question 80 and 90. He gives a table of fines for admission to freedom, showing that to 1834, when the fines were about 30*l.*, there were 1,000 persons annually admitted, and that after the reduction was made the admissions gradually decreased, and imputes the cause to a reluctance to associate with the class of persons who constituted the corporation; but the Reform Act of 1834, which gave parliamentary franchise to householders of the City of London, removed a great temptation from persons to take up their freedom. There are a large number of persons indisposed to serve the responsible office of sheriff, and also who desire to avoid the duties of the corporation altogether, which operates as a reason why they should not take up their freedom, unless coerced into doing so, and also accounts for the decline in the number. Mr. Acland also alludes to disputes which he says existed between the aldermen and common council in respect to the enforcement of freedom; but no such dispute did exist. The letter referred to by Mr. Acland was written to the Freedoms' Committee, who addressed the Court of Common Council for further instructions on the subject, and were referred back to the order of the 10th of June preceding, to compel non-freemen to take up their freedom. From that moment there was no conflict between the two courts. Refers to a paragraph in the report of the Commissioners of 1836, which coincides with his own opinion as to the feeling which influences the higher classes of merchants to avoid corporation offices, 7483.—There are greater inducements to keep men aloof from the corporation offices in London than in Liverpool besides that of the duties being more onerous, 7484, 7485.—The unfair evidence of Mr. Travers has already been animadverted upon, 7486.—Has been a member of the Irish Society. Heard the preceding evidence, and differs from the witness to this extent, that after all the obligations of the trust are performed, the companies who originally contributed the money would be entitled to any residue, and not the corporation, which was only the medium by which the money was conveyed, 7487–7490.—Concurs with him that the affairs of the Irish Society are well managed. The surveyor is a very intelligent man; he only receives 100*l.* a year, 7491.—There have been applications to the society for contributions towards public institutions, and recently a

BLAKE, HENRY, Esq.—*continued.*
large portion of land was given for the purpose of erecting a college, 7492, 7493.—Except the small share mentioned the corporation have no interest, and are performing a public duty gratuitously, 7494, 7495.

BLACKFRIARS. *See* BRIDGE.

BOUNDARIES:
The boundaries of the City have never been changed, but cannot look with certainty to any period before Edward III., *Merewether*, 4789–4792.

BOWER, BENJAMIN, Esq. (*Analysis of his Evidence.*) Is deputy-governor of the fellowship of porters, 6967.—The alderman of the ward of Billingsgate is always the governor, and his deputy exercises the office of deputy-governor, 6968.—Does not think the present lord mayor, who is alderman of Billingsgate, ever interferes, 6969.—Has not been deputy above a year, 6970.—Is not conversant with the affairs of the fellowship, 6971.—Has never taken part in the management of them before, 6972.—The business of the twelve rulers of the fellowship is to keep the men at work, 6973.—They meet to deliberate once a month, 6974, 6975.—Is not present at the meetings unless wanted, but can be if he likes, 6976.—At the meetings the finances are managed, and disputes decided between the porters and the meters, 6977.—The deputy appoints the fellowship porters; he has the power of fining for misconduct and dismissing, 6978.—It is a very ancient body; being found necessary in former times, was created by the corporation, 6979, 6980.—The corporation have the right of porterage and metage, and they appoint those men to do the duty, 6981.—The porters have to work with the meters, 6982.—Does not know of an Act of Parliament under which the porters act; there is an Act of Common Council, 6983, 6984.—There are 2,000 men on the books; from 900 to 1,000 are constantly at work, 6985.—Must be a freeman to become a porter, 6986, 6987.—He must have paid 2*l.* 6*s.* 8*d.*, and a few trifling fees, 6988.—When he becomes a member of the fellowship he lodges 5*l.* in the hands of a ruler, 6990.—If the fellowship is done away with the five pounds will be returned, 6991, 6992.—It would be competent to the common council to dissolve the fellowship, 6993.—There is no Act of Parliament recognising the body, 6994.—Is a fruit merchant, landing large quantities of fruit on men's heads, 6995.—The fellowship porters are trusted to a large amount. They might very easily dispose of their goods, 6996.—They are a more respectable body of men than the ordinary porters, 6997.—Does not think they are too well paid; they get 2*d.* for bringing a package from the ship to the warehouse, 6998.—Does not think there is much complaint made of the porterage rates, 6999.—There is a fund belonging to the fellowship, 7000.—They have a sum in the three per cent. consols, amounting to 3,500*l.*, 7001.—There is 5,760*l.* in the hands of the shifter to pay the men, 7002.—Has seen Mr. Brown's evidence, 7003.—All payments go to the fellowship, 7005.—The fellowship call themselves a corporation, 7007.—They cannot sue or be sued in their own name, 7008.—Reads extract from Mr. Brown's evidence and explains it, 7009.—The corn shifter is an officer of the fellowship, 7010.—He collects the money for the work done from the persons who employ the porters, 7011, 7012.—He has to collect it frequently from long distances in the country, 7013.—The men are paid at Mr. Ruston's office, 7014.—He pays the men, and the real employer pays him, for which he deducts 1*d.* in a 1*s.*, 7015.—Believes the 87,000*l.* spoken of to be made up by this profit, 7017.—Can't say whether the corn shifter often has bad debts. According to the Act of Common Council there is a certain sum to be paid to the rulers and a certain sum to the deputy; has declined to receive it, 7018, 7019.—His office has been wholly gratuitous, 7020.—Is of a different opinion to Mr. Bennoch with regard to the chairman of committees being elected for their convivial qualities. The rule is to take a man for the chair who is in his fourth year, and is of opinion that they generally take the most efficient men. Thinks, if Mr. Bennoch had attended the committees more regularly, and made himself master of the business, he would have been elected, 7021.—The chairman is expected to dine with the committee when they have their business afterwards, 7022.—Once elected he is chairman for that year, and they have no power to vote him out of the chair, 7023.—The chairman is generally chosen from those who are in their fourth or last year upon a committee, 7024.—Does not find gentlemen object to take the chair at dinners; and it often happens that the man who is the most fit to take the chair at a committee is most competent to take it at the dinner table, 7025.—Does not think the dinners necessary to secure an adequate attendance. Thinks it fair that, when men give up a large amount of time in the middle of the day, and break up their social habits, they should have a dinner provided for them. Mr. Bennoch says that the corporation is generally composed of retail dealers. In witness's own ward there are eight representatives, and not a retail dealer among them, 7027.—It is not true that the common council generally is composed of retail dealers, 7028.

BOWER, BENJAMIN, Esq. (*Second Examination.*) —Should wish to correct his statement, that Mr. Bennoch accused the corporation of being men of no mark, and generally retail dealers. Finds it was Mr. Acland, in 146, and Mr. Travers, in No. 216, who made that statement, 7390.

BOROUGH COMPTER. *See* PRISONS.

BRAND, FERDINAND, Esq. (*Analysis of his Evidence.*) Is clerk at the Bridge House, and comptroller of the works and revenues of London Bridge, 5765.—Is appointed by the Court of Common Council, 5766.—Has held the office nearly fifteen years. Has been connected with the corporation upwards of twenty-nine years, 5767.—The salary is 300*l.* a year, with other emoluments. The total of gross emoluments for the year 1852 was 1,013*l.* 18*s.* 6*d.*, from which sum is to be deducted the expenses of the office, 312*l.* 14*s.*, leaving the net emoluments of the office 701*l.* 4*s.* 6*d.* Holds another appointment connected with the Sheriffs' Court, 5768.—Discharges the duties of comptroller and solicitor for the Bridge House trust. The duties of the chamberlain, as connected with the Bridge House trust, are discharged by the bridge masters; they are two ancient officers, 5769, 5770.—The fund of the Bridge House estates is created by ancient grants from the Crown, gifts from different individuals, and purchases of property arising from the saving of the revenues at different periods. On the first building of London Bridge, a sort of crusade was preached by Peter of Colechurch; he went about the country with a brief, and was enabled to collect funds towards the erection of the bridge. Sometimes money was given, and at other times land, for the purpose of building London Bridge; at other times grants have been made from the Crown, and purchases have been made out of the surplus rents and profits of the Bridge House estates. Property also has been given by will, 5771.—The result is a fund held in trust for the maintenance and support of London Bridge, 5772.—The whole of that fund is derived from rents of land and houses, with the exception of some dividends which arise from the produce of lands which have been sold at different times under the authority of Acts of Parliament; the money in such cases is paid into the Bank of England, and invested by the direction of the Court of Chancery, according to the provisions of those Acts, either in the purchase of other property, or in the funds, 5773.—Does not make any payment towards the Orphans Fund, 5774.—At the present moment, the money that was raised for the rebuilding of London Bridge is secured upon the Bridge House estates; the sum of 431,000*l.* was advanced by Government out of the consolidated fund, and is charged upon the Bridge House estates; the repayment whereof is secured by various annuities, amounting in the whole to 21,550*l.* per annum, the whole of which annuities will be paid off in the year 1871, 5775.—The charge will be permanent up to that year, 5776.—The diminution will commence in 1867; up to that year there will be no alteration. In 1867 some of the annuities will begin to fall off, and they will all cease in 1871, 5777.—When the present Blackfriars Bridge required to be substantially repaired, a difficulty arose as to the means of obtaining funds for that purpose. The Government of that day considered that it would not be an improper application of the Bridge House funds to appropriate a portion of them in securing the repayment of the monies advanced for the repair of Blackfriars Bridge, and those estates were accordingly charged with the payment of 77,400*l.*, raised for the repair of Blackfriars Bridge; in respect of which, the sum of 73,100*l.* still remains unpaid, 5778.—That charge of course applies only to the surplus rents and profits, after the payment of the 21,550*l.* a year to the Government, from the actual produce of the Bridge House estates. That surplus

is about 5,000*l.* a year. That is charged, in the first place, with the payment of the annual expenses of the lighting, cleansing, watching, and repairing Blackfriars Bridge, 5779.—For the present the fund is entirely exhausted by the expenses in respect of London Bridge and Blackfriars Bridge, and the cost of collection, 5780.—The corporation have the legal estate in the Bridge House property, but the estates are no part of the property of the corporation; they have no right to appropriate any portion of the Bridge House estates to their own corporate uses, 5781.—They are trustees of a fund devoted to a particular purpose, 5782.—They cannot alter the application of the fund without the authority of Parliament, 5783.—The entire management of the trust is vested in the corporation, 5784.—If the management of this fund were incorporated with the management of the estates of the City, the saving of expense would simply be the salary paid to witness of 300*l.* a year, and also of the salaries paid to the two bridge-masters, 5785.—The senior bridge-master receives about 380*l.* a year; the junior has 50*l.* a year less, 5786.—The rents are paid at the office of the bridge-masters, 5787.—There is no collector who goes round, 5788.—Believes the practice of the comptroller of the chamber and the department which he (witness) fills is precisely the same, 5789.—The bridge-masters attend personally to receive the rents, 5790.—The office of the Bridge House estates is now at Guildhall. There was an ancient establishment connected with the Bridge House close to London Bridge, where all the officers in ancient times used to reside. Materials were kept there for the repair of old London Bridge, and the superintendent for watching the bridge and keeping it in repair was to be found there. About ten or twelve years since the bridge house in Tooley Street was pulled down, and the site thereof let for the benefit of the trust, and it now forms part of what is called Cotton's wharf, 5791.—The present alderman of Bridge Ward has nothing to do with the Bridge House estates; but there was a justice of the bridge yard in ancient times, who had a residence at the bridge yard, and was paid a small stipend out of the Bridge House estates, 5792.—Apprehends that if the City purchased Southwark Bridge, it would be entirely independent of the Bridge House estates. Does not think that the corporation intend to purchase it, 5793.—If they did, they must provide the money out of their own estate, 5794.—It has been stated that the income of the Bridge House estates for the year 1852 was upwards of 47,000*l.*; by the printed accounts for that year that will be seen to be an error. In that amount of 47,000*l.* are included sums of money for the sale of property, which of course formed no part of the income or revenue of the estates, 5795.—The produce of the property sold was invested; it does not come into the hands of the bridge-masters or the corporation at all. Under the provisions of the Lands' Clauses Consolidation Act, any money paid for the purchase of property situated as the Bridge House estates are, is paid into the Bank of England, and can only be dealt with by the direction of the Court of Chancery. Some of the witnesses have included 12,740*l.* as revenue, which forms no part of it, 5796.—The Court of Chancery would probably direct the produce arising from the sale of that land to be carried to the account of the fund. The money is invested in the funds, and the interest or dividends forms part of the income. Ultimately, the principal must be laid out in the purchase of other freehold property, 5797.—The practice of the corporation in letting their property is precisely the same with respect to the Bridge House estates as with respect to their own estates. They give a preference in all cases to the tenant in possession. It is ascertained first that he has such an interest as will enable him to retain possession of the property up to the time his landlord's lease will expire, and then he may make an application to the Court of Common Council for a lease. That application is referred to the Bridge House Committee; the committee then view the property. The surveyor then makes a general survey, and reports his opinion as to the best mode of letting the property. The committee then consider that report, and agree as to the mode of letting the property. The tenant then comes to the committee, and treats with them for a lease. The tenant offers a rent; if his offer be what the committee consider a fair offer, they either accept it or tell the tenant that his offer is not what they consider the property worth; and if it approaches to their opinion of the value, they tell him the amount, and he either

accepts or rejects it. If the committee agree with the tenant, they then report the fact to the Court of Common Council; the Court of Common Council usually agree with the committee as to letting the property, and then a lease is granted. If the tenant in possession does not treat, the property is advertised to be let by tender, no preference being given to any one. Then the party offering the highest rent, if he is a respectable man, has the property, in which case it is not necessary to report to the court, 5798.—It does not often happen that the property of the City is let by tender; the occupying tenants usually treat, 5799.—The tenants are not to assign or underlet without a licence, 5800.—A licence is not unfrequently given. The object of the corporation is to remove the middlemen altogether, and give the occupying tenant the preference, 5801.—It often happens that the immediate lessee of the corporation obtains leave of the corporation to underlet, 5802.—The result would be to divide the property, to let it out in parcels to a number of people, 5803.—They have frequently let a property where the ground rent was 20*l.* or 30*l.* a year; by dividing it out it has produced between 300*l.* and 400*l.* a year, 5804.—The whole of the premises which were contained in the original lease are scarcely ever comprised in any new lease; the principle being to give the occupier, who is settled and established and carrying on a trade, the benefit of any advantage which is to be derived from holding directly under the City, instead of having another person over him who could screw out a larger rent by way of goodwill. Produces the last audited account of the estate, 5805.—Reference has been made by one witness to a payment under the name of a benevolence to the lord mayor and the sheriffs. There is 50*l.* put down as paid to the lord mayor towards the charge of feasts during the mayoralty; and it has been intimated that it is a feast to the Bridge House Committee. Begs to state that it is no such thing. The Bridge House Committee have no feasts during the mayoralty at all. They have a certain allowance from the corporation of London for their tavern expenses. This payment to the lord mayor is a very ancient payment. With reference to the allowance to the committee, taking the average at the commencement of the year 1802, for eight years, it was something above 300*l.* for the attendance of members, and for their tavern expenses 900*l.* In 1832 the allowance for attendances was 200*l.*, and the allowance for tavern expenses 300*l.* Since 1836 the allowance for tavern expenses has been 300*l.* only, the attendance money having been entirely abolished, 5806.—The Bridge House Committee is a committee of the common council, 5807.—Thinks their duties are onerous. In a large estate like that of the Bridge House there are questions constantly arising as to letting and otherwise; also as to London and Blackfriars bridges, 5808.—All the details of the estate in regard to granting new leases are decided by the committee, 5809, 5810.—They are the managers. The comptroller of the Bridge House estates has the general superintendence, subject to the supervision of the committee, 5811.—Has to see that the directions of the committee are carried into effect, and to take care that all facts connected with lettings and other matters are duly brought before the committee, 5812.—Has to prepare and arrange all the business for their consideration. Their meetings during the year 1852 were thirty-two, and the average attendance of members from sixteen to eighteen; they sometimes sit till four or five o'clock. The property in Southwark to which allusion has been made belongs to the Bridge House estates. The purchase money was paid out of the Bridge House funds; and the rents and profits of these estates have always been received and appropriated as part of the Bridge House estates. Of course they are not applicable to improvements in Southwark in general terms, but submits that the borough of Southwark has derived greater advantages from those estates being in the hands of a great corporation like that of London, than it would have done if the property had been in the hands of private individuals. On the estate in St. George's Fields, for example, when the lease fell in there many years ago, the City expended large sums. They expended upwards of 12,000*l.* in sewerage, and upwards of 2,000*l.* in the formation of roads and ways, all of which have been beneficial to the public, 5813.—The tenants and occupiers of the City houses pay parish and other rates like other tenants, 5814.—Besides paying rates and taxes, the City has acted the part of

Brand, Ferdinand, Esq.—*continued.*

a liberal landlord with respect to the property. This is an actual outlay of 14,000*l.*, for which the tenants pay nothing, 5815.—The borough of Southwark would not have derived this outlay from any private individual. The rate would have been made upon the inhabitants after the sewers were made; but had not it been for that 14,000*l.*, the sewers never would have been made at that time. In answer to a statement made by one of the witnesses in page 132, No. 1221, as to the conflicting duties of the different committees of the corporation, states, that two years ago, instead of five, as is there stated, a report was made that symptoms of sinking had taken place at one of the piers of Blackfriars Bridge. Under the advice of Messrs. Walker and Burgess, the Bridge House Committee acted in directing that rubble should be thrown in to support the defective pier. That work was executed under the direction of Messrs. Walker and Burgess; and believes it is not correct that any of that rubble caused shoals or accidents on the river. A statement was made a short time ago that the steamboat called the "Ant" had met with an accident at Blackfriars Bridge, occasioned by this rubble being thrown in. An investigation took place, and it was ascertained very satisfactorily that the supposed accident to the "Ant," whatever it was, had arisen before it reached Blackfriars Bridge, and not in consequence of any shoals whatever connected with or adjacent to the bridge. The Navigation Committee and the Bridge House Committee act in perfect harmony, Mr. Leach, the engineer of the Navigation Committee, taking care that nothing shall be done to the prejudice of the navigation, 5816.—By direction of the Court of Common Council, the Bridge House Committee have been in communication with the Southwark Bridge Company with respect to the purchase of Southwark Bridge, 5817.—The negotiation was first opened in 1849, at a conference with the directors of the Southwark Bridge Company. Upon that occasion the Southwark Bridge Company required the sum of 300,000*l.* for the purchase of that bridge, 5818.—Believes the Southwark Bridge Company are incorporated under Act of Parliament, 5819.—They were asked by the Bridge House Committee to state the basis upon which they formed that calculation; the directors gave for answer that the only basis they would give was, that they had been offered 300,000*l.* by the North Kent Railway Company for the purchase of the bridge, and that sum they should require. The North Kent Railway Company had a plan for bringing their railway into the City, but the bill did not pass the House of Commons, 5820.—It appeared that this projected company had contracted to give that sum for the purchase of the bridge, subject to their bill passing. Finding that the dividends realised by the Southwark Bridge Company were confined entirely to the preference shareholders, and that the other shareholders did not receive one shilling, the dividend upon the preference shares being only 1¾ per cent., the committee of the Bridge House thought that 300,000*l.* was a large sum to ask, and they requested to know the basis upon which the calculation was formed; but the directors of the Southwark Bridge Company declined to give any other basis than that mentioned, 5821.—There were 6,700 preference shares, 5822.—£2,600 was the annual income. Since that time it has diminished; it has gradually been getting less and less, and they receive now about 1¼ per cent., 5823.—The expense of maintaining the bridge is said to be very small; they say that they have nothing but the collectors, and it requires very little repair. The negociation has been renewed recently. During the latter part of last year attended again with the Bridge House Committee at a conference with the directors of Southwark Bridge; they still maintained their price of 300,000*l.*, and do not appear to be disposed to make the slightest abatement. In fact, it was intimated, that unless that sum was speedily given, the price would be raised. They seem to have an impression that the bridge must be purchased for the public, and they think, as one of them said, that they will be able to get any price they like, 5824.—The tolls levied on Southwark Bridge are 2*d.* for a one-horse carriage, and 1*d.* for foot passengers, 5825.—The traffic is very inconsiderable, 5826.—The approaches are very bad, 5827.—No estimate has been made, but it has been pretty well calculated that, irrespective of the sum of money which may be paid for the purchase of the bridge, it would require an outlay of 150,000*l.* to

Brand, Ferdinand, Esq.—*continued.*

make the approaches available, in order to render the bridge beneficial to the public. Has no idea that the Bridge House estates could be applied to the purchase of Southwark Bridge, nor that the corporation of London should be expected to provide the whole of the money for its purchase, seeing that it is made in the nature of a national concern more than a City one. Believes that the corporation desire to bring the matter into such a train that, with some assistance from the Government, and by means also of their own funds, this bridge should be thrown open to the public, 5828.—The northern end of Southwark Bridge abuts upon the City, 5829.—Holds the appointment of prothonotary and clerk of the papers and clerk's sitter of the Sheriffs' Court, 5830.—Has a salary of 100*l.* a year. Receives an allowance for livery of 2*l.* 13*s.* 4*d.*, and derives emoluments from fees amounting in the year 1852 to 21*l.* 6*s.* 9*d.*, 5831.—The duties are not very onerous now. The old Sheriffs' Court has little or nothing now to do since the passing of the City Small Debts Act, and especially since the extension of the powers of that Act to debts not exceeding 50*l.* Held the first of those appointments from the year 1832. When elected to the office of comptroller of the Bridge House estates tendered his resignation. The corporation were then contemplating improvements in the Sheriffs' Courts, and requested witness to continue the duties of that office, in order that they might not be encumbered with the appointment of new officers, or any claim founded upon vested rights. As other offices have fallen in of the same kind, the whole of the offices have been accumulated upon witness, with the exception of two of the clerk sitters. The business of the office was for many years conducted at Whitecross Street prison, under the provisions of the Act of Parliament for removing the compter in Wood Street and the Poultry compter. The resort to a prison being considered very objectionable, the corporation were desirous of removing it from there; and in passing the Act for the Small Debts Court, a clause was inserted which enabled them to do so. Looking at the operation of the Small Debts Act, although the corporation did not feel that they could supersede the old Sheriffs' Courts altogether, they were not desirous of incurring unnecessary expense in the establishment of a new office, therefore they requested witness to take the duties of the office, performing them at his own office, thus avoiding the necessity of having another office for the discharge of those duties, 5832.—The business of that court is now virtually annihilated, with the exception of replevins and writs of trial from the superior courts, 5833.—Does not think there would be any objection to the abolition of the court by Act of Parliament if the position of the officers was properly regarded, 5834.—The Sheriffs' Court business is conducted in the same way as business at nisi prius, 5835.—The subject of jurisdiction would be debts of any amount. The counsel in the old Sheriffs' Courts were the same as in the Mayor's Court, the City pleaders. The corporation bought up all the rights of the City pleaders, and they have thrown open the Sheriffs' Courts to all attorneys, with a view of increasing the practice of that court, 5836.

Bribery:

Is not aware of any cases of direct bribery in the election of Common Councilmen, *Acland*, 275.—Is practised in two ways at common hall. Men are bribed to prevent the election of a man to an office he does not wish to fill, or they are bribed to secure the election of a candidate to an office he wishes to fill, *ib.* 324.—The most recent instance was in the election of Mr. Alderman Smith. It was only to the amount of 200*l.* or 300*l.*, *ib.* 325.—The open system applies to common hall elections only, *ib.* 368.—With bribes varying from 1*s.* to 10*l.* can buy over the four hundred liverymen at common hall elections, *ib.* 417.—Office of bridge-master obtained by bribery, *ib.* 427.—There was a good deal of bribery in the contest for the mayoralty of 1846. Likewise in 1844 at the election of Alderman Brown as chamberlain, *ib.* 551.—It has been said upon elections for sheriffs the liverymen get a sum of money for voting, *Pulling*, 952.—Indirect bribery was exercised at Alderman Harmer's election, *Hyde*, 1532, 1533.—Does not believe there is any in elections in common-hall, *Jones*, 1559, 1560.—Used in the election of Mr. Sherriff Croll, *ib.* 1560–1564.—Oath; would have the bribery oath put to men who are brought to the poll, *Alcock*,

BRIBERY—*continued.*

1775.—Case of, at the last election for chamberlain, *ib.* 1777.—Has never paid voters for the sake of inducing them to give their votes. Has heard 10*s.* or 15*s.* have been paid, *Macnamara*, 2890, 2891.—Never resorted to in the election of sheriffs, *Rose*, 2937–2939.—Prevalent opinion upon bribery amongst the liverymen, *Bennett*, 4180.—Corrupt practices have prevailed to a considerable extent at some of the City elections, owing to a prevalent opinion that the same laws do not apply to them as to the Parliamentary elections, *Merewether*, 5040.—Bribery and personation are very rare at the wardmote elections. Thinks that would be the case if the qualification were the same for voting at common hall. The greatest difficulty at common hall is, the liverymen are not known to the corporate officers, *ib.* 5051.—Desires to rebut some evidence given by Mr. Acland in question 325 and 326, stating that money to the amount of 200*l.* or 300*l.* was spent in bribery at witness's election, the whole amount spent being 21*l.* 9*s.* 9*d.* Produces the bills and receipts. Contradicts another statement made by Mr. Acland, 340, that 19 aldermen agreed to find 100*l.* a piece towards turning the scale. Answers for himself, and has no hesitation in answering for the great majority of his brethren, that they neither engaged to subscribe, nor paid anything, *Lord Mayor*, 7123. Flatly contradicts a statement to the effect that the corporation funds were used at an election for the purposes of corruption, as stated by Mr. Sheriff Wallis in question 1462, *ib.* 7124.—In elections in common hall, the way in which parties have to pay for getting a hall, as it is called. The voters ought to pass through the respective wickets, and witness was called on to pay 5*l.* a hundred to some person for having allowed what appeared to be non-voters to pass through a particular wicket. The corporation have twice tried to alter this, but the opponents were too strong on both occasions, *Harrison*, 7293.—There is much bribery in common hall elections, the candidates can buy votes by the hundred, *ib.* 7293.—Some witness implied that Mr. Sheriff Croll had been corruptly engaged in getting himself elected; contradicts that statement so far as Mr. Croll is concerned, *Pearson*, 8470.

BRIDEWELL. *See* PRISONS.

BRIDGE HOUSE COMMITTEE:

Benevolence of the, to the Lord Mayor and sheriffs in 1852, for feasts, *Acland*, 571.—Allowance per year, and duties of. Property under their management exceeds 30,000*l.* a year, *Anderton*, 7695.

BRIDGE HOUSE FUND:

How created, how sustained, and for what purposes used; under what management, *Brand*, 5771–5815.

BRIDGE MASTERS:

There are two bridge masters, whose salaries vary from 200*l.* to 400*l.* a year. The office is procured by bribery, *Acland*, 427.—Mr. Gibbs has held that office for about seven years, *Lord Mayor*, 7155.—The salary is about 400*l.* a year, *ib.* 7156.—It is generally supposed that the salary is not enough for the expenses of election, *ib.* 7157.—Can see no reason why the common hall should elect officers of this character in public hall assembled, *ib.* 7158.—Is elected by common hall, *ib.* 7165.

BRIDGES:

Blackfriars. Built by the city, *Merewether*, 5283.—The foundations are in a very bad state, *Leach*, 6417.

London. The erection of this bridge was contracted for by Messrs. Jolliffe and Banks, at the sum of 426,000*l.* The Act for building it received the Royal Assent July 7th, 1823. It appears by a report to the Court of Common Council, that the corporation had spent, up to the 3d of December 1831, upon the bridge and its approaches, 1,426,145*l.*, one million sterling more than the original contract, *Hickson*, 2760.—11,500*l.* mortgaged to make the approaches, *Williams*, 2828.—London Bridge was built out of the revenues of the Bridge House estates, and some other properties, in one way or other, by money raised by the City, as well for the purpose of building the bridge as making the approaches to it, *Merewether*, 5284.—In individual cases very considerable damage may have been done to the property on the bank of the Thames since the removal of London Bridge, just in this way, that higher tides flow up the river now than used to do before the removal of old London Bridge, therefore they may flood the country and do mischief, *Leach*, 6397.—London Bridge Approaches Fund has been one of the largest, but is not so at present, *Scott*, 4557.—It is in the chamberlain's office. The 8*d.* coal duty, the 1*d.* duty, and other sources of revenues, form that fund, *ib.* 4558.—It is not a corporation fund; it is a trust created by Act of Parliament, the proceeds to be applied exclusively to public works, under the Board of Works, *ib.* 4559.—Consists of the coal duties, the wine duties, and a contribution from the City of 11,500*l.*, also fees on the admission of freemen, and binding apprentices, and the rentals of waterworks. The revenue is about 140,000*l.* per annum, *ib.* 4618, 4619.

Southwark. One abutment of Southwark Bridge is in the City Proper, the other is in Southwark. That bridge was built by a private company, *Merewether*, 5285.—Negotiation for the purchase of the bridge by the corporation in conjunction with the Government, *Dakin*, 7385.—Mr. Tite could prove that the corporation refused the grant of Southwark Bridge, and preferred to oppose the Mid Kent Railway coming over the Thames, and now they have to purchase the bridge, *Acland*, 8509.

Waterloo. Does not consider the foundation secure, *Leach*, 6416.—The company themselves are not very sanguine as to the security of the bridge. Thinks that a settlement may be apprehended from the alterations going forward from day to day in the bed of the river, *Leach*, 7520.—The company have no objection to the Thames Navigation Committee cutting off the sheeting of the piles of the piers, or to the removal of any other piles that may be considered necessary, *Powell*, 7524.—The company called upon the parties who had made an excavation of the channel on the south side of the river to stop it up, which they did, *Leach*, 7536.

Westminster. The City have nothing to do with it, *Merewether*, 5283.

BROKERS:—

Pay a fine for admission to the freedom of the corporation, *Acland*, 534.—Necessary to have the sanction of the corporation and the Stock Exchange in order to act, *ib.* 537.—The corporation regulates brokers. The regulation of brokers is by virtue of an immemorial custom which is recognized in some of the earliest charters and laws relating to the city of London, *Pulling*, 729.—The jurisdiction of the City over sworn brokers has been another of the immemorial enjoyments of the City, *Merewether*, 5196–5213.—The jurisdiction which the Court of Aldermen exercise over brokers is very beneficial, and it is of great importance that there should be in the Court of Aldermen gentlemen connected with the business of brokers in London. Has seen practical benefits result from it, *ib.* 5203–5213.

BROWN, Mr. CHARLES. (*Analysis of his Evidence.*)—Is one of the rulers of the body of fellowship porters, 3054.—The governing power is lodged in the governor, who is at present Lord Mayor, Alderman Sidney; his deputy, twelve rulers, the law clerk, beadle, two corn shifters, salt shifter, and fruit shifters, 3055.—The number of members is limited to 3,000, but at the present time it does not exceed 2000, 3056.—The number is limited by an act of the common council. There have been as many as 2,800, but the restrictions which have been laid upon them by the corporation have caused the reduction, 3057–3059.—There is not as much work for them as there used to be, 3060.—The body of free porters of the fellowship of London is not a corporation itself, but they claim their rights of labour under prescriptive right from the corporation. They have existed since the time of Edward the First, and were originally established and now exist for the purpose of landing and delivering coal, corn, salt, apples, pears, plums, onions, and other things in their nature measurable, waterborne, brought into limits of the port of London, that is, from Yantlet Creek eastward to Staines Bridge westward. The fellowship porters claim this species of labour, and their wages have been regulated and fixed from time to time by the court of common council, 3061.—They claim their privileged rights under prescription of the corporation, 3062.—All the members of the fellowship must be citizens of London, and they make application to the company of the fellowship to be admitted as members of that body, 3063.—A citizen of London, if he wishes to be admitted into the company of the fellowship porters, must go

Brown, Mr. Charles—*continued.*
through the ordeal of presenting a petition to be admitted, and wait his turn, 3064.—The number has been settled by an act of council, 3065.—Previously to 1619 the body was governed by ordinances issued from the court of aldermen; but in December 1619 the court of common council passed an act for the better regulation of the company; altered the number from 120 to 200, and from that time has made various alterations to meet the increasing demands of trade; and the number of porters which was last fixed on in 1822 was 3,000, 3066.—The number of porters varies with the amount of business to be done by them, 3067, 3068.—In consequence of the large portion of the corn labour being taken away by the various dock companies, the men have left the employment, and when there are spurts of work it is difficult to find persons to do the labour. The principal merchants signed a memorial to the lord mayor, requesting him to supply them with more porters, as they had employed men not under the control of the rulers of the fellowship, and that they had in the course of a week five or ten sacks of potatoes stolen, 3069.—Each fellowship porter, upon his admission, has to find two sureties, who give a bond in 40*l.* each for his honesty and general good conduct; and on complaint being made in case of dishonesty, and being proved to the satisfaction of the rulers at Fellowship Hall, he would be immediately dismissed from the company; and in case of other misconduct he would be fined, perhaps suspended too, 3070.—The rate of wages is fixed by tariffs made by the corporation. With respect to the corn labour, the fellowship porters receive for working oats 2*d.* a quarter; this 2*d.* is to be divided among as many fellowship porters as may be employed in the job, either seven or eight. That is the only sum they receive, and out of that they have to pay the shift; that is a sum of money deducted from them for the purpose of paying the counting-house department of the fellowship, and a portion of that goes towards the governing expenses. When they are doing peas, tares, wheat and barley, they receive 2½*d.* per quarter, and whatever other charges may be added, and sent in to those who employ the porters. These are the only amounts of money received by the porters for their work, 3071.—Considers the charge made by the porters considerably below the market price of labour, 3072,—Thinks that if the privilege were removed the porters would get more money than they receive now; they are obliged now to go to jobs which they are out of pocket in consequence of taking, 3073.—There are generally many applications to join the fellowship, but believes that they apply in error, supposing the parties are in the receipt of the prices for labour as fixed by the corporation, and that the whole of the claimed corn labour is done by the porters, which is not the case in either instance; as a proof that other men will not work for their price, a strike took place yesterday with the men not fellowship porters, employed in landing oranges, 3074, 3075.—When there is an occasional press of business, and not men enough for the work, they then select freemen, and give them a ticket appointing them to the packing department, but never to the loose corn department when to be measured during the press of business, 3076.—They were not freemen who struck, 3077.—Many men who are neither fellowship porters nor freemen are employed in landing oranges, on occasions, does not think it is exactly illegal, 3078, 3079.—They say there is a distinction in the orange trade and other trades, but it is merely in practice, 3080, 3081.—There is always a provision in respect to perishable articles. The corporate charges for delivering potatoes and turnips out of one vessel into another, if not carried on the porter's back, 1*d.* per sack. Those sacks weigh a hundred weight and a half. If carried on shore from the first, second, third, fourth, or fifth vessel on the tier to any distance not exceeding ninety yards, whether delivered into carts, waggons, warehouses, or others, 1½*d.* per sack, 3082.—One of the privileges which the fellowship porters claim is that of attending the City bushel, in all its engagements, and that is one complaint which the fellowship porters make against the corporation, that they do not enforce the fellowship porters' right with the meters in those various docks, 3083.—Considers that there is not that responsibility attached to the labourers working within the dock that there is to the fellowship porters. When the porters are working with the meters, the porters are equally bound to see justice done between the parties as the meters, 3084.

Brown, Mr. Charles—*continued.*
—The fellowship porters are not employed within the docks; have not been for some years; the meters are employed, 3085, 3086.—Witness complains that the City do not enforce the privilege of the porters to be employed within the docks, 3087.—There have of late years been innovations made upon their privileges by various mill-owners on the banks of the river, 3088.—The steam mills for grinding corn have taken upon themselves the prerogative of employing labourers to perform the privileged work of the porters, in assisting the City meters in filling and striking the City bushel. Refers to the evidence on this subject as given by corn merchants, and before the general purpose committee, inquiring into the privileges of meters, 3089.—The owners of the mills have themselves excluded the porters, 3090.—They have assumed that power to themselves; the dock companies have done the same and make a profit on the labour, 3091.—The fellowship porters petitioned the common council in the year 1847, calling their attention to the poverty brought upon the members generally in consequence of that portion of the employment being taken away from them, but from that time to the present they have not had any assistance from the corporation, 3092.—Does not say that the fellowship porters are not satisfied with their corporate tariff of wages, if they received them, which they do not on corn labour. In the case of potatoes they are so, but the impression has gone abroad that the fellowship porters' earnings are excessive. It is not so, 3093.—The fellowship porters are worse off than labouring men in the same class; gives an instance: a meter applied to witness for a man to go to Blackwall, saying he had 50 quarters of grain to measure and deliver into a craft. Those men had to pay 6*d.* each for the railway, 3*d.* each for waterage, and when they got on board the vessel they measured but two quarters, which amounted to 5*d.* out of that they had to pay a halfpenny shift, and then 4½*d.* was to be divided among those six men, 3094.—This is a case of hourly occurrence, 3095.—It is not corporate tariff of corn wages they complain of, but the extreme smallness of the majority of the jobs, being debarred going into the docks where the large ones are done. The small jobs in the river, compared with the large ones, are as one to forty, 3096.—They do not pay at all, 3097.—The advantage of a system is, in obtaining at all times prompt and careful men to perform the merchant work. A as a large number of men would necessarily be required, a regulating power would be absolutely necessary. Witness paid 50*l.* to purchase citizenship, and then paid 5*l.* on admission into the company. Instead of performing their obligations, the corporation suffer the dock companies to take away this labour without any compensation for the loss thereof, 3098.—Should say there were a hundred who paid as much as 50*l.*, but still the whole of them were compelled to belong to one of the trading companies, and must have paid very large sums of money to the corporation for their citizenship, whether they obtained it by patrimony or servitude. They have had to pay fees, and also a large sum of money has been paid to the Government in the way of stamp duties on their obtaining their freedom; and on each admission to the fellowship 2*l.* is paid to the Government as the duty on the bonds, 4000.—What witness complains of is, that the City have taken their money in the shape of redemptions and freedoms, and do not give them efficient protection by the assertion of their exclusive privileges, 4001.—They are not a corporation, or they might sue in their own name for a restitution of privilege labour, 4003.—The limit which the lord mayor claims is from Yantlet Creek to Staines Bridge, 4005.—The Watermen's Company have nothing to do with the conservancy of the river between those points; they claim their privilege as a trade privilege under the corporation, 4006, 4007.—The City claims jurisdiction over the whole distance that has been mentioned, 4008.—The fellowship porters' privilege extends over the whole port of London from Staines to Yantlet Creek, 4009.—Cannot undertake to say that these men ever go up as far as Staines; has known them go down as far as Gravesend, 4010, 4011. Complains that this right is not enforced to what they consider its extreme limits. Witness claims a right of corn labour in the several docks, which has not been enforced by the corporation. Mr. Gibbs, in his evidence before the Commissioners, infers that the fellowship porters increase the trade expenses of the oyster owners. Now the fact is, that

BROWN, Mr. CHARLES—*continued.*

neither the oyster owner, nor the salesmen, nor the meter, pays the porter at all. The purchaser pays him, and also pays the holdsman who measures the oysters; so that whatever difference there may exist on the subject of expense to the owner, must be attributed to the meters of the corporation; it is not with the men who actually do the work, 4012.—The porters are only paid for the work actually done by them, but whatever profit there is accrues to the meter. When a fellowship porter is employed, the salesman is perfectly satisfied that as soon as the goods are in the porter's possession they will be delivered safe to the purchaser; and if any mistake is made they have only to apply at the Fellowship Porters' Hall, and the money is paid for the loss, 4013.—The privilege of the fellowship porters only extends to a limited class of articles; if a ship contains some articles to which the privilege applies, and others to which it does not apply, an arrangement is made by which the porters assist in landing those articles over which, properly speaking, they have no right, 4014–4016.—No inconvenience arises from this sort of compromise. Some evidence has been given that they are excluded from the docks by clauses in the Dock Acts, but it is no such thing. The rights and privileges of the corporation of London are all reserved in each of the Acts. They are expressly mentioned as fellowship porters in the Commercial Dock Act, and likewise in the Victoria Docks, and in all the Acts the rights are reserved to them as the rights of the lord mayor and commonalty of the City, 4017.—Thinks the corporation might more effectually protect their privileges if they were inclined, 4018.—The shareholders and parties who have the management of those various docks are in connexion with the corporation, and mixed up with them; and, on the other hand, thinks the dock companies, being very rich, the corporation does not like to commence a contention with them, 4019.—Was informed that in one year the West India Dock Company realized a profit of 18,000*l.* on corn labour alone, 4020.—They got the work done more cheaply than if they had employed the fellowship porters, but they charged their clients at the same rate, 4021.—Such men as the companies employ are induced to work cheaper than responsible practical men, particularly as the dock labourer is not subject to the drawbacks and expenses entailed on the fellowship porter; besides, the dock companies afford them facilities for doing the work with less men, 4022.—The way they get it done cheaper is by introducing machinery, so as to enable the men to work shorter handed, 4025.—Does not think persons on the quays of the river have the same advantages for economizing labour that the dock companies have; at all events, not with respect to corn labour, 4026.—Another complaint against the corporation is this, that they have passed acts of council regulating the body of fellowship porters, in which they have coerced them to make payments to officers of their appointing. The principal corn shifter borrowed of the company 7,000*l.*, which the corporation compelled the company to lend him to carry on his business as a corn shifter. He was appointed in 1827, and he has received the sum of 87,000*l.* out of the earnings of the porters from that branch of his employment of corn labour. Although a portion of this sum has been paid over to the rulers of the company at different times no effective provision is made for old members of the body, 4028.—The corporation compelled the company to lend this officer 7,000*l.* without interest, 4029.—The porters themselves do not receive the money immediately from their employers, but when they have done the job they make out an account, and go to this man, who is called the corn-shifter; he shifts the bill, and they have to deduct a penny from each shilling coming to them, and this has been the amount he has received from those pence taken out of the shillings, 4030.—The corporation made an act of council, in which they inserted a clause that the company should advance the shifter any sum he might require, 4032.—He no doubt in the first instance used some of it, providing an officer and paying clerks; but witness thinks it very inconsistent that a man should be found that amount of capital, without interest, to enable him to realise a large income for his own advantage, 4033.—He is indebted to the company for it, and whenever settlement day comes they will expect him to repay it, 4034.—Believes he has given security for the money, and has repaid a part of it. Another complaint against the corporation is that in the case of the potato shifter, their principal meter, who purchased his situation some years ago, was appointed fruit shifter, and upon his returns made to this same enquiry, in eleven years the amount averages 791*l.*, within a very small fraction, per annum. Out of that he pays 130*l.* to the Court of Rulers, making a profit of the rest. Witness concludes that the corporation had no right to impose this officer upon the company, but that this money ought to have been appropriated as a provision for the members of the company when old and worn out, 4035.—The shifter is, in fact, a sort of cashier, who receives the payments from the importers, 4036.—They do not give long credits. In the case of the potato shifter it is very likely they do not give more than a week's credit. Mr. Ruston has given long credits to some of the members of the corn trade; but that is a matter of arrangement between himself and them, 4037.—He gives in his account monthly to the Court of Rulers, 4038.—Cannot say upon what ground the clause named was inserted, unless it was that previously to 1822 those shifts were farmed or leased; in 1822 they were to be leased no longer; they were to pay a certain portion of what they received over, retaining a certain amount to themselves, 4040.—The shifter now collects everything upon the porters' account, whereas before that time the collections were farmed out, so that they (the porters) never knew what the amount levied upon the public was, 4041–4043.—The body of fellowship porters is not in that flourishing condition which the public is generally led to believe, nor do they receive those large sums for their labour which is supposed. The majority of them are in a state of comparative destitution. Those men who follow the corn trade do now not average a pound a week, and some men who have been 22 years members of the body do not average more than 14*s.* or 15*s.* a week, 4044.—The pay awarded to them by the corporation would be remunerative if they had the whole of their legitimate work, 4045.—There is a fund belonging to the entire fellowship, but the expenditure far exceeds the income. This is another subject which the company petitioned the corporation about in 1845, but to the present time have not been able to get them to interfere in the matter. Witness has in his possession an official return of the references to the several corporate committees on various subjects, but cannot find in this return any mention of the two petitions of which he has been speaking. The body of fellowship porters feel particularly dissatisfied in this respect. They also complain that the wages have been reduced, when that reduction was not asked for by one single member of the corn trade, 4046, 4047.—They have to make the deficiency good out of the stock. Will be forced into insolvency if they go on in that way much longer, 4048.—The corporation do not interfere to give any assistance in the difficulty, 4049.—In 1807, the London Dock Company paid to Sir William Curtis, as governor of the ticket porters, the sum of 11,339*l.*, as a compensation for loss of privilege employment by a branch of that society.

BULLOCK, Captain FREDERICK. (*Analysis of his Evidence.*)—Has been employed by the Admiralty in the survey of the port of London, both of the Thames and the Medway, 2604.—Has been employed since 1830, but not entirely in these rivers, having surveyed all the coast to Great Yarmouth on the one side, to Portsmouth on the other; partially surveyed the Medway fourteen years after its completion, 2605, 2606.—The Medway was re-surveyed on the report of Mr. Gooden, who represented the Medway to have fallen into such a state of decay as to threaten its destruction, 2608.—Has no means of making a comparative estimate of the present condition of the Thames, as there has been no authenticated survey prior to his, which is now the standard. Has always advocated periodical examinations, as the only means of attaining a practical knowledge of the changes which take place in this important river, 2609.—There are certainly in the Thames many shoals that at times impede the navigation of the river, which ought to have been removed long ago. Gave evidence once before a former committee upon the subject, when it was proved that the City had not the right to remove shoals, as they were claimed by the corporation of the Trinity Board; but, in justice to the City of London, remarks that he believes this generation has done more towards the improvement of the Thames than any other, for that in 1841 it was proposed in Parliament to embank the river between London and

Bullock, Captain Frederick—*continued.*

Westminster, and in 1842 a commission was appointed, in which witness was associated, and desired to report upon the condition of the Thames, as well as upon the best means of improving it, 2611.—Produces copy of report, date 1842, 2612, 2613.—The bill proposing to carry out those recommendations was presented to Parliament in the session of 1845 and 1846, but was rejected by the Legislature, 2614.—Does not think that there were any of the recommendations contained in the report which could have been carried into effect without the aid of Parliament, 2615.—The lord high admiral has power to remove shoals, but witness questions whether that high power would not find opposition in the chartered rights of the two corporations, the City and Trinity, 2616.—It has been alleged that the City corporation has not the right, or they would not have applied to Parliament for authority to exercise it. The Trinity Board could remove shoals when their product serves for ballast; but otherwise they have no funds to apply for that purpose. It seems, therefore, to be in reality vested in the Government to improve the river, by removing every obstruction to the navigation of it, without reference to corporate bodies. Alludes to the report of 1842, in which it is endeavoured to illustrate the advantage of an uniform embankment of the Thames, 2617.—Has surveyed rivers in America and England, but does not think there is one, except the Thames and Medway, likely to afford instruction or useful data, 2618, 2619.—The Medway is in a very bad condition with respect to the embankment; no one takes account of its decay. Begs to impress upon Commissioners the difference between the two sister rivers: the Thames has been embanked with substantial sea-walls from the time of the Romans, and is well guarded by Parliamentary enactments; while the Medway, on the contrary, is allowed to pursue its natural way towards the sea, through unprotected marsh lands, which overflowed, and exposed to the devastating effects of strong winds and high tides, are daily falling into the river, and must in the end be inevitably submerged. Vide Report on the Medway, 2620, 2621.—The Thames was walled in by the Roman soldiers. Witness thinks that our convicts might be employed by the State in embanking the Medway in the same way; of course not without an enormous outlay, 2622.—The Bishop's Marsh was once entirely enclosed by sea-walls, but is now in a dilapidated state, 2623.—The river is perfectly navigable; no material alteration has taken place since the survey of 1837; but the marshes are falling into the river, and have a tendency to contract it. The depths are maintained throughout its course. The injury is to the marshes, not to the river, 2624, 2625.—The marshes are all private property, 2626.—Believes there is some inconvenience from the conflicting nature of the signals which are carried by steam vessels; stated to the Admiralty some time ago this defect, and recommended uniformity in night signals, not only national, but international, 2627.

Bullock, Edward, Esq. (*Analysis of his Evidence.*)—Has held the office of common sergeant nearly four years, 5698, 5699.—The majority of the common council, in whose gift it is, decide the appointment, 5700.—The salary is 1,500*l.* per annum, and some additional fees for extra business, 5701, 5702.—Is a barrister, 5703.—The office is always held by a barrister, 5704.—The main duty of the office is attending at the sessions of the Central Criminal Court, where he sits as one of the City judges, 5705.—The recorder sits in one court, witness in another, and the judge of the Sheriffs' Court, Mr. Gurney, as a commissioner, sits in the early part of the day to try any short cases there may be before the judges come, and to prepare the court for them, 5706.—The Sessions of the Central Criminal Court are held on an average about once a month, 5707.—They always place the most serious cases before the judges when they come on the Wednesday, and as long as they continue to sit. Does not think there is much distinction between the cases which come before the other courts, 5708, 5709.—Usually sits about four or five days in each session, 5710.—His duties at the Central Criminal Court are the ordinary duties of a judge in a Crown Court, 5711.—Tries prisoners with a jury, and acts as a judge, ordinarily does under such circumstances, 5712.—If any difficulty arises in any case, never misses the opportunity of consulting the other judges when they are there, or if the judges are not there, always confers with the recorder or with the commissioners, 5713.—

Bullock, Edward, Esq.—*continued.*

Besides these duties there is that of attending the Court of Aldermen and the Court of Common Council, in case his opinion is required, 5714.—Is not in the habit of attending very regularly, generally does so, especially if he sees in the notice anything which is likely to give rise to a question to him, 5715.—His attendance would be for the same purpose as the attendance of the recorder, except that the recorder acts as the assessor of the lord mayor, 5716.—His attendance would be principally in order to be consulted upon questions of law, 5717.—Is not in the habit of taking part in the debates, 5718.—There is also the duty of acting as assessor to the sheriff at common hall on the day of the election of the City officers, 5719.—Takes there an active part in proposing the candidates. Proclaims the names and advises the sheriffs as to any point which may arise at the time, 5720.—The recorder does not hold the court; he intimates to the livery for what purpose they are assembled; he then retires with the lord mayor during the time of the election, and then the sheriffs assume the court, 5721.—The common sergeant is the officer of the sheriffs, and he proclaims the names of those who are to be mentioned as candidates, 5722.—He is more especially the officer of the common council, 5723.—Confirms the recorder in one observation which he made about the attendance of the lord mayor and aldermen at the sessions of the Central Criminal Court. Never knew any occasion of their interference except a casual observation, but nothing as far as the trial of the case goes. Holds that their attendance is frequently of good service in the opportunity it gives of consulting them as to the degree of punishment to inflict, 5724.—Practically the lord mayor and the aldermen do not interfere more in the trials than any magistrate sitting on the bench at assizes in the country would do, 5725.—The duty as common sergeant in effect precludes witness from practising in Westminster Hall, 5726.—It was the custom for the common sergeant to practice in ordinary business at Westminster at one time; but the number of the sessions at the Central Criminal Court has very much increased since that. There used to be only eight sessions, and now there are twelve, 5727.—Is not debarred by the terms of his appointment from attending in any court, except inferior courts of criminal jurisdiction, 5728.—Has appeared for the corporation two or three times in the courts at Westminster, but that does not often happen; it used necessarily to happen, but of late, in the appointment of the common sergeant, they have stipulated that should not necessarily happen, 5729.

Bunning, James B., Esq. (*Analysis of his Evidence.*)—Is architect and surveyor to the corporation, 5991.—Was elected about Michaelmas, 1843, 5992.—Is solely employed for all business done by the City of that description, 5993.—The salary in 1843 was 1,600*l.* a year, which included office expenses; in 1847 it was raised to 2,500*l.* a year, including office expenses, in consequence of the increase of business brought to the office, 5994, 5995.—The office expenses have been greatly increased in the meantime, 5996.—They are now about 1,000*l.* a year, but witness's salary in the year 1852 was fixed at 2,500*l.* a year, and an allowance of 1,000*l.* a year for office expenses, 5997.—This covers all the expenses, 5998.—The salary is made up in this way: from the City's cash, 1,300*l.* a year; for attending to the Bridge House estates, 600*l.* a year; the Finsbury Estate, 500*l.* a year; from the coal fund, 50*l.* a year; and there is an estimate amount of 50*l.* for preparing plans and putting them upon leases of any property which may be let, one on the lease and the other on the counterpart. In consequence of the leases of the Conduit Mead estate being renewed last year, a renewal which occurs every 14 years, there was an accumulation of 413*l.*, which increased the salary, with 5 guineas for subpœnas, in 1852, for attending upon trials, to the total amount of 2,888*l.* 18*s.* When the Conduit Mead leases are completed, judges the receipts from that source will fall back to something like 50*l.* a year, 5999.—The salary was arranged by a committee. When any office falls vacant the duties of the officers are referred to that committee, and it is then decided what salary the future officer shall receive, 6000.—Witness's predecessor received about 2,000*l.* a year. Then he held a district surveyorship, and did private business, not int the City. Witness is not allowed to practise in any way whatever; he was deprived likewise of any district

BUNNING, JAMES B., Esq.—*continued.*

surveyorship which he held at the time of his appointment, 6001, 6002.—The whole arrangement was made by this one committee, with the sanction of the Court of Common Council, 6003.—Thinks the amount of salary would be 2,500*l.* a year in future, 6005, 6006.—Has no other sources of income connected with the City, 6007.—The duties are, to attend the Court of Aldermen and the Court of Common Council when required; for the Court of Aldermen, has to attend ruinous buildings, that is, any building which may be in danger of falling down, 6008, 6009.—To keep the City buildings in a state of repair, and to provide against any in a dangerous position and likely to injure the passers by; not the buildings belonging to the corporation, but those represented to be dangerous by the official referees, 6010, 6012.—The corporation take better care of their buildings than to allow them often to get into such a state, 6013.—Another of witness's duties, is to attend the committee of aldermen with respect to the prisons, 6015.—Has read Captain Williams's evidence with regard to the City prison; he expressed himself satisfied with the accommodation given in the gaols, 6016, 6017.—The prison at Newgate is not fit for the present arrangement of prisoners, or the discipline which is wished to be carried out, 1618, 1619.—In the prison at Holloway there are 436 cells and 14 workrooms, which are equal to 96 additional cells. There is every accommodation there for carrying out whatever kind of discipline may be wished, 6020.—If anything is wanted at any of those prisons in the nature of repair or alteration witness surveys it; and with regard to any work which the governors wish done, before they can do it witness represents it to the aldermen, and is desired to see it carried out. Very frequently gives an estimate before the work is done, and nothing is allowed to be paid till he has certified that the amount is correct, 6021, 6022.—Anything beyond 50*l.* is generally put out to public tender. If it is under 50*l.* the tradesmen of the corporation generally do the work, and it is performed upon fixed prices, which are year by year sent in by the various tradesmen to a committee called the City Lands Committee, 6023.—In the erection of a considerable building, such as the Holloway prison, 12 or 14 of the respectable builders are written to, and the lowest tender is accepted, 6024.—Witness always gives the plans, 6025.—Produces a plan of the Holloway prison. 6026.—Since witness has held the office of architect and surveyor to the corporation there has been no competition, he always giving the plan—the Coal Exchange and the Billingsgate Market,—and he is now forming a new market for the corporation at Copenhagen Fields; there has been no other architect, 6028, 6029.—About 12 years before his election witness had been, by competition, the successful candidate as architect of the City school, which he built for the corporation, 6030.—There was a gentleman who was called the clerk of the works at that time, 6031.—In the case of the rebuilding of the Royal Exchange there were advertisements for designs, 6033.—There is no clerk of the works now; the office is merged in that of architect, 6036.—The average expenditure in the construction and reparation of buildings is about 36,300*l.*, 6037.—In the case of the Royal Exchange having to be rebuilt, it is not entirely under the jurisdiction of the corporation, because the corporation are united with the Gresham Trust. One part might wish to employ their architect, and the City might like to employ their own, therefore under such circumstances they might be glad to advertise, 6038.—Witness is looking out under the direction of the Court of Aldermen for a plot of ground to erect a lunatic asylum. Is in treaty for one conjointly with Mr. Alderman Lawrence and Mr. Alderman Cubitt, 6040.—The site is adjoining the prison at Holloway. A large amount of area is required for the lunatic, therefore is compelled to go to some distance from the City, 6041.—Thinks it an excellent site, in a sanitary point of view, and it has this advantage, that when the aldermen pay a visit to the gaol they will have an opportunity, without going any greater distance, of inspecting the lunatic asylum, 6043.—The Holloway prison was built out of the cash of the City; a loan was effected; the whole arrangements were made by Mr. Scott, 6044, 6045.—The City architect is appointed by the common council. The usual course is to continue the same architect, unless there are reasons for his removal, 6047–6049.—Was the first permanent City architect, 6050.—When first elected was called the clerk of the works, and is, in point of fact, in the same situation which the clerk of

BUNNING, JAMES B., Esq.—*continued.*

the works of the City formerly occupied, only performing all the architectural business of the corporation,—whereas other persons were called in, now no one is called in, 6051, 6052.—Emanuel Hospital comes under witness's care, and the almshouses. Has built new schools and dormitories to that establishment, 6054.—Has likewise to attend to the laying out of the streets, 6055.—On lord mayor's day has to attend to the fitting up of the hall, and whatever may be required to prepare the building for that banquet. For the management of the City lands there is a committee called the City Lands Committee. They have under their control the public buildings and the public stairs. Witness has nothing to do with the river Thames, but with those stairs only which lead to it, 6056.—Has laid before the Bridge House Committee a proposition for throwing projecting footpaths over each side of London bridge. Has no doubt steps will be taken to carry out that improvement, 6057.—Sir John Rennie, engineer, was employed in the construction of the present Bridge, 6059, 6060.—If a new bridge were to be erected witness would not be employed in the construction of it; in fact his duties are so multifarious that he could not do it, 6061.—Sir John Rennie and Mr. Page will be consulted with respect to the present state of London Bridge; when a report will be made to the Bridge House Committee, 6063.—The committee were desirous to ascertain if the system suggested of throwing these projecting ways over the bridge would be approved by Sir John Rennie. It would not improve the appearance of the bridge; but whether the advantage to the public is to override that or not is a point to be determined by the committee, 6065.—If any accident should occur, or any stone be misplaced, or the paving should require renewing, it would be witness's duty to attend to it; but should the arches be defective some eminent engineer would be consulted, 6066.—In the case of making any temporary construction of an ornamental nature, witness submits any idea for the purpose to the committee. If it receives their sanction they generally know before it is placed there the sum of money it is to cost, 6068.—Witness surveys City estates, which consist of about 6,084 houses and buildings. The dilapidations are surveyed; the rentals are assessed, and reports made to the committee, 6069. Witness is surveyor and valuer as well as architect, 6071.—The salary paid to the clerk of the works, when he was so called, was about 2,000*l.* a year, 6073.—Does not think that the 500*l.* a year which is now added to his salary was in consideration of his being architect as well as clerk of the works, but that the corporation raised the salary, seeing the enormous amount of work to be done. The Bridge House estates fall under witness's care. Has to attend the committees and survey the properties, which consist of about 6,000 houses and buildings, 6077.—Before being appointed architect had built schools; but before building the City schools did not know an individual connected with the corporation, 6078.—Witness has to attend the coal, corn, and finance committee, under which committee he built the Coal Exchange. The boundary marks have also been affixed twenty miles round London under witness's superintendence, on each road, canal, and railway. Attends the General Purposes Committee; they have under their care the Mansion House; reports upon the repairs and the general state of the building and the furniture, 6080.—The mansion house is in very fair condition. Witness has to attend to the Leadenhall butchers and poultry markets, 6081.—Leadenhall Market is in a very confined site. It would be very desirable to enlarge it, 6082, 6083.—It is a convenient situation so long as the present system exists of allowing slaughtering at the Whitechapel, 6084.—There is a large hide market separate from the butchers and poultry market. A very large traffic is carried on in hides, 6085, 6086.—Farringdon Market is very spacious but very dark; at present about half of it is used, in point of area; certainly not one fourth of the arcades is used. It is in a very good situation, 6088–6091.—It is very difficult to induce a trade to move or drive a market from one side to another. 6092.—Is now designing a dead meat market to be placed on the site of Smithfield, in place of Newgate Market, which is quite insufficient for the trade, 6093–6095.—The trade in dead meat in the City is increasing. The number of houses used by butchers for the sale of tollable articles far exceeds the area of the market itself, 6096–6097.—Farringdon Market might be used for the purposes of Newgate Market. The whole

Bunning, James B., Esq.—*continued.*
subject is now before the Markets Committee, 6098.—Till Newgate Market is annihilated it will be very difficult to get the dealers to move, 6100.—With respect to Blackfriars Bridge, refers the Commissioners to Mr. Walker for information, 6101.—Billingsgate Market is in a satisfactory state. No alterations can be made without obtaining the permission of the Markets Committee, and before a bill can be paid it must be certified by witness. Has to do what is necessary in the City of London school. Has altered some extensive premises for the purpose of carrying on the Small Debts Court. Has in hand at the present moment the continuation of Cannon Street, from the statue to St. Paul's Churchyard. Has an improvement going on in Threadneedle Street, in Mark Lane, in Dowgate Hill, and the formation of a street from Farringdon Street to Clerkenwell; on that site also it is proposed to erect lodging houses for the poor. The Improvements Committee have under their care all the improvements. They have now before them the proposed street from Cannon Street to Blackfriars Bridge, and a plan for the raising of Holborn Hill. Has been called on recently to make another estimate for that purpose, and instead of the amount of 316,000*l.* in consequence of the great rise in materials, the work which they would have to perform to raise the road would amount to something like 333,000*l.*, 6102.—In making an improvement through valuable property it will be seen at once there must be a very large amount of loss, because every shilling paid for goodwills is gone. There is something also for compulsory sale; the rents are forced up to their utmost. For example, in the case of Cannon Street the claims sent in for that line amounted to 1,177,153*l.* 2*s.* 4*d.*, 6103.—Those claims were settled at 796,566*l.* 3*s.* 5*d.* being about one third less than the claims; but that is a very large sum, 6104.—About 300,000*l.* will be obtained back for rents; the loss is something less than 500,000*l.* the rest is made up by the sale of the frontages, 6105, 6106.—The frontage value is increased by the construction of the new street. The ground is staked out by witness and plotted upon the plan; it is then advertised, and in almost every instance the parties wishing for the ground bid more than the property is valued at. The frontages are sold and made a deduction from the outlay, 6107, 6108.—The area of the City estate is not increased by the population, 6109.—The Committee scarcely ever meet without considering the insufficiency of the great thoroughfares of the City for the increased traffic of the present time; the difficulty is to know where to begin and where to get the money to carry out any improvements. As the population increases the traffic increases too; therefore the great thoroughfares become year by year worse, 6110–6114—Cheapside will be much relieved when Cannon Street is opened. There are frequent obstructions between Saint Paul's and Temple Bar. The removal of Temple Bar will obviate that in some manner. There would be room for one more carriage if that were removed. Ludgate Hill is a very narrow passage, 6115, 6119.—The funds of the City are inadequate to put the great thoroughfare of the City in a satisfactory state, 6120.—Thinks the public would prefer the continuation of the present coal tax to any direct taxation for improvements, 6122.—It is desirable to perpetuate the coal tax for that purpose. It is a tax paid by persons who hardly know that they pay a tax, it is so very indirect, 6123.—The expense of the new cattle market would be about 300,000*l.* including the cost of the ground. If a larger amount of lairage is put upon the ground, or if a hide market is placed there, of course the expenses will be increased, 6129, 6130.—The contract was entered into for the draining; some 6 or 8 respectable builders were written to, and the lowest tender taken. The contract for the sheep penning, the bullock lairs, and the iron work, was by public tender, 6132.—When parties are writtten to the lowest tender must be accepted, because it is considered you would not write to a man unless you considered him equal to the work. When it is by public tender, the committee have the option of accepting it or not, 6134.

Cart Dues. (*See* Dues.)

Cash, City:
Agrees with Mr. Norris in the propriety of putting the control of the cash under the united jurisdiction of the Court of Lord Mayor, Aldermen, and Common Council, instead of the Court of Aldermen alone, *Williams*, 7798.

Cattley, John, Esq. (*Analysis of his Evidence.*)—Is a merchant of the City of London, formerly chiefly in the Russian trade, latterly more in the East India trade, 1266, 1267.—Has a house in the City, but has not resided there for nearly thirty years, 1268.—Has been chairman of the London Dock Company for nearly twenty years, 1269, 1270.—Has never been connected with the corporation. Was twice elected a member of the court of common council, but declined to serve. Has been twice pressed to accept an alderman's gown, but declined, being so much engaged; had no spare time, otherwise would have had no objection, 1271, 1272.—As an old inhabitant taking a considerable interest in what is going on, has rather a favourable impression of the corporation as it is constituted, particularly as respects the magistracy. Thinks the merchants who are not freemen are fortunate in having such a body who take upon themselves the charge of the protection of the very large class who benefit by that protection, without being subjected to many of the duties which might be imposed upon them, 1273, 1274.—From long observation thinks the way in which the aldermen discharge their duties as magistrates is exceedingly favourable, and will bear comparison with any other set of magistrates. They are assisted by a very able assessor at both courts of the City, and a very fair test would be, that convictions are greater in proportion to the commitments, than from any other jurisdiction. Does not mean that aldermen have any particular talent for the office, but they have the benefit of good assessors, and as they principally act upon their advice, substantial justice is done, 1275–1277.—Thinks this system better than that which prevails in the rest of the metropolis, of paid magistrates, because these are unpaid and their decisions quite as good, 1278.—The assessors are paid, 1279.—The system of the unpaid magistracy in the City is more economical than the paid magistrates in the rest of the metropolis, at all events to nine tenths of the inhabitants who get the full benefit, but do not contribute to it. All the expenses are paid from the corporation funds, 1280.—It would undoubtedly be better that the corporation should be more closely connected with the higher class of merchants who ought to share the burdens of the City, but they cannot spare time. There have been however a few exceptions. Alderman Thompson is one, having been for many years a City magistrate, 1281, 1282.—Has never had much reason to complain of vexations from the corporation. The fellowship porters and some of those institutions are complained of by other parties, but they are not allowed to enter the docks, the question having been tried some time ago. The City meters and gaugers are used there. The charge is small, and the employing them optional. Oil is weighed at almost every port in England except London, where the old fashion of gauging prevails, a very absurd fashion, but that is not the fault of the corporation, 1283–1285.—A chamber of commerce in the corporation, with skilled officers appointed, might be beneficial, as a medium of communication with the Government on grievances, 1286.—If the corporation would find the funds, the necessary knowledge of trade might be provided for, by appointing members from the great mercantile bodies connected with the metropolis. They would represent grievances properly to the Government, so that justice might ultimately be done, 1287, 1288.—Thinks the corporation have in general shown a disposition to promote measures useful either to trade or to the public, contrasting London as it is with what it was. Instancing their paving and sewerage. The City has natural advantages in point of soil and elevation over the river, 1289, 1290.—Considers they manage the conservancy of the river pretty well. Occasionally may think the charge too high for putting down a buoy at the entrance of a dock, but the remonstrance is generally met pretty fairly, 1291.—The body which superintends the navigation of the river would be improved, if in connexion with the harbour-masters, who are intelligent painstaking men, such men as the dockmasters were appointed. They are sailors to begin with, and are interested in getting ships up the river, in the best way, to their different establishments, 1292, 1293.—Negotiated with the navigation committee of the common council upon the enlargement of the docks, when they gave every reasonable facility, 1294.—The best committee would be one composed of a certain number of harbour masters, and some of the common council, including others connected with the shipping interests. Regards Captain Maugham as the highest authority in London on points connected with the river. Sees no reason why

CATTLEY, JOHN, Esq.—*continued.*

a committee so formed might not act harmoniously together, 1295, 1296.—The committee on navigation having no knowledge on the subject themselves, rely at present mainly on the advice of the harbour masters, who are efficient officers and well selected, 1297–1299.—The fellowship porters are excluded from the London Docks for various reasons. In case of pilferage the owners of the docks would be answerable, and having done so much for the public they likewise think themselves entitled to what little profit there is on the labour, 1300.—Has never had any trouble with the corporation on the subject. Thinks that there is a clause of exemption in the Act of Parliament, 1301, 1302.—In connexion with the London Docks the City meters are almost nominal. They take the quantities with the custom-house officers who receive the amount. The gauger must gauge every cask, and they are glad to have his check in addition to the other two, the custom-house officer and dock officer being apt to copy each other's numbers, 1303.—The City metage applies equally to fruit, onions, roots, and corn. A licence is applied for at the Mansion House, which cost 4*s.* or 5*s.*, and the City meter actually measures the corn in, and the gaugers actually gauge, 1304–1307.—They are an accommodation and advantage to the public, on account of their skill and probity, particularly the gaugers. The fellowship porters are rather in the way of improvements out of the docks, 1308.—The City claim their privilege as meters, sometimes where an importer does not wish his goods measured, 1309.—It is not desirable they should retain the right of forcing themselves upon an unwilling importer. Those who import cargoes for sale want them measured, 1310.—Is not sure whether the original London Docks Act, which is forty-five years old, provides compensation for the fellowship porters, but thinks they gave almost every one compensation. Has had no dispute with the porters on the subject for the last twenty years, since witness was chairman, 1311, 1312.—The City having such enormous property to protect, requires a greater number of police than is necessary in other parts, particularly at night, and fears that if put all under the metropolitan police there would only be the same number of men allowed for each square yard as in other directions; at present they have double the number, 1313, 1314.—Thinks it would be better all under one head, but there are difficulties, one of which is the much greater proportion required in the City than elsewhere. Cannot say too much in favour of the metropolitan police, having had thirty of their men in the docks for fourteen years, 1315, 1316.—The London Docks are not within the City, but there being a public road through it, they were taken in, though a private establishment and not in their jurisdiction, 1317.—There would be economy produced by consolidation. The chief commissioner might be dispensed with, and perhaps a clerk or two. Doubts whether any saving could be effected by reducing the number of inspectors, 1318, 1319.—Thinks they are indebted to the City for laying out their funds in improvements to which they do not contribute, 1320.—Is not a freeman, 1321.—Has received many summons within the last seven years to take up his freedom, but declined, not wishing to be liable to the office of sheriff or alderman. They did not enforce the summons, but should have stood a trial had they done so, 1322–1326.

CHAMBERLAIN:

The office of, is next thing to a sinecure. The salary and emoluments are considerable, *Travers*, 243, 244.—Thinks that the Chamberlain should be elected by a large constituency at Common Hall, *Dillon*, 683.—The office of chamberlain in point of form is an annual office, but not in practice, *Wallis*, 1396.—Every case of election for the office of chamberlain in witness's time has been influenced by money, *ib.* 1399.—Every election for that office is expensive, by law annual, by practice generally for life, *ib.* 1445–1447.—10,000*l.* the greatest sum expended in a contest for the office in the last twenty years, *ib.* 1452, 1453.—1,900*l.* was once subscribed by aldermen to secure a brother alderman's election as chamberlain, *ib.* 1462.—Having charge of the City cash, the chamberlain should be appointed by the same franchise as the chief magistrate, *ib.* 1478.—The emoluments about 3,200*l.* a year. Contests for office expensive, but being for life, worth while to spend 5,000*l.* or 10,000*l.* in the election, *Hyde*, 1528–1530.—Discrepancies between his accounts and the amount of salaries returned by the officers. Thinks the discrepancy arises in this manner:—All the gentleman have attached to their own offices certain fees, which vary to a certain extent year by year, as in the case of the mace-bearer. Those fees are received by themselves, and they receive the salary out of the chamber; but the fees swell up the salaries, as certified by their own return, far beyond the amount appearing in the Chamberlain's accounts, and make the whole discrepancy amount to above 10,000*l.* Enters into particulars, *Bennoch*, 2067, 2068.—There is a byelaw to prevent the chamberlain from paying money for any expenses beyond the jurisdiction of the City, without the consent of the Common Council, *ib.* 2124, 2125.—States case to show the advantage of the byelaw, *ib.* 2128.—The chamberlains are always men of high character, *Williams*, 2786.—Statement as to office of chamberlain, *ib.* 2809.—At the last election, on Sir John Key's side, some money was expended in paying canvassers, flag-bearers, &c., *Macnamara*, 2885–2888.—In the contested election between Mr. Scott and Sir John Key, Mr. Scott spent 3,500*l.* merely in travelling expenses and canvassing. Sir John Key, 7,000*l.*, some part in corrupting voters, *Rose*, 2923–2933.—Salary and duties of the chief clerk to the Chamberlain, *Scott*, 4440.—Emolument of the Chamberlain is 2,500*l.* a year, the clerks cost over 2,000*l.* a year, *ib.* 4536.—A fixed salary would be more satisfactory to the Chamberlain, who is now doubtful whether he will make his emoluments, *ib.* 4545.—The whole of the Chamberlain's fund is not derived from the profits of the balances; there are contributions paid by the City, and likewise some out of certain trust funds, for the management of their accounts, which accounts, as a simple banker, he would not be required to keep, *ib.* 4546.—The profit upon balances has fluctuated in twelve years between 3,000*l.* and 6,000*l.* a year, *ib.* 4547.—When the profit upon balances has been 6,000*l.* a year, it would more than defray the whole expenses of the establishment, *ib.* 4548.—The balance is invested for the relief of the trust funds, and the committee have now come to the resolution that the amount is sufficient to authorize the chamberlain to take the whole charges off the trust funds, *ib.* 4549.—These are invested in the names of the Chamberlain, the chief clerk, and is cashier, who draw upon the account and hold the keys, *ib.* 4550.—The coal and corn committee can direct the Chamberlain to relieve the trust funds in his office, *ib.* 4552.—Trust fund is invested, and can only be applied to relieving the public funds in the chamber, *ib.* 4553, 4554.—The corporation account forms one out of many which are kept in the chamber, *ib.* 4555.—The Chamberlain is a public banker, *ib.* 4555.—The balance of the City cash is generally very inconsiderable, *ib.* 4556.—When there is any balance available for a temporary investment, the Chamberlain purchases exchequer bills, or any perfectly safe security, and sells them when the monies are wanted; he does not deal in bills, *ib.* 4564.—Any loss upon the transactions would fall upon the Chamberlain and his sureties, *ib.* 4565, 4566.—Thinks the money could be invested in a more permanent manner if the balance were recognized as City funds, and put under the control of a committee authorized to make use of the money, *ib.* 4568.—The Chamberlain and chief clerk occasionally consult a broker, but it is not often necessary. Confine themselves to transactions in which there is not much risk. Do not touch public funds at all, *ib.* 4575.—A sum of money is left in the hands of the cashier at the close of the day, which is not to exceed 1,000*l.* at any time, to enable him to commence paying business in the morning, *ib.* 4577.—It would be a great loss to the corporation to employ the Bank of England, *ib.* 4578.—A private bank could not keep the accounts, *ib.* 4581.—The present system might be amended if there were power to do so, *ib.* 4580.—By placing money in the hands of private bankers more is lost than gained in point of security, *ib.* 4588.—The office of Chamberlain peculiar and anomalous; it has been an office of that kind for about seven centuries. Was the office into which the king's taxes were formerly paid, *ib.* 4589, 4590.—The contested election between witness and Sir J. Key was in May, 1853, *ib.* 4634.—There was no other candidate but Mr. Haines, and he retired after a short time, *ib.* 4637.—States particulars of the contested election for the office, *ib.* 4638–4648.—Should be elected by Common Council, *ib.* 4656.—The livery do not interfere with the office or with the funds of the corporation beyond receiving the report annually, *ib.* 4659.—Witness's election cost about 5,000*l.*, *Key*, 5840.—The chamberlain is responsible for the whole of the City funds, *ib.* 5849.—The

CHAMBERLAIN—*continued.*

amount of security which he gives is 30,000*l.*, in responsible parties, who must be approved of by the Coal, Corn, and Finance Committee and by the Court of Aldermen Every month he is obliged to present his accounts before the committee, and if there be any sum appropriated or deposited in a manner which they do not approve of, or if there is a larger balance than they think proper, at their recommendation an alteration is made, *ib.* 5851.—If any loss occurs from his mismanagement, he is the person responsible for it, *ib.* 5853.—The Chamberlain has the power when he thinks necessary to commit an apprentice to Bridewell, *ib.* 5859.—All the freemen are admitted through the Chamberlain, *ib.* 5890.—Attends all Common Council, and Courts of Aldermen, *ib.* 5893.—Has to receive all rents, tolls, profits of markets, and other revenues, with which he is annually charged by the comptroller to make all payments on account of the corporation, and to ascertain that such payments are by warrant or order of competent authority, and conformable to the various resolutions and orders of the Court of Aldermen or Common Council; and to keep accounts thereof, and to arrange the same for the purpose of affording any necessary information thereon, *ib.* 5893. The entire emoluments of the office can never exceed 2,500*l.*, *ib.* 5895.—Is quite convinced that the whole election did not cost 1,500*l.*, *ib.* 5902.—Does not think his own came nearly to 1,000*l.*, *ib.* 5903.—Would transfer the election of Chamberlain to the Common Council, *Lord Mayor*, 7158.—Expense of the office of Chamberlain fixed at 2,372*l.* 10*s.*, *De Jersey*, 7558.

CHIEF CLERK:

It has been one branch of witness's duties to co-operate with the Chamberlain in the banking business, having been bank manager, as well as City actuary, and accountant, so far as the accounts are kept in the chamber. The responsibility of those three departments has rested upon witness, *Scott*, 4571.—The chief clerk and cashier must be approved of by the Court of Aldermen and the Coal, Corn, and Finance Committee of the Common Council, *Key*, 5898.

CHAMBER OF COMMERCE:

Would have a chamber of commerce, and do away with the corporation and local government altogether, *Travers*, 213.—Recommends a chamber of commerce, *Powles*, 1064–1072.—A chamber of commerce, with skilled officers, might be useful as a medium of communication with the Government on grievances, *Cattley*, 1286.—Would be very desirable; but it should not be established out of the funds of the City, *Morley*, 2163.

CHARITABLE TRUSTS;

Would leave the charitable trusts in the hands of the corporation, reformed under the new Municipal Act, *Elliot*, 1095.

CHARITABLE PURPOSES:

From the year 1781 to 1852 there has been 127,384*l.* 16*s.* 10*d.* voted from the City funds for charitable purposes, *Lott*, 8003, 8004.—It has been given mostly to City charities, *ib.* 8005.

CHARITIES:

There are a variety of charities, the administration of which is left by will to the Court of Aldermen for the time being; they are responsible for any neglect of their duty, and may be dismissed from the trust, if they have committed any abuse, *Farebrother*, 7223.

CHARITY TRUSTS ACT:

The bill now includes in its operations every one of the charities of the City of London, *Tyrrell*, 5443–5449.

CHARTERS:

Of the City of London, are not accessible to the public, *Pulling*, 846.—Number of charters relating to the City, *Cotton*, 1938.—Public not allowed to inspect them, and gives reason, *ib.* 1943.—Has the charge of the City charters. Mr. Hardy, of the Tower, has translated all up to the reign of Edward III. The Charter of Inspeximus of the reign of Charles II., includes almost all the former ones. They have never been published officially by the City, but by Lufman and by Norton, and, believes most correctly, *Merewether*, 4712–4722.—Certainly shoul dnot show the original charters to any person in litigation with the City, *ib.* 4723. — There is no governing

CHARTERS—*continued.*

charter of the City of London, *ib.* 4784.—Statements with regard to the charters, *ib.* 4735–4787.—Extract from charter which gives to the corporation the power of altering the customs, *ib.* 4985.—According to the general words of the charter in Mr. Norton's book, page 470, the corporation have the entire power of making all alterations within themselves they think necessary, except that they cannot interfere with any Act of Parliament, *ib.* 4990. — Charters respecting Southwark, *ib.* 4996.—Should say that all the 120 charters are now in force; they have been seized by the Crown at various times; they were seized by the celebrated quo warranto in the reign of Charles II., but were restored by Act of Parliament in the beginning of the reign of William III., *ib.* 4998–5000.—Further reference to charters, *ib.* 5008–5024.—List of charters, with the sums paid for each, *ib.* 5223, 5224. —Would not admit the public to the charters and title deeds of the corporation upon a subject which is in actual litigation at the time in the courts, *Wortley*, 5505–5508.

CHERRY, JAMES, Esq. (*Analysis of his Evidence.*)—Is mayor of Yarmouth, 1983.—Is desirous of representing the prejudicial effects of certain dues and customs, called metage, fillage, &c. &c., which are levied upon all grain brought by vessels into the port of London, but the railway companies being free from these dues, amounting to 3*s.* 6*d.* per last, has the effect of diverting the traffic from the shipowners, as rendering them unable to compete with the railways. The return in 1847 was 266,000 quarters of malt and barley shipped from Yarmouth to London, the last return in December 1852 being only 86,748 quarters, 1984.—Presumes that the great falling off between these two periods arises from the corresponding increase in the land carriage, and not from a general diminution in the trade, but it could only be proved by a return from the railway companies. No doubt large quantities of corn are carried by them, 1985–1988. —Undoubtedly if the shipping interest and the railways were upon a perfectly equal footing they could compete equally for the transport of corn. The dues amount to 4½*d.* a quarter, It would pay the shipping to bring up the corn at 1*s.* the quarter, 1989.—Considers the effect of those dues sufficient to account for the change in the trade. Should say from personal knowledge there is rather more than less corn sent out of Norfolk than formerly, 1990.

CHILDS, GEORGE BORLASE, Esq. (*Analysis of his Evidence.*)—Has been surgeon of the City police since 1844, 6948.—Begs to observe that he was not aware till six last night that he was to appear before the Commission to day. There were twenty-five candidates for the office; was elected on purely professional grounds, 6949.—Was elected by the Police Committee of the Court of Common Council, 6950.—Has a salary of 500*l.* a year, 6951.—Reads a statement of duties, from which it will be seen that the whole of the surgeon's time is the property of the corporation. There are no emoluments attached to the office, 6952.—The police are generally a fine body of men; none are taken under five feet eight, 6953.—The metropolitan force take five feet seven, 6954.—Every additional inch excludes a great number of candidates, 6956.—Thinks you must have men of some appearance in street disturbances, and five feet eight is a fair standard, 6957.—Has no reason for having a different standard in the City to the rest of the metropolis, 6958, 6959.—States that in 1852 a Mr. Bessel brought an action for false imprisonment against Mr. Alderman Wilson, and stated that in consequence of the dampness of the cell he became severely indisposed. The lord chief justice at the time made some very stringent observations in reference to the matter. Received instructions to visit the station house and make a report to the Police Committee on the sanitary condition of the cell alluded to. Reads report, 6960.—The date of the report is 28th July 1852, 6961.—This was after the observations of the lord chief justice, 6962.—Has had opportunities of forming an opinion of the efficiency of the City police, 6963.—The City and metropolitan police act most harmoniously together, and are always ready to assist one another. The Act of Parliament states that the metropolitan police have power to act in the City districts, and the City police in the metropolitan districts, 6964.—Thinks it would be inconvenient to refer from the City to the head office in Scotland Yard, if the two bodies were consolidated. Gives instances

CHILDS, GEORGE BORLASE, Esq.—*continued.*

6965.—The authorities in Scotland Yard must be communicated with before the detective force can be put into operation for the discovery of stolen property, 6966.

CHRIST'S HOSPITAL:

Is governed by a court of almoners, *Mortimer*, 6808–6811. (*See* also Schools.)

CHRISTY, WILLIAM MILLER, Esq. (*Analysis of his Evidence.*—Is a liveryman of the City of London. Is not in trade at present in the City. Resides there occasionally, but generally at Kingston. Has accommodation for lodging in the City, 2546–2548.—Has never taken part in the business of the corporation, 2549.—Wishes to speak generally of the defects of the City management. Thinks that, with the large income of the corporation, they should have a house of refuge for the destitute of all ages, from which when rendered decent and cleanly, they might be drafted off to places where employment could be had, 2550.—Does not know that the City Bridewell is used for that purpose, 2551.—The corporation might do a great deal, apart from the poor-law unions, for the relief of the poor, 2552–2555.—The courts and alleys are in a neglected and filthy state, and a large portion of the City funds ought to be used for the improvement of the abodes of the poorer population of the City. The street orderlies, who have lately been displaced, were a very useful body of persons, but the system was not sufficiently extended over the City, 2556–2558.—The police have difficult duties to perform, and do their best under the circumstances. Mentions a number of street nuisances, which might be got rid of without any difficulty, 2559.—Believes the City to be worse off than the rest of the metropolis in these respects, and that from its narrow streets and crowded state it has lost much of its retail trade. Suggests several improvements, 2560.—Would call attention to the state of the foot pavements, and would propose that the scavengers should be required to scrape them before eight o'clock in the morning. The vagrant laws require revision, and the ready mode of licensing public-houses and gin-shops claim especial attention, 2561.

CHURCH RATES:

Are very serious; as long as the present system is maintained there can be no reduction, *Hickson*, 2959.

"CITIZEN" NEWSPAPER:

The committee spent money in endeavouring to establish the "Citizen" newspaper, *Acland*, 453.—A newspaper was started by a man of the name of Peel, called "The Citizen," undertaking to give a full report of the proceedings of the corporation, *Scott*, 4472.—Evidence concerning "Citizen" Newspaper, *Richardson*, 7703–7706.—Mr. Acland had a vast deal to do with the "Citizen" paper; thinks he purchased that valuable property for 1*s.*, *Pearson*, 8465. (*See* also Newspaper.)

CITY ESTATES:

Produce and expenditure for 1852, *Acland*, 563–565.—Are managed by the Common Council and City Lands Committee. The separate jurisdiction of the Bridge Trusts and Irish Estates ought to be abolished, and the whole centred in the corporation at large, *Lord Mayor*, 7207–7210.

CITY LANDS COMMITTEE. (*See* Committees.)

CITY OF LONDON:

Peculiar jurisdiction, both civil and criminal, *Cotton*, 1849.

CITY PURSE:

The Aldermen within the jurisdiction of the City can do with the City purse whatever they think fit, *Bennoch*, 2124.

CITY SOLICITOR:

The Common Law Chancery and other legal matters are conducted by the solicitor, the conveying by the comptroller, *Tyrrell*, 5385.

CLARK, JOHN. (*Analysis of his Evidence.*)—Is clerk of the peace for London and Southwark; also holds the office of clerk of the Central Criminal Court. The City of London, being a county, appoints a clerk of the peace, 6331, 6332.—Witness here describes all the duties of his office, 6333.—Has no salary; is paid

CLARK, JOHN—*continued.*

entirely by fees. The average amount of receipts by fees, commencing with 1848 and ending with 1852, was about 350*l.*, 6334, 6335.—But of that amount about 300*l.* in round numbers was received for fees as clerk to the licensing magistrates, and 40*l.* as clerk of the peace, 6336.—Believes there is a system at the Old Bailey of taking fees for the admission of the public to the gallery, varying according to the interest of the trial; but it is a practice with which the court, as a court, has nothing to do. Knows nothing at all about it. Believes the sheriffs receive part of the money, 6337, 6338.—Witness's duties at the Central Criminal Court are paid for separately. Receives from the corporation of London a sum of 30*l.* per annum to find a clerk to pay orders of costs which are made by the Central Criminal Court, 6339, 6340.—Understands the magistrates are said to license free vintners, many of whom keep brothels and houses of that kind. Believes such not to be the fact. There are not above two or three free vintners who are actually licensed as publicans, and as free vintners they have only authority to sell wine in their own houses, and not spirits, 6341.—A free vintner in his own house may retail wine without a licence. Is not aware that this has led to any abuse, 6342, 6343.—Attends the licensing magistrates. Before the general licensing meeting in each year the common council of the respective wards have meetings, at which all complaints, if there be any, are discussed, and if the complaints are sufficiently strong to induce the magistrates to withhold the licence, they do so, 6344, 6345.—There are not many applications for old licences which are refused, but for new houses the licences are seldom granted, unless a strong reason is shown for granting a licence for an additional house, 6346, 6347.—There are a considerable number of applications each year for licences for new houses. Understands some remarks have been made as to the committals by the aldermen. Has made a return to the Court of Aldermen showing the average number of convictions and acquittals, and the convictions in London, as compared with the committals, bear a very fair proportion to those which come from the police courts, 6348, 6349.—When a bill is not found, a person is not discharged at the Old Bailey till the grand jury is discharged. Believes the practice is the same upon the circuits, 6350–6352.—Thinks the reason for the prisoner not being immediately discharged to be, that the rejection of the bill was not a discharge from the offence itself, but that another bill might be presented. Believes of late a rule has been laid down that a second bill for the same offence should not be presented, 6353, 6354.—It is quite impossible the corporation of London could have originated the practice, 6355.

CLAUSES:

Very few cases have occurred in witness's time of their having procured the insertion of clauses excepting them from the operation of general Acts, *Tyrrell*, 5467–5475.

CLERKENWELL:—

Commissioners having failed in making improvements, the corporation undertook to finish them if they might raise 88,000*l.* upon the 8*d.* coal duty, *Scott*, 4617.—With respect to Clerkenwell, the old improvements Commissioners, having expended the funds entrusted to them, besought the corporation to take it up, and as 50,000*l.* had been expended on a street which was of no use till the other was completed, the corporation took great trouble to carry out a work which was not within the City, and agreed to receive 88,000*l.* and to charge their own estate for three years longer with 11,500*l.* per annum, *Hall*, 7325.

CLERK OF THE PEACE:

Description of the duties of clerk of the peace for London and Southwark, *Clark*, 6333.

COAL DUTY:

The 4*d.* is corporation property, *Tyrrell*, 5425–5427.

COAL DUES. (*See* Dues.)

COAL EXCHANGE:

The 1*d.* duty is the fund out of which the Coal Exchange was built, *Hickson*, 2758.

COAL TAX:

Statements respecting the coal tax, *Acland*, 559–562.—Is 1*s.* 1*d.* in the ton. The corporation retain as

Coal Tax—*continued.*

much as is yielded by 4*d.* out of the 1*s.* 1*d.*; the rest is under the control of the Woods and Forests, *Elliot*, 1111–1112.—Thinks it advisable that the coal tax should be continued, *ib.* 1119.—For the year 1852 the corporation give the products of the coal and corn tax, the sum of 73,000*l.*, *ib.* 1120.

Colquhoun, Isaac, Esq. (*Analysis of his Evidence.*)—Resides in Londonderry, 8117.—From his position as solicitor and land agent to some of the properties, has turned his attention to the doings of the Irish society, 8118.—Thinks the constitution of the society most objectionable; it throws the entire government of this plantation into the hands of the London secretary, 8119.—Brings forward a case to prove the injurious effects of the standing order with regard to the renewal of leases upon the City of Derry, and two or three cases to show the grasping propensity of the Irish Society, 8120.—Communications to the society by persons connected with the property are generally made by a memorial to the society in London, sent through the agent in Derry (8121), who receives the rents, and accounts for them, but witness believes he has no power, not even that of recommendation, 8122, 8123.—The byelaws of Derry must be submitted to the society, 8124.—Witness thinks it highly objectionable in point of principle, 8126.

Colquhoun, Isaac, Esq. (*Second Examination.*)—States the houses he spoke of yesterday as having been taken by the society from Mr. McCrae are still standing. The society have made use of them. Mr. Munns and his son have taken an active part in bringing the complaints of Derry before the Commission. Believes the society have taken steps to intimidate them; states particulars. Believes the corporation have been influenced to remain at home in consequence of the 1,200*l.* a year, which it is in the society's power to take from them when they please, or else a large portion of them would have been here as a deputation. With regard to the alteration which Mr. Knox mentioned in the lease with regard to the secretary's fees, witness states that he was fortunate enough to refuse to take a renewal according to the new form, and so the society granted it to him according to the old form, 8336.—This was about 22 years ago. M. McCrae holds a lease of lands in perpetuity, and another which is determinable. Upon the first there are good houses, and a Presbyterian meeting-house; but upon the latter the houses are very small and poor, 8337.

Combe and Delafield:

Statement respecting the claim of the City against them, *Delafield and Fisher*, 601-638.—Porterage and metage suits, *Pearson*, 5544-5570.—Combe's case is now for argument before the House of Lords, 8459.

Committees:

Thinks they generally elect the most efficient men as chairmen of committees, *Bower*, 7021.—Nothing can work better than the present system of corporate committees; objects to the consolidated committee, *Lord Mayor*, 7217-7221. — Has advised that a certain amount should be continued to each committee to secure the attendance of the members. Thinks it quite right that some allowance should be made to committees, as most of the common councilmen live out of town; and where are they to get their dinners? *Hall*, 7343-7344. — Not desirable to reduce the number of, *De Jersey*, 7547-7548.—States number of meetings yearly and monthly, *ib.* 7555.—According to the 38th standing order, no member can be on more than one of the following committees: the City Lands, the Bridge House Estates, the Navigation, the Coal and Corn, and the General Purposes, except in the case of one or two wards, which only return four members, *Williams*, 7798.—No member can be chairman of a committee who is not in his third or fourth year, that he may be perfectly acquainted with the duties before he is called upon to act as chairman. Statement of his duties, *ib.* 7798.—Agrees with the suggestion that a smaller number of committees would be desirable, and if the members were retained more permanently, they would become more masters of their business than under the present system, *Taylor*, 7813-7842.—Of the corporation; describes the attendances and the business done at the different committees, *Merewether*, 6764.

City Lands Committee. The chief committee of the corporation. What allowed a year, and duties of,

Committees—*continued.*

Anderton, 7695.—Particulars of the formation of the consolidated committee, *Woodthorpe*, 6198.—Objects to it; gives reasons, *Lord Mayor*, 7217-7219-7221.—Reads the terms of the appointment of the consolidated committee, which consists of about 60 members, *Wood*, 7254.—The Lord Mayor has represented that this committee, by a deputation of its members, has taken upon itself not only to confer with the Government upon various matters, but to agree in respect to them; this is not correct, *ib.* 7256.—Knows of no money spent secretly by the committee; they sanctioned the repayment of a sum of money spent for the establishment of a projected paper, but had nothing to do with the getting up of the paper, *ib.* 7258, 7259.—They have no allowance. The business is very laborious, *ib.* 7266.—There has always been a fair attendance of the members, *ib.* 7267.

Conservancy. The committee have considerable knowledge of their business. They are elected for four years, one-fourth only going out every year. They do not sit simply as a committee, but act as a jury, and argue the point, *James*, 6882.

Corn, Coal, and Finance Committee. Duty to examine the accounts of corn dues monthly, and see them paid into the chamber of the City. Amount paid in several different years. Other duties, and allowance for the performance of, *Anderton*, 7695.—Report of the Finance Committee upon the corporation difficulties in 1818, *Dakin*, 7386.

General Purposes. Principal duties of, are, to look after the Mansion House; but during the last two years they have had a very important matter under their consideration, an inquiry into the charges made, and the privileges maintained by the porters and meters of London, *Woodthorpe*, 6112.

Law Bills. Is composed of professional men, *Pearson*, 5529.—Gives particulars of this committee; thinks the corporation has every reason to be satisfied with the manner in which this committee has acted, *Wood*, 7265.

Navigation. The Navigation Committee is wholly unqualified for their charge, though the business is well done by the harbour masters, *Powles*, 1034.—Has heard no complaints of inefficient discharge of duty on the part of the committee, *ib.* 1048.—Were the amendment proposed to be made in the Act of Parliament carried, it would meet the wants of the case, with the further amendment of reducing the committee to 18, *ib.* 1052–1053. — Witness's experience, is that they either want authority or are incompetent to the proper discharge of their duty, *Matthews*, 2500.

Navigation and Port of London. Business of the, *Woodthorpe*, 6154. — Statement of its funds, *Leach*, 6426-6429. — If some body must be added to the Navigation Committee, possibly the Trinity House would be the least exceptional, because they are most independent, *ib.* 6458.—It is necessary, under the proceedings in chancery, for the Navigation Committee to give information to the Woods and Forests of all proposed grants, that they may, if they see fit, object, *Saunders*, 6854.—The mercantile shipping is exclusively under the control of the Navigation Committee, *James*, 6893, 6894.—Makes a statement to show that the committee are free from the blame thrown on them by Mr. Matthews in his evidence in the case of Mr. Simmons, *Southgate*, 7231-7234.—Set a powerful dredging steam-engine to excavate; and upon this being pointed out by witness to the City authorities and contractors, it was found by Mr. English that there were excavations from twelve to eighteen feet deep, close to the piers. They filled up those excavations, and restored the bed of the river to its present state at their own or the City's expense, *Powell*, 7526.—Had permission given to them by the Bridge Company to cut a channel of about four feet in an invert manner, but instead of that, there was no superintendence over the operation, and they continued working away as long as they could obtain ballast that was valuable for concrete and building purposes, *ib.* 7527.—Employed Messrs. Jolliffe and Banks to remove the piles complained of, without any expense to the Waterloo Bridge Company, *ib.* 7524.—The conservancy of the river is managed in an efficient manner as far as the committee have the power, *De Jersey*, 7562.—The chairman is not always connected

COMMITTEES—*continued.*

with the trade upon the river. A greater infusion of practical knowledge into the committee desirable, but the officers are all competent men, *Turnley*, 7713–7721.

Police. Have no power over the actual executive force; they superintend the supply of clothing and the store, and they have the supervision of the station-houses, *Woodthorpe*, 6227.

COMMON COUNCIL:

The common councilmen are 206; not 240, as they were at the time of the last Commission. Since that Report was published there have been two material changes; the one a reduction of the Court of Common Council from 240 commoners to 206, leaving always the 26 aldermen in addition, *Acland*, 269.—The reduction was effected by an ordinance of the Court of Common Council, under pretence of making a fair distribution, *ib.* 270.—The court is composed of 206 members who are elected annually, and 26 aldermen who are elected for life, *ib.* 275.—In the court there are more lawyers than men of any other description, 21 out of 206. Many out of this number have been active in procuring the election of sheriffs, who would appoint them under-sheriff, *ib.* 417.—The court have very extensive powers; they made a change in the office of alderman before the City Elections Act was passed, by regulating the right to vote at certain elections, *Pulling*, 886.—An act of Common Council may be repealed, *ib.* 901.—There is a resolution of the Court of Common Council which declares that no sum exceeding a certain amount shall be voted without their consent, *ib.* 912.—A vote of money taken for promoting or opposing a private bill in Parliament would be made by the Court of Common Council, *ib.* 914, 915.—States the legislative powers of the Court of Common Council; the Lord Mayor has the power of dissolving the court, *ib.* 926.—States the forms necessary for the meeting of the court, *ib.* 928.—It would not be in the power of the Lord Mayor to prevent the Court of Common Council meeting at all, *ib.* 930.—They have the management of all the funds of the corporation of London, the hereditary revenues, the tolls, and the City lands, *ib.* 930.—The Lord Mayor takes the chair at all meetings of the Common Council, *ib.* 931.—He acts as speaker of the assembly, puts questions to the vote, and decides points of order, *ib.* 932, 933.—Is not aware of any control over the corporation which the Court of Common Council may not exercise, *ib.* 934.—They have more extensive power over their funds than other corporations enjoy, *ib.* 935, 936.—They have an unlimited power of charging their property. They can alienate their property, *ib.* 937–939.—There are about 16 or 18 committees of Common Council in a year, *Bennoch*, 1204.—The Court of Common Council does not adequately represent the interests of the metropolis at large, *ib.* 1215.—Substance of correspondence between corn-dealers and General Purpose Committee of Common Council, *Hales*, 1641, 1642.—The practice of the Common Council is as nearly as possible that of the House of Commons, *Rogers*, 2636.—Permission to spend not more than 1,000*l.* a year in the promotion of more extensive reports of their proceeding, *Norris*, 4202.—Has power to make byelaws, *ib.* 4216.—The present mode of election works exceedingly well, *Merewether*, 4937.—Is the creation of the corporation, and is regulated by its provisions, standing orders, or resolutions, *ib.* 4988.—Thinks the present numbers too large, *Lord Mayor*, 7161.—Is satisfied that, however necessary some alteration in the constitution of the court may be, the general management of the business cannot be better than at present, *Wood*, 7256.—In thirteen contests never solicited a vote nor spent a sixpence, *Anderton*, 7617.—Does not think the duties and responsibilities of the Court of Common Council, the committees, and the City officers acting under those committees, are properly defined. The institution is a very ancient one; much has been regulated by practice and custom, *Taylor*, 7844–7847.

COMMON COUNCILMEN:

There are no improprieties in the election of Common Councilmen, *Wallis*, 1390.—If all power is taken from them, it will be difficult to find men to go into court, *ib.* 1469.—The office is unpopular, and low in public opinion, *Bateman*, 2343.—Of the 200, not above twenty-five live in the City, *Dakin*, 7380.

COMMON HALL:

The Court of Common Hall is now very numerously attended, being composed of persons who have been members of livery companies. They are not easily identified. It has been said, upon elections for sheriffs they get a sum of money for voting, *Pulling*, 952.—Sees no advantage in keeping up the plan of election in Common Hall. Would destroy it altogether, *Bennoch*, 1245.—In order to vote in Common Hall it is necessary for a man to be a member of a livery company and freeman of the City, *Merewether*, 5028.—Would open the Common Hall to the residents of London, but would not disfranchise the liverymen, *Lord Mayor*, 7181.

COMMON HALL ELECTIONS. (*See* Elections.)

COMMON SERJEANT:

The appointment decided by majority of Common Council; salary 1,500*l.* per annum. States his duties, *Bullock*, 5699–5729.

COMPANIES:

Besides the payment of an entrance fee, some companies limit the number of their members, *Acland*, 507, 508.—All those companies which demand the highest price in the shape of fines necessarily exclude operatives. Since the year 1835 an operative may become free of the City on paying 6*l.* 5*s.* 4*d.*, *ib.* 509, 510.—Being free of the City does not entitle a man to be free of any company, *ib.* 511.—Statement respecting the property of the companies, *ib.* 550.—The livery companies include about 10,000 members, *ib.* 132.—Observations with regard to the connexion of the livery companies with the Irish Society, *Finlay*, 42–74.—Companies legally form an integral part of the corporation, *Pulling*, 881.—The masters and wardens, with a small body called the court, are the governing body of the companies, *ib.* 948–950.—They are not connected with the trades they represent, *Jones*, 1569.—The poorer companies had rights conferred on them in former days, which they exercise to the detriment of beginners in trade, *Alcock*, 1757–8.—Connexion with the trades whose names they bear ought to be restored, *Cotton*, 1960.—The chartered companies form a part of the existing municipal constitution. If the connexion between these companies and the City was severed the fines would cease, but the property they have produced would continue to exist. The last Commission sought an explanation from the chartered companies of the nature of their property, and what they did with it, but they declined to give any information, and can only be compelled to do so by Act of Parliament, *Hickson*, 2968, 2969.—Has never been able to satisfy himself whether the companies may be said to be a part or an adjunct of the corporation. With very few exceptions, they act almost wholly independently of the corporation, *Merewether*, 5344–5356.

Skinner's Company. States the circumstances which gave rise to the suit between the Skinners Company and the Irish Society, *Humphreys*, 8411.

Waterman's Company. To be a member, does not give the freedom of the City of London, *Pillow*, 3042.—Rules and regulations of the, *Beck*, 4104.—Particulars of the penalties for the infringement of the laws of, *Ashley*, 4116.—The master and warden are sworn before the Court of Aldermen, and the court have the approval of the byelaws under which they act, *Merewether*, 5222.—Statement drawn up by the Waterman's Company, to explain several things which have been said averse to the company, *Lucey*, 7276.—The number of persons on the roll of the company is near 8,000, also 1,680 apprentices, but probably not more than 5,000 or 6,000 working on the river; the remainder consisting of master lighterman, persons not following the business, others in the sea service, pensioners, &c., *ib.* 7277.—No person taking his freedom of the Company of Watermen has a right to vote at elections in Common Hall, nor is he thereby enabled to obtain the freedom of the City of London. It does not stand on the footing of the trading companies, *ib.* 7278, 7279.

COMPENSATION:

Does not know of any fund except the consolidated fund available for the purpose of compensation, *Tyrrell*, 5430.

COMPTROLLER:

Receives nothing; he is only the check, *Acland*, 570.—Accounts for the discrepancies to the extent of 9,000*l.*

Comptroller—*continued.*

between the comptroller's charge and the chamberlain's discharge mentioned by Mr. Acland, *Scott*, 4451.—He is an attorney; gives account of his duties, *Pearson*, 5686-5697.—The salary of the comptroller is 1,500*l.* a year, partly received from fees, the balance being paid by the Court of Common Council, as arranged by the court in 1845, *Richardson*, 6676.—Mr. Bennoch and the Lord Mayor speak of a combination of the office of comptroller with those of Bridge House comptroller and the solicitor. The two comptrollerships might possibly be amalgamated, but thinks it impossible that one man should also perform all the duties of solicitor, *De Jersey*, 7558.

Confiscation:

The corporation would consider any measure which took away the tolls of a market without compensation in the light of a confiscation, *Tyrrell*, 5416-5420.

Conservancy Committee. (*See* Committee.)

Conservators of the Thames. (*See* Thames.)

Consolidated Fund:

Does not know of any fund except the consolidated fund available for the purpose of compensation, *Tyrrell*, 5430.

Consolidated Rate:

Complains of this rate; it is excessive, and very often in that rate the expense of sewers is included, notwithstanding the heavy sewer rate, *Whistler*, 2631.

Constables:

It is very undesirable that there should be those independent constables all over the City. It is not the case in any other part of the metropolis, *Harvey*, 6598.

Constituency:

Too narrow, *Hyde*, 1503.

Contested Elections. (*See* Elections.)

Cooper, William Durant, Esq. (*Analysis of his Evidence.*)—Appears before the Commission at the request of the vestry of St. Pancras, from a committee appointed by them for the purpose of waiting upon the Commissioners, and giving evidence generally as to their connection with the City of London, and also the evils they think they have to complain of, in reference to the corporation as it now exists, 2849.—The first point which they complain of is that they are taxed considerably for the improvement of the City proper, by the tax upon coals. They are grievous sufferers by it, inasmuch as, in consequence of the improvements which have taken place in St. Giles's and elsewhere, the poor people have been driven out of the small tenements they held in those parishes into St. Pancras, and have become chargeable to the parish of St. Pancras, to the amount of between five and six hundred every year during the last seven years. Also complains in reference to this matter, that the duties chargeable upon coals are larger in proportion to the improvements effected than would be the case if there were an improvement rate. Also complains of the cartage dues. The parochial authorities of St. Pancras conceive that they are a body who ought themselves to have a share in the representation of the entire metropolis. Enters into particulars, how peculiarly St. Pancras is situated, and why it is absolutely necessary that some measure of corporation reform, extended to the whole of the metropolis should reach it, 2850, 2851.—The general law makes no provision for the lighting or paving of the parish, 2852.—There is no Act of Parliament applicable to the whole of the parish with respect to lighting and paving, and there is no municipal corporation in the parish which has powers applicable to those objects. They applied to Parliament for the purpose, at an expense of 3,800*l.*, in 1851. The Bill passed the House of Commons, and was rejected in the committee of the House of Lords. The only remedy for all these defects is to have a municipal corporation, 2853.—The existing power, under the Municipal Corporation Act given to the great London boroughs, of applying for a charter of incorporation, is practically inoperative. It was absolutely necessary to have a separate Act in order to do anything effectual; but, to make the matter still worse, under the Metropolitan Roads Act, under which the New Road was formed, the turnpikes were taken off, and the maintenance of 4,439 yards of road and public highway is now flung upon the vestry, to be provided for out of the poor's rate. There are 7,000 or 8,000 yards of road not

Cooper, William Durant, Esq.—*continued.*

included in any paving trust whatever, 2854.—Till recently, in consequence of the state of the parish, there have been no good buildings erected, except on the large estates, 2855.—Where there is no good local Act the value of building land is depreciated. In many cases districts under estate Acts are as bad as others. In consequence of having the New Road and the public thoroughfares thrown upon them the entire weight of the whole of the coals brought by the Great Northern and the North-Western Railway Companies is carried over their roads, causing them great additional expense. 9,000*l.* has already been paid to pave the New Road, and probably 9,000*l.* more will have to be paid before it is completed. The amount spent in the parish in one year is about 110,000*l.*, including the cost of paving and lighting; of this only 71,797*l.* is the amount levied in the shape of rates in the year, and spent by the vestry, and included the police and the county rates, 2856.—Does not object to the system by which the metropolitan police is under one general management; but objects to the system by which it is paid for at present. Would prefer that the whole of the metropolitan boroughs should be formed into different municipal bodies, and then one general body should be elected out of them to control the main features of expenditure, dividing the amount rateably between the whole of the boroughs, 2857.—They pay for police rate 6*d.* in the pound, while upon other parishes not rated up to the full value perhaps only two-thirds is levied, owing to the defect of the present law of assessment. They have also to pay to parties not appointed by them 4,359*l.* for lunatics. Thinks if they had a corporation of their own a large portion of that might be saved, 2858.—The deputation emanates from the vestry, 2859.—The vestry were unanimous in preferring municipal institutions to the present parochial government, 2860.—The accounts are audited by five auditors annually elected by the ratepayers themselves. These auditors have ample powers of going into the accounts; they can reject items, 2861, 2862.—They are not so much professional accountants, as men well conversant with accounts, 2863.—The auditors are in an independent position, and do object to do what they think is objectionable. They not only audit the whole details, but they also state to the public our assets and liabilities at the end of every half year, 2864.—The vestry of St. Pancras feel that they have not at present sufficient powers for the proper management of the affairs of the parish, otherwise they would not have tried, at such an expense as they have incurred, to get additional power, 2865.—They are prevented obtaining proper local legislation, the House of Lords having thrown out their bill, 2866.—At present their parochial affairs may be said to have been brought to a complete stand-still, as far as paving and lighting are concerned, and also on the other points over which they have no control, amounting to so large a proportion as one third of the entire expenditure. Witness also has been requested upon one other point to speak to the Commissioners; refers to a part of the practic of the Mayor's Court in the City of London, by which foreign attachments may issue upon the monies or goods of traders in the City of London. Witness here states particulars, 2867.

Corn Dues. (*See* Dues.)

Corn:

Weight and measure of, *Hales*, 1661, 1662.—Taking the average of five years from 1847 to 1852, the quantity generally measured has been 4,409,032 quarters, varying slightly, including coastwise and foreign, *Harris*, 7988-7992.

Corn Shifter:

Paymaster and collector of metage, lastage, fillage, and porterage, all one office, called Corn-shifter, *Rushton*, 7870-7873.—Its duties are to collect the metage dues, and pay the porters, *ib.* 7875.—Has had nine clerks employed; but for the last five years has had but five, *ib.* 7885.—The office was formerly held on lease, paying an annual rent to the Court of Rulers, *ib.* 7889.—In 1827 an Act of Common Council was passed that the Corn-shifter should be elected by the Common Council, and the Court of Rulers should find the money, *ib.* 7889-7898.

Corner, George Richard, Esq. (*Analysis of his Evidence.*)—Has practised as a solicitor in the borough of Southwark since 1824. Is vestry clerk of the parish of St. Olave, clerk to the board of guardians of

Corner, George Richard, Esq.—*continued.*

St. Olave's union, and prothonotary of the Borough Court, 2174.—Is well acquainted with the nature of the connexion which now exists between the City of London and part of the borough of Southwark, 2175.—A large portion of the inhabitants of Southwark have, during the last 60 or 70 years, been using great exertions to be incorporated with the City of London, founding their claim upon the charter of Edward VI., 2176.—The application from Southwark to the corporation has always been for full incorporation with the City. In 1660 they applied to Parliament for a separate incorporation, but failed, and the borough of Southwark has remained under the imperfect jurisdiction of the City, 2177.—Would defer answering the question as to the expediency of the incorporation of Southwark with the City, till after the meeting which is called to consider that point, 2178.—The Commissioners cannot come to a proper consideration of the relation between Southwark and London, without going into a history of their connexion, 2179.—Lays before the Commissioners a plan showing what the borough consists of. If Southwark be incorporated with the City it should include the new parts which have been added to the Parliamentary borough, 2180.—It would cause great inconvenience to place different parts of Southwark under different jurisdictions, 2181.—If the borough of Southwark be made a ward of the City, it must necessarily be taken out of the county. It has never been separated from the county, which is one of the evils complained of, that it is subject to two jurisdictions, the courts of Surrey and the City courts, and from which the charter originally granted did not relieve it, 2182–2185.—The City does not interfere enough with the borough of Southwark. The City holds three Courts Leet for the manor. It is not the case that at these courts fees are payable by parties called upon to serve offices, 2186.—The Courts Leet are ancient courts of the manor; the steward of Southwark presides in them, and is appointed by the Court of Aldermen, on the nomination of the lord mayor, 2187–2189.—Besides these Courts Leet the corporation hold quarter-sessions, at which nothing is done, because they have no alderman to hear cases, therefore there are no commitments for trial at the quarter-sessions. The grand jury are summoned, and the lord mayor, the recorder, and the aldermen who have passed the chair, who are justices of the peace in Southwark, under the charter of Edward VI., attend merely to discharge them. These sessions are merely formal, 2190–2194.—The Court of Quarter Sessions, the assizes, and the Central Criminal Court, have jurisdiction in those cases, 2195.—The Court of Common Council appoint the coroner, 2196, 2197.—The City have the metage of corn and fruit, not only over Southwark, but for the whole City of London, 2198, 2199.—There is the Borough Court, which is a court of record held by prescription for trial of all actions of debt and trespass to any amount. The steward of Southwark is the judge, and the causes are tried by jury. The judge is appointed by the City. It is a very useful court, and one from which the public derive benefit, 2,200–2205.—Does not think the City interferes in any other respect with the borough of Southwark. Should mention they have a nominal alderman of Bridge Without, and the senior alderman who has passed the chair is always appointed to the ward, as a sort of honourable sinecure, 2206, 2207.—The City appoints the coroner, and he has jurisdiction only over that part of the borough of Southwark which was granted to the City by charter. The rest of the borough is under the coroner for the county, 2208-2210.—The general feeling is in favour of a complete incorporation with the City. Quotes an account of the proceedings at the town-hall of the borough of Southwark, and ward of Bridge Without, held 27th June, 1814, decidedly in favour of such incorporation, 2211–2213.—The high bailiff is appointed by the common council, 2214.—The returning officer of the borough of Southwark is appointed by the common council. Under the Act for establishing a Court of Requests in the borough he was the bailiff of the Court of Requests, and was entitled to certain fees, 2215.—The only prison over which the City exercises any jurisdiction is the Borough compter, but it is now quite unused, and partly pulled down. The town-hall is also the property of the City, 2216.—If the whole of the borough of Southwark were incorporated with the City, the addition would be larger than the original body, 2217.—That part of

Corner, George Richard, Esq.—*continued.*

Southwark which borders upon the Thames resembles in a great degree, in point of trade and mercantile occupation, the City of London as it now exists, 2218.—The borough of Southwark, like every other place, contains a mixture, 2219.—Does not think that adding the whole of the borough of Southwark to the City of London would destroy the special character which now belongs to the City. Southwark is essentially a commercial borough, and all its commercial interests centre in the City of London, 2220.—Taking the borough of Southwark as a whole, it closely resembles the City of London, 2221.

Coroner and Clerk of the Peace:

Would unite the offices, *Bennoch*, 2075.

Coroner:

The appointment is for life though it is called annual, *Payne*, 6814-6818.—The fees and expenses of the office are paid from the corporation funds, *ib.* 6822.—The emoluments of the office amount to about 500*l.*, *ib.* 6824.

Corporation:

The aim in reforming the corporation is chiefly to provide a good machinery for administering the City property, *Acland*, 392.—A power is vested in the corporation to impose tolls, restraints, and annoyances, upon the trade and commerce of the Port of London, *ib.* 393.—Statement as to the order and government of the corporation, *Pulling*, 894.—The officers have been multiplied without necessity, *ib.* 955.—The corporation has almost for every purpose and every department of municipal government four or five classes of officers, *ib.* 956.—Statement as to the duties of the judicial officers and the town clerk, *ib.* 965–969.—Statement as to other officers, *ib.* 979.—Has seen great efficiency among the officers of the corporation, *ib*, 980.—The wants of the metropolis have outgrown the corporation. Self-government in London is almost impossible, *Elliot*, 1077.—Thinks the power that the corporation have of interfering with Parliamentary business to the extent they do a great evil, *ib.* 1106.—The corporation have great Parliamentary influence, *ib.* 1110.—Objects to the constitution of it rather than to the conduct of individuals, *Cotton*, 1848.—Statement as to the cost of the management of the affairs of the corporation, *Williams*, 2812.—Suggestions for the improvement of, *Wilson*, 4383.—Is the only municipal body within the metropolis, *Merewether*, 4826.—Has never been able to satisfy himself whether the companies may be said to be a part or an adjunct of the corporation; with very few exceptions they act almost wholly independently of the corporation, *ib.* 5344–5356.—The corporation derive no benefit from the profits of the river. The £1,100 a year is a mere trifle compared with what is really required, and which in truth is paid out of the corporation funds, *Wortley*, 6475.—Gives a summary of sums given to public improvements or charitable purposes, *Merewether*, 6764, 6765.—Denies that the corporation is composed generally of retail dealers, *Bower*, 7027, 7028.—With reference to the commercial standing of the corporation, reads two paragraphs from a "Gazeteer" of the year 1769, *Lord Mayor*, 7146.—Witness gives his views upon the present position of the corporation, *ib.* 7154.—Is not composed, as has been stated by Mr. Travers, of retail dealers or small shopkeepers, *Dakin*, 7374–7380.

Corporation Accounts. (*See* Chamberlain).

Corporation Debts:

Report of sums owed in 1817, *Pearson*, 8476.

Corporation Property:

The 4*d.* coal duty, metage dues, tolls of the markets, &c., *Tyrrell*, 5417, 5439.

Corporations:

Opinions with regard to, *Hankey*, 1721, 1722.

Cotton, Wm., Esquire. (*Analysis of his Evidence*).—Is a director of the Bank of England, 1783.—Has never been engaged as a merchant, principal occupation has been that of shipowner and manufacturer carrying on business at Limehouse, 1784.—Has been connected with that business for about forty-five years, 1785.—Has directed his attention to the general constitution of the corporation, not to any minute detail of their proceedings, 1786, 1787.—Thinks a division, but not constituted as at present, might be advanta-

Cotton, Wm., Esq.—*continued.*

geous in every corporation. There should be one body superior to another, 1788.—The court of Aldermen are magistrates of the City of London, can only judge of their duties from what he has seen recorded in newspapers, 1789.—The aldermen sit together as a court, and separate aldermen sit as magistrates, 1790.—There is an inconvenience attached to aldermen sitting as magistrates; from the number of cases, people are indisposed to become aldermen on account of the tax on their time. There is an advantage in not having the administration of justice in the hands of paid magistrates, 1791.—Not desirable that aldermen should continue to exercise the duties of magistrates. There should be responsible magistrates appointed like the ordinary police magistrates who should not be dependent on their assessors for information necessary for due administration of the laws, 1792.—The lord mayor and aldermen are greatly dependent on the advice of their paid assessors, in the choice of whom they have been very fortunate, 1793.—The system is one of stipendiary magistracy without the proper responsibility which ought to devolve on their legal advisers, 1794. —The aldermen of London acting as magistrates are more dependent on their legal advisers than the county magistrates on their clerks, 1795.—The paid assessor is practically the magistrate without a proper responsibility, 1796.—The whole constitution of the City ought to be altered. Should be sorry to see the corporation done away with. Some of the leading bankers and merchants used to be aldermen. The first person who threw up his gown was Mr. Robert Williams, a banker in Birchin Lane, from which time there was a sort of slur cast upon theposition. Formerly many of the merchants resided in the City, now scarcely one; the population has diminished, especially those who ought to undertake the duties of aldermen, 1797.—In early days the corporation represented the bankers and merchants, 1798.—Merchants have ceased to reside in the City, 1799.—Not many of the present aldermen reside in the City, does not know where they have their places of business there. The temptation to be an alderman is much greater to a person keeping a shop than to a merchant, 1800.—Believes the corporation represents the retail trade rather than the superior branches of commerce, and the retail trade is considerably altered, the great retail shops are now more at the West end than in the City, 1801.—There are several large retail shops in the City, but the proprietors are unwilling to undertake the ordinary duties of magistrates, 1802.—The state of things referred to dates from within witness's recollection. There were violent attacks made by a party in the House of Commons which brought them into ridicule, 1803.—Is aware that the election of the common council is in the freemen of the different wards who pay a certain rent. Formerly the merchants being free there was a different class of persons to elect the common council, 1804.— Of late years a material change for the worse has taken place in the common council, 1805, 1806. —Does not know in what way the committees are appointed, but thinks there are too many members in each, 1807.—The members of the common council are suited to be a legislative rather than an executive body, 1808, 1809.—Has never transacted any business with the navigation committee, 1810.—Is not a freeman, but considers the elections in common hall very unsatisfactory, 1811.—The plan laid down by the Municipal Act is preferable to the one pursued by the City. Thinks that they have not considered the advantages of electing the parties who are afterwards to elect the proper officers to perform important duties, 1812. —If a system were established by which the common council would have the confidence of the metropolis, from being elected by a great number of persons interested in the prosperity of the City, it would be better to vest the election of the officers with them than with the liverymen, 1813.—Is acquainted with the relation of the trade companies to the corporation. The companies were established for the sake of encouraging their craft, but now the larger companies have very few of their own craft among them. The parties made free by those companies ought not to elect the lord mayor, for the least select are most disposed to add to their number, and the important companies are more particular about the admission of liverymen, 1814.—A better sort of party than the liverymen might be arranged to have authority in the corporation, 1815.—The same franchise dependent on the occupation of a house for a certain time, and the payment of rates as under the general Act might

Cotton, Wm., Esq.—*continued.*

be taken without reference to the companies, 1816.— Most of the companies have lost all special reference to the trade whose name they bear, 1817.—Has no knowledge of the privilege of the City with respect to porterage and metage than what he has seen in the papers, 1818.—Has never had occasion to employ them, 1819. The constituency of London for the election of municipal officers should be in householders of a certain class, 1820.—Unnecessary that they should be free; it used to be considered necessary for any one carrying on business in the City to be free of it, 1821.—Sees no object in admitting to freedom without reference to the parties belonging to any company; received a notice to take up his freedom, but does not think it in the power of the City to compel him. They have never tried to enforce notice, 1822, 1823.—The corporation possesses a large income independently of the taxes levied upon the public, 1824.— They have used it honestly but not in the best way. Should like to have seen them employ a large sum in the social improvement of the inhabitants, but does not think they have done so, 1825.—Does not think the corporation has stood sufficiently forward as the promoters of purposes of public utility. They should have put a stop to many things which interfere with the commerce, as porterage, which is only advantageous to individuals, 1826.—A great exertion has lately been made in the improvement of the thoroughfares. Might have proceeded more rapidly with that than they have done, 1827, 1828.—They appear to have attended more to their own portion of the town than to the general interests of the metropolis, 1829.—The City has a prior claim to the property which was left for the improvement of the City, but there are other incomes which they ought to devote to the general improvement of the metropolis, 1830.—At one time the City was the greater part of the metropolis, nearly all the business was carried on there, now it is only a small part of the metropolis, 1831.—The character of the City has changed since the time that many of their endowments were acquired, 1832.—So that endowments intended for the entire City have now been appropriated to a small portion of the metropolis which has outgrown the City, 1833.—Thinks it possible to devise a plan for the municipal government of the whole metropolis. A certain number should be elected by a large portion of the metropolis and they might elect a small number for the executive council, 1834.—Thinks it would be possible to provide a fund from which a supply might be obtained for defraying the expense of any public work, 1835.—At present there is no mode of imposing a tax limited to the metropolis but co-extensive with the metropolis, 1836.—If you ask the Chancellor of the Exchequer for a grant, he will say, "If you build bridges in London, I must build them in other parts of the kingdom," 1837.—Regrets that the wealthy who occupy the metropolis cannot be called on to do that which would be of essential benefit to the mass of the population, 1838.—Thinks such an object might be accomplished, 1839.—Agrees with most of the merchants that no good would result from a Chamber of Commerce, 1840.—There are a great many branches of trade which have their head quarters in London, 1841.—But does not think that a small body representing all the branches of trade could be satisfactorily found in London, 1843.—Separate branches of trade now have associations of their own, 1844.—There was an association among the shipping interest of which Mr. G. F. Young was chairman, 1845.—But doubts whether it exists now, 1846.—Thinks it better to form an association when there is anything particular to see into than to have a permanent one, 1847.—Has no other subject to mention. His objections have been to the constitution of the corporation rather than the conduct of individuals; having observed the aldermen and common councilmen, he thinks they have acted very honestly, 1848.

Courts:

Names and descriptions of the civil courts in the City, *Cotton*, 1867.

Of Aldermen. Generally a court of conciliation. The securities they have the power of taking from brokers too small in amount, *Lott*, 8008.

Borough. Is a court of record held by prescription for trial of all actions of debt and trespass to any amount. The steward of Southwark is the judge, and the causes are tried by jury. The judge is appointed by the City. It is a very useful court, and one from which the public derive benefit, *Corner*, 2205.

COURTS—*continued.*

Central Criminal. The Court of Common Council appoint the judge of this court, *Lord Mayor*, 7200.—The cost of a trial averages about 5*l.*, *Adams*, 7227.—The sittings are very irregular, *ib.* 7229.—Agrees with the recorder that it would be better to consolidate the criminal jurisdiction, and have but one court, *ib.* 7230.

City Courts. Facts connected with, *Wortley*, 6479.—Are too many and conflicting; the Court of Hustings, the Mayor's Court, the Sheriffs' Court, and the Secondary's Court, might with great advantage be consolidated into one court, *Lord Mayor*, 7169.—The Courts Leet are ancient courts of the manor; the steward of Southwark presides in them, and is appointed by the Court of Aldermen, on the nomination of the Lord Mayor, *Corner*, 2187.

Of Hustings. An absolute one, *Acland*, 436.

The Lord Mayor's. The Lord Mayor's statement in explanation of charges made against the gross amount of expenditure is 1,738*l.*, *Goodman*, 6293.—Thinks if they were assisted by the authority of Parliament in making a few alterations that court is capable of being made of great value to the inhabitants of the metropolis; it has all the power of the superior courts, with some exceptions, *Wortley*, 6481.—The principal peculiar custom of the court is that of foreign attachment, *ib.* 6486.

Old Bailey Court. The attendance of a certain number of aldermen is necessary there, so the Court of Aldermen is never appointed to sit at the same time, *Merewether*, 4906–4098.

Palace Court. No longer exists, *Acland*, 42.

Police Courts. Thinks it would be impossible to improve them, *Kearns*, 2338.

Quarter Sessions. A very extraordinary power is given to the City of London under the 4 George IV. chapter 64, by which the Court of Aldermen are constituted a court of quarter sessions at all times for prison purposes, *Williams*, 2368.

Sheriffs'. Still so called, though in fact a county court; is presided over by a judge appointed by the Court of Common Council, *Acland*, 457.—There were two courts having exclusive privileges called sheriffs' courts, having a judge for each court; but they are now absorbed to a certain degree in the county court of the City of London, *Merewether*, 4700.—The judge of Sheriffs' Court is appointed by Common Council; salary, and duties, *Gurney*, 5731–5741.—The Court of Common Council appoint the judge, *Lord Mayor*, 7200.

Small Debts'. Reason of the use of the word "employments;" jurisdiction of the court, *Russell*, 5742–5748.—Salary of the clerk and his duties, *Wilkinson*, 6898–6900.—Gives full particulars of this court, *ib.* 6903–6931.

CRIMINAL JURISDICTION:

Thinks, if it could be managed, it would be very desirable to concentrate the whole of the criminal jurisdiction of this metropolis in one court, that court sitting almost permanently, *Wortley*, 6479.

CUSTOM HOUSE:

The ship's entry is a Custom House operation, *Baylis*, 7102.—A ship cannot depart in cargo without clearing at the Custom House, *ib.* 7109.—It is a similar process with ships clearing out, *ib.* 7110.

CUSTOMS:

States that there is great difference of opinion as to whether legal and valid customs of the City can be repealed by the general words of an Act of Parliament. That has been and is still a point of dispute, *Merewether*, 5338–5343.

DAKIN, THOMAS, Esq. (*Analysis of his Evidence.*)—Has been a member of the corporation between ten and eleven years. Is a chemist and druggist in the City, but does not reside there, 7347–7350.—Is a common councilman; has taken an active part in the corporation business, but has not paid attention to any particular points, 7351.—Has served upon the Gresham Committee; was chairman of the City side. Mr. Bennoch and Dr. Waddilove yesterday desired to know the amount of the property of the Gresham trust, and how it was expended. Witness went to Guildhall to obtain that information. Gives a statement of the receipts and expenditure of the City's

DAKIN, THOMAS, Esq.—*continued.*

moiety of Sir Thomas Gresham's estate for the year ending October 10, 1852. The City, acting as joint trustees, have from time to time advanced large sums of money above the amount received as trustees. After the fire of London, there was a debt of 20,000*l.*, which, with the interest from the year 1706, would make 120,000*l.* which the corporation have advanced out of their own funds. That amount has been entirely written off. Besides that, the City have made a loan of 25,000*l.* to the trust above the 85,000*l.* which they borrowed on the security of their corporate seal, and for which they are responsible, 7353.—The present debt of the Gresham trust is 85,000*l.* in bonds, and the loan of 25,000*l.* Is speaking of the moiety belonging to the City. The other moiety, which is administered by the Mercers Company, is similarly indebted to the private funds of that company, and but for these private advances, the trust of Sir Thomas Gresham's will would not have been carried out, 7354, 7355.—After paying the interest of its debt, the Gresham trust has not sufficient to pay for necessary expenses, without drawing on the funds of the City and the Mercers Company, 7356–7360.—The amount of charities under the Gresham trust, is 284*l.* 12*s.* 5*d.* for almsmen, 55*l.* a payment to poor prisoners. Any help which the Commissioners may be able to give towards altering the state of things in regard to Sir Thomas Gresham's will, will be considered a boon. Thinks that several questions with regard to the City improvements were not quite understood. Suggestions for improvements come from the inhabitants of the City. In 1834 the Improvements Committee caused one of Wylde's maps of London to be marked with all the improvements called for by the wishes of the inhabitants; the committee then refer the question to the City architect; he gives his judgment as to the priority in which those improvements might be taken, and the expenditure which would be incurred in their being executed. It is then brought back to the common council; then, if either of the plans is entertained, it is referred to the Coal, Corn, and Finance Committee; or the Improvements Committee might be empowered to consider how the necessary funds could be obtained. If that plan became so far matured, the remembrancer would have instructions to draw out a bill, and submit it to the Legislature. This is the usual course, 7361, 7362.—The City architect makes an annual report of the improvements, and the Improvements Committee give a detailed report of the cost, not only generally, but of each individual property; how assessed; whether by arbitration, agreement, or jury, 7363, 7364.—These reports are always published in a blue book, and the greatest publicity given to them. With regard to trusts, the conduct of the corporation is the same as witness has detailed with respect to the Gresham trust, 7365.—Does not think that the corporation are bound, in the erection of any great public building, to take the advice of the City architect. In the case of the Royal Exchange, the erection of that building was submitted to public competition, the cost to be incurred being set down in the specifications, and the amount of rental necessary to enable the Gresham trustees to carry out their trust. Out of the large number of plans sent in, there was scarcely one which did not either exceed the amount at the disposal of the trustees, or fail in producing the rental necessary to sustain the trusts of the Gresham will. Afterwards, three celebrated architects were asked to compete, but declined; ultimately the plan of Mr. Tite was adopted, 7366, 7367.—Has stated that the trusts of the corporation are a source of heavy expense to them, and not a source of aid. Finds that the Navigation Committee have advanced from time to time 40,000*l.*, and that the debt under bonds is 135,000*l.*, which the City is security for, 7368.—If the conservancy of the Thames were altogether separated from the jurisdiction of the City, it would be a pecuniary benefit to the City, and would relieve it of charges from which its funds are now liable; not that they are unwilling to discharge the duties assigned to them. It has been said that the officers of the corporation are greatly overpaid. Knowing both what they receive and the services rendered, thinks the sums they receive are not at all large for the duties they are called on to perform. Take, for example, the City solicitor; his salary and emoluments have been stated at 1,750*l.* a year. Within the last four or five years an addition of 600*l.* or 700*l.* has been made to his salary, before which it was not above 1,000*l.* or 1,200*l.* a year. There is always in the common council men who are on the side of

DAKIN, THOMAS, Esq.—*continued.*

economy, and before any addition to a salary is made, they look minutely into the question of the amount received and the duties performed. In the case of the City architect, before his emolument was increased, he said that the best part of his life was devoted to the service of the City, for a very incompetent emolument, not such as would enable him to have such a retiring property as every man in the highest walks of his profession has a right to expect, 7369, 7370.—It has been said that there are some situations which individuals have thought it worth while to expend large sums of money to obtain. Thinks this must apply to the office of chamberlain, 7371.—Does not think the officers of the City are overpaid, 7372.—Thinks that some of the older offices might be abolished. The office of the bridge-master is almost obsolete, and some others of that class; but of those officers who conduct the active business of the corporation, does not believe they are overpaid, nor are there too many of them. The City architect was a stranger to the corporation till the competition for the erection of the City of London School. This brought him so favourably under their notice, that when the office of City architect became vacant, he was elected to that office. Generally, in the election of officers, the efficient discharge of duties is looked to, not any undue partiality, 7373.—Mr. Travers has not given a fair or correct representation of the City, when he states that the corporation now belongs to the class of small shopkeepers, 7374.—Is in the ward of Candlewick, and can state from his own knowledge that the members returned from the different wards adjoining his own are wholesale dealers. Is himself the only retail dealer; and that scarcely a fair description of his position, as his principal business is as a wholesale and export dealer. Has also large mercantile transactions with China and the East Indies, 7375.—His principal occupation is not of a retail character. Has another large wholesale business close by. The fact of having a shop does not prevent his being invited to take part in large commercial transactions. Is chairman of two companies, director of a dock company, and a director of one of the London insurance companies. Feels therefore that he may be allowed to represent his class, and disabuse the minds of the Commissioners of the impression that they do not fairly represent the trading interests of the City, 7376.—There are men in very large trade now connected with the corporation; perhaps not men whose names are eminent in the world. During the last quarter century a new class of business has sprung up, that of public companies, and those gentlemen who style themselves South American or West Indian merchants can find time to attend to them, as there is a payment connected with them, though they cannot attend to the affairs of the municipality. For instance, Mr. Powles, a South American merchant, has no time to attend to the affairs of the City where he carries on his business, but has time to give to various public companies for which he is paid. This is a part of their profitable business, but it should not necessarily cast a reflection upon that class who, perhaps equally competent to give their judgment in important matters, devote their time to avocations for which they receive no remuneration, 7378.—Of the 200 common councilmen not above twenty-five live in the City, 7379, 7380.—It would be most desirable that all the mercantile classes should co-operate in the management of the municipal affairs of a City like London, but it would be most difficult to bring in the first-class merchants and bankers of the City, though, if the position of alderman or common councilman be estimated by the duties performed, it must be one of the greatest honour and importance, 7381, 7382.—If a first-class merchant were disposed to take his share in the business and functions of the corporation, there would be no indisposition on the part of the traders to elect him, 7383.—Does not believe there is any jealousy between the wholesale and retail traders on either side, 7384.—Having been appointed one of the deputation to confer with the directors of Southwark Bridge, is able to state the position in which that question stands. Although the Bridge House property is already occupied, and pledged to a large amount, so that no part of it could be used to purchase the bridge, still, if the directors would meet the corporation in an equitable spirit, they would make an effort to find from their own funds, in conjunction with the Government, some reasonable amount, to make the bridge available for the public. The directors had stated that they expected to get 300,000*l.*, but the common council heard they were disposed to take a smaller sum. A deputation of four gentlemen, therefore, waited on them, to ascertain their views as to price. They were furnished with a report of the select committee of the House of Commons in 1836, giving a precise account of the net amount of profits received by the bridge company. Found, that in 1848 the entire net proceeds were 1,875*l.* per annum. The deputation expressed to the directors their opinion that they might reasonably moderate their demand of 300,000*l.* The directors replied, "We will not promise you that the proprietors will take that sum; if you do not agree to it now, the probability is, when you come again you will have to pay a much larger sum." In the face of this, thinks it was not fair of Mr. Thomson Hankey to state that the City showed an incompetency to provide for the wants of the public; on the contrary, the corporation have shown every desire to provide for their wants. In addition to the sum to be paid for the bridge, it was ascertained, that probably 150,000*l.* more might be required to make the approaches necessary for the public traffic. Has before him a report of the Royal Entertainment Committee. The Commissioners have asked several witnesses the cost of the ordinary banquets and feastings of the corporation. Brings this document forward only to show, that in getting up entertainments, considering the position of the City and the occasions which give rise to them, they are done with all due economy. In a City like London, which has so long been associated with the functions of the Government and the monarchy, it is useful to continue these entertainments, as a means by which the highest personage in the state, the ministers and nobles of the land, may meet the middle classes of society. There is a letter in the report referred to, which shows that Her Majesty was very pleased to receive the loyal welcome which she had at that time. It has a tendency to strengthen the general links of society. Another good effect of that expenditure of the municipality is, that the French municipality responded to an invitation which they in common with all connected with the Exhibition of all Nations received. They invited the municipality of London back to Paris, and a friendly interchange of civilities took place. Looking to the expenditure of the banquets, according to a report of the 3d of July 1814, to the allied sovereigns and the Duke of Wellington cost 25,000*l.*; but on the contrary, at this last entertainment 5,000*l.* was voted for it, and a balance of between 100*l.* and 200*l.* was returned into the chamber. Was chairman of the committee, and had no personal expense, 7385.—The two entertainments were not of the same kind; the former were dinners. Of course the propriety of such expenditure must be measured by the state of the exchequer. In the year following the report of 1817 there is a report of the Finance Committee on the corporation difficulties. In that report it is stated that there is debt due to the Bridge House fund of 33,000*l.*; 25,000*l.* in 3 per cent. consols due likewise; due to the Norwich bank 10,000*l.*, to Sir Richard Carr Glyn 5,000*l.*, Mr. Chamberlain's interest 1,508*l.*, claim of Mr. Remembrancer, one of their own officers, 17,000*l.*, Mr. Solicitor, 6,000*l.*, showing a debt of 92,508*l.*, which, from the nature of the items, was of a pressing nature. The condition of things is very different now, which justified a limited expenditure of that kind for the public objects I have named. Has been ten years connected with the corporation, and can confidently state that the charges of corruption and jobbing are utterly untrue, 7386.—The committees of the common council conduct the details of the business referred to them, 7387.—The committees have no general control over the officers; that is with the court. The assistance of the officers is required by each committee according to the business laid before it, 7388.—Thinks it would be a dangerous principle to leave more to the discretion of the officers. The details should be carefully looked over by the members themselves, 7389.

DAKIN, THOMAS, Esq. (*Second Examination.*)—Has been a member of the common council, and also of the Irish Society, and was elected deputy governor of that society three years ago, 7417-7419.—It is an annual office; by charter the members are elected for two years, and then go off in rotation, 7420.—The origin of the Irish Society was, that in the reign of James I. the province of Ulster was forfeited to the Crown, and they were anxious to settle it with Protestants from

DAKIN, THOMAS, Esq.—*continued.*

England and Scotland. It was offered to the citizens of London, on condition of their erecting fortresses, taking possession of the country, cultivating and defending it against attacks. There were also certain terms of payment to the monarch. The 12 companies of London advanced sums of money to the then Government, for which they had this portion of the province of Ulster parcelled out among them. At that time the companies and the corporation of London were almost synonymous; in time, however, a separation took place, and the property was then divided among the companies in proportion to the amount originally subscribed, 7421.—Is not aware that any money was distinctly advanced by the corporation. At the time of the division a portion of the property was considered indivisible, and left under the control of the Irish Society. It consisted of the town lands of Derry and Coleraine, the fisheries af the rivers Bann and Lough Foyle, 7422–7423.—The Irish Society is a part of the corporation elected from that body, but entirely distinct. The corporation has no other than a visitorial power over them, that is, if they could be impeached for any breach of trust the corporation could step in and inquire into their management of their funds, 7424–7428.—The funds of the Irish Society are mainly returned to Ireland, in the shape of charitable benefactions for the support of schools, charities, and bridges, 7429.—Is not aware that there has ever been any surplus funds. The Skinners Company had an action against the Irish Society for some of the indivisible property, and in the course of that litigation they contracted a large debt. If there were any surplus, should think, according to the charters, it would be under the control of the society if they did nothing contrary to the trust, 7430–7433.—The entire cost of the Irish Society is restricted to 600*l.* a year. The expenses in London are 600*l.* a year, besides a secretary, to whom they pay 500*l.* a year, a messenger and a clerk, 7434.—It appears that the receipts for the year 1852, including a balance of 1,556*l.* from the previous year are 12,775*l.* The governor's salary is charged upon that amount, but the main expenditure is for schools and charitable purposes, 7435.—When the debt is paid off there will be a surplus, and does not doubt that the Irish Society will apply it to improvements for the benefit of the property, 7436–7437.—The Irish Society has no jurisdiction in the boroughs of Londonderry and Coleraine, except as owners of property there. They contribute towards the expense of the town council of Londonderry, and when necessities arise in that part of Ireland are the first applied to. When there was a question of the erection of a college for the education of the youth of that neighbourhood, the Irish Society manifested a desire to give a large donation and a yearly sum for the support of it, 7439–7441.—There is a payment made to the municipal authorities of Londonderry by the society. When they required a supply of water to the City they were assisted by the society, 7442–7444.—Nothing occurred with regard to the byelaws made by the corporation of Londonderry whilst witness was a member of the Irish Society, 7445.—Has never heard of any proposition for the sale of the property of the Irish Society; on the contrary, they pride themselves on their management of that branch of their duty, and consider it a creditable example that those parts which are under the jurisdiction of the Irish Society and the companies of London present a cheerful and flourishing aspect, and those parts without their jurisdiction indicate poverty and neglect, 7445, 7446.—There is a distinct management of the estates of the companies and the Irish Society, 7451.—If the Irish Society were to neglect their duty believes they would be amenable to the corporation of London, which has a visitorial power over them, though no case has hitherto arisen in which they have been called on to exercise it, 7452–7453.—The Irish Society submit to the corporation a paper showing their receipts and expenditure, which is presented annually to the Court of Common Council, 7454.—Thinks these estates are economically administered; there is no disposition to multiply needless offices, nor to give excessive salaries, 7455–7457.—Thinks the corporation watch these points; and as all their members are constantly moving through the Irish Society they have a knowledge of the trust, and always retain some feeling of interest in it, 7458.—The common council have the appointments connected with this society; they annually appoint the governor, also the members, who recommend the deputy governor, but

DAKIN, THOMAS, Esq.—*continued.*

the common council appoint him, 7460.—The Irish Society appoints to the places connected with the management of the property in Ireland, 7461, 7462.—Does not doubt that the total amount of the separate estates of the companies would be greater than the Irish estates, 7463, 7464.—The companies have a resident agent and officers to manage their separate estates in the north of Ireland, like the Irish Society, 7465.—In accordance with the charter the members of the Irish Society must be members of the corporation, and at one time were obliged to belong to one of the 12 principal companies, but that is not the case now, 7466–7468.—Is not aware of there being any opinion that the companies are not adequately represented by the Irish Society; they have each their own portion, received for the amount they contributed. Has already referred to the litigation with the Skinners Company, 7470.—If there were any available surplus it would be employed in the improvement of the property, 7471, 7472.—The corporation has no interest in the rents received by the Irish Society. They have never interfered in the management of the property. It was considered very desirable that, by their interference, the duration of the members serving should be increased to four years. The question was referred to the law officers of the corporation, who decided that the corporation had no power over the Irish Society to alter their arrangements, except they could be impeached in some breach of trust, and then they would have a visitorial power over them, 7473–7477.—The present state of things is, that estates in the north of Ireland belong to the Irish Society; they are elected by the corporation; they manage the estates; the whole income is expended for the benefit of the property, 7478.—The accounts are audited by a sub-committee; the deputy governor for the year takes the control of the financial department; the audited statement of accounts is printed, and sent annually to the members of the corporation of London, to the 12 companies, to peers and members of Parliament connected with the government of Ireland, and is also inserted in the newspapers published in the County of Derry, 7479.

DALTON, The Rev. CHARLES B., M.A. (*Analysis of his Evidence.*)—Is rector of Lambeth, and attended in consequence of being summoned, 4094, 4095.—The banks of the Thames adjoining the parish of Lambeth are in very good repair, but are not high enough. Whenever there are high tides the water overflows the banks and damages the property; many dwellings of the poorer classes are affected in that manner, 4096–4098.—At the spring tide the water overflowed the banks, and injured the property of the barge builders and the residences of the poorer classes. Two years ago there was a very high tide, and the misery to the poor was very great, so great that there was a public subscription; it cost a considerable sum to pump the water out of their rooms, 4099.—No representation has been made to the corporation of the City on the subject. Is not aware that the corporation have anything to do with it. Understands Mr. Edward's statement to be, that none of this inconvenience took place before old London Bridge was removed. Since receiving the letter from the secretary of the commission, has made inquiry among the watermen on the river, and was told that before London Bridge was built this did not take place. It is argued that, although the City are not responsible for repairing the banks of the Thames, yet, as they built London Bridge, it was their duty before they did so to take care to require the holders of property to raise the banks and provide for the consequences which would ensue, 4100, 4101.—Is not aware that the City has done anything to repair the banks of the river in the parish of Lambeth. Those high tides referred to do not happen frequently, 4102. To protect Lambeth adequately against the effect of those tides would be attended with great difficulty and expense. Believes the banks of the Thames in Lambeth belong to the lord of the manor, and the owners of the property, though they cannot drive a pile into the river without the permission of the City, 4103.

DAVIES, JOHN EBENEZER, Esq. (*Analysis of his Evidence.*)—Has heard the evidence with respect to those fees, which he corroborates. The fees are received by him as secretary, 8454–8458.

DAW, JOSEPH, Esq. (*Analysis of his Evidence.*)—Is principal clerk under the Commissioners of Sewers, 5909.—The Commission of Sewers in the City is appointed by the common council under the Act of Parliament

Daw, Joseph, Esq.—*continued.*
passed for the purpose, 5910.—This is a local Act, confining its provisions to the City of London, 5911. —Since the time of Charles II. the corporation have continued to appoint the Commission of Sewers, 5912.—The commission consists of the lord mayor the recorder and the common serjeant ex-officio, and all the aldermen and deputies, one commoner from each ward, except the ward of Farringdon Without, from which there are two commoners on each side of the ward, 5914.—It is a corporation commission, 5916.—After their appointment they execute all their functions totally irrespective of the corporation of London as a body, 5917.—It has always been considered desirable that they should have this sort of independent power, deriving their revenues entirely from rates upon the inhabitants of London, 5918.—Part of their revenue is derived from the consolidated rate. They are not only a commission of sewers, but also for paving, lighting, and for sanatory works; as commissioners of paving, for executing improvements, 5919.—All these powers are given under that commission, 5920.—The Act of Parliament refers to all these powers. The Commissioners of Sewers effect improvements, (which they have done within the last thirty years to the amount of nearly 100,000*l.*) under the Metropolitan Paving Act. The same power is invested in every paving trust in the metropolis, 5921.—They have the power of making two rates, the sewers' rate and the consolidated rate, both these rates upon the same assessments, 5922, 5923.—The limit is, that they may not make the consolidated rate to exceed 1*s.* 6*d.* in the pound in the year, or the sewers' rate to exceed 4*d.* in the pound, 5924.—Conceives the assessment is not up to the full value of the rental, 5925.—The assessment is made by the aldermen and the common councilmen of each ward. The Act of Parliament provides that it shall be made from the poor-rate assessment, unless the poor-rate assessment be deemed, in any case, a wrong one, in which case power is given the commissioners to amend it, as they may think fit, upon the advice of surveyors to be appointed, 5926.—Have not for some years gone to the full extent of their power in making the rates, 5928.—A 1*d.* rate produces about 4,500*l.*; the rental is estimated at about 1,100,000*l.* Have not raised the consolidated rate to the full amount for several years past, 5929.—The consolidated rate would produce, at 1*s.* in the pound, about 54,000*l.* Some years ago they had a 1*s.* 1*d.* rate, that was followed by a 1*s.* rate. For the last two years it has been a 1*s.* 3*d.* rate. The sewers' rate has been 4*d.* in the pound for several years till last year, when it was made 2*d.*, and in 1846 and 1847 it was only 2*d.* in the pound. They are still reducing the sewers' rate; the probability is it will be even less than 2*d.* in future, 5930.—Taking one rate at 4*d.*, and the other at 1*s.*, the taxation would be about 1*s.* 4*d.* in the pound, 5931.—The only three rates levied by the corporation are the police rate, the consolidated rate, and the sewers' rate; the same collector collects all three, 5934, 5935.—It might save time to consolidate the three collections, but does not see any advantage that would result from it, because the poundage would be the same; it is as low at present as it could be fairly reduced to, 5937, 5938.—Would wish the three rates to agree in all cases, 5939. —States the duties of the sewers' commission as relates to the consolidated rate, 5940, 5941.—The whole of the lighting, paving, and other sanitary works are done by the commission, 5943.—The duties under the sewers' rate consist of the construction of new sewers, reparation, cleansing, and supervision of sewers, and construction of private drains, 5944.—Does not think any inconvenience arises from the separation of the City commission from the other commissions of sewers north of the Thames. There is the best possible feeling between the two, 5945.—The district of the other commission of sewers surrounds the City commission on every side north of the Thames, 5946.—The advantages of a separate commission of sewers are these: the City have effected all the works which are necessary for the City of London at the cost of the inhabitants of the City, therefore it would be very unfair that they should now be subjected to taxation for the cost of the drainage of surrounding districts. Then again, the ancient and prescriptive right of self-taxation for these purposes has been with the City for so many centuries, that it would be unjust, unless there were strong reasons, to deprive them of it. With respect to lighting the City through the intervention of the commission, there has been a reduction of 25 per cent. within the last five years in the charge for gas to the public lamps, 5947.—The Act gives the commissioners the power of widening the streets wherever they think it necessary, 5948, 5949.

Daw, Joseph, Esq.—*continued.*

De Jersey, Mr. Henry. (*Analysis of his Evidence.*)—Has been connected with the corporation about fourteen years, 7541.—Is a solicitor, 7542.—Resided thirteen years in the City of London, now resides out of it. His offices are in the City, 7543.—Is a member of the common council, 7544.—Refers to the evidence of Mr. Bennoch in question 1156, and explicitly denies that the object of the prosecutions there referred to was to get money, by convicting the wholesale dealers of trading by retail, so as to oblige them to become free of the City. The object was simply to increase the constituency. When the bill was passing through Parliament, it was thrown out upon the ground that there was no application from those who were interested as freemen of the City or householders to obtain the bill, and in consequence it was resolved by a majority of members of the Court of Common Council, that traders in London should be summoned to take up their freedom. Mr. Bennoch asserts "this was an insane resolution." In answer to a following paragraph respecting bills prepared for Parliament to effect reform, does not think it possible they should be defeated by a combination of their own officers. When the site of the Excise Office was sold by the corporation it was covered with old decayed buildings. The Government, when they purchased it, laid out 120,000*l.*, or 130,000*l.* and then it was sold with those buildings in addition, 7546.—Mr. Bennoch says "the market will not be finished under 400,000*l.*, or 500,000*l.*" Witness is a member of the Markets Improvement Committee. The work is open to public tender, and is given to individuals who will do it in the best way, at the least possible cost. The Commissioners questioned whether so much land was necessary for a cattle market. Lord Palmerston recommended the purchase of more than the corporation had thought necessary. Does not believe one inch of this land will be sold on building leases. Believes it is systematically incorrect "that the corporation are unwilling to support any plan for the improvement of the bridges, and were goaded into the improvement of London Bridge." Mr. Bennoch himself proposed some plan for a bridge, but his gradients and statements were found very inaccurate when tested in the Court of Common Council. He objects to New Cannon Street, which appears to witness one of the best improvements for taking off the traffic from the docks and other places, consisting of heavy waggons. To prevent its being thrown upon Ludgate Hill, a small street is projected connecting Cannon Street with Blackfriars Bridge. Thinks Mr. Bennoch's opinion with regard to the appointment of chairmen of committees most incorrect in every sense of the word, 7547.—The number of committees might be reduced, but not to any considerable extent, which would be injurious. It is desirable that a man should be a member of more than one committee, by which means he acquires a knowledge of all the business before the corporation, and that is the great check to jobbing and corruption, 7548. —When acting as chairman of the City Lands Committee for Mr. Ashurt, who was unable to attend, there were during the year nearly seventy meetings, 7549.—Each committee has regular monthly meetings, besides extra meetings and meetings of sub-committees, 7550.—They sometimes meet two or three times a week, and at times sit from twelve till five o'clock, but in some cases the business is done in an hour, 7551–7554.—Thinks the working of the system of allowances given to committees has been practically beneficial, though should not, perhaps, have been willing to introduce it. Denies Mr. Bennoch's assertion "that gentlemen are placed upon the Navigation Committee who have scarcely anything else to do." It is true there are men in the corporation who have little or nothing to do, and so far have greater opportunity of giving their services to the corporation. Another witness names two parties who are said to be the only parties acquainted with navigation. Thinks every man of business can bring an amount of intelligence and information to bear upon the subject of the committee to which he is appointed. Feels no difficulty in the Navigation Committee, and thinks it highly beneficial that these matters should not be left to the guidance of a mere officer, but that there should be a controlling body, to hear the necessity of any step and the proposed remedy. Explicitly denies "that

De Jersey, Mr. Henry—*continued.*

when any gentleman shows himself particularly au fait upon a certain point, he would probably be excluded from the committee, because they fancy he has some private interest." Has no hesitation in saying such a person would be appointed. Mr. Bennoch refers to Blackfriars Bridge, and says "We have two conflicting jurisdictions, the Bridge House Committee and the Navigation Committee." He speaks of an accident which took place in the neighbourhood of the bridge. This did not occur from any thing which had been done to the bridge, but from the bed of the river being washed away, which left the piles supporting the bridge without any support outside, and caused them to bulge. The committee, under the advice of Mr. Walker, had a quantity of material thrown into the river, and the piles were restored to their original position, 7555.—There is no City engineer, 7556.—Upon questions of importance some eminent engineer is consulted, 7557.—Mr. Leach is consulted on matters connected with the Navigation Committee. Mr. Walker and Sir John Rennie are likewise employed. On the subject of sewers thinks the system adopted in the City is productive of the greatest practical good. Lives now in the neighbourhood of Brixton, and is painfully conscious of the difference between the two. Made an application nine months ago to the General Board of Sewers, which is still unattended to. In the City, an application at Guildhall would have immediate attention. With respect to the Irish Society, a printed statement of the receipts and expenditure is sent annually to every member of the common council. Mr. Bennoch thinks it an unwise resolution to have fixed the expense of the chamberlain's office at 2,372*l.* 10*s.*, as he concludes that when a vacancy occurs an incompetent clerk might be appointed, who must have 800*l.* a year. That is not so. When a vacancy occurs, it is referred to a committee, and in the present case a gentleman has been appointed at 500*l.* a year. Mr. Bennoch and my lord mayor speak of a combination of the office of comptroller with those of the Bridge House comptroller and the solicitor. The two comptrollerships might possibly be amalgamated, but thinks it impossible that one man should also perform all the duties of solicitor, 7558.—The corporation have many trusts to perform, but all those trusts bring with them their peculiar duties, 7559.—Does not think the business of the corporation could be much simplified with its present duties, and it appears impossible to reduce the offices to the extent of 40,000*l.* or 50,000*l.* a year, as suggested by Mr. Bennoch, though witness has been rather distinguished in the corporation by a desire to reduce offices and vote for a reduction of salaries. When it was recommended that the chamberlain should have 2,500*l.*, moved that the salary should be 1,000*l.* Agrees with Mr. Woodthorpe and Mr. Leach as to the working of the Navigation Committee, and concurs in the opinion of the latter that it would be undesirable to introduce into that committee members of the Dock Companies, or men who had any local or personal interest. At present the Navigation Committee appears a most independent body, and well calculated to carry out the objects necessary for the public interest, 7560.—Has served two years on the committee, 7561.—Thinks the conservancy of the river is managed in an efficient manner, so far as the committee have power, but believes they are restricted to a considerable extent in consequence of the existing litigation with the Government, 7562.

Delafield, William, Esq., and Horatio Nelson Fisher, Esq. (*Analysis of their Evidence.*)—(*Mr. Delafield.*) Is a partner in the house of Combe, Delafield, and Co., 599.—Mr. Fisher, who has conducted the suit between the City and his firm, will give any information required, 600.—(*Mr. Fisher.*) States that Combe, Delafield, and Company are brewers. Statement with regard to the City claiming to measure the malt brought up to London by Combe, Delafield, and Company, 601.—They claimed to measure the malt. They filed another bill against Combe & Co., in July 1839, in consequence of the refusal, which was answered in 1840. A bill of discovery was filed in the metage suit in March 1840, setting out certain documents, and praying to be allowed to inspect those documents, 602.—The portage suit was commenced in 1835, and the metage in 1839. The porters have an office in Tower Street where all their business is transacted. The City put in answers to the bill of discovery in the metage suit. The answer of John Hurcomb and John Eayres filed in December 1850, 603.—They are two of the heads of the

Delafield, William, Esq.—*continued.*

porters. Answer of the mayor and Henry Woodthorpe, the Town Clerk, was filed in January 1841. A third answer from the City and Mr. Woodthorpe was filed in February 1842. On the third answer, moved the court to get the papers shown, 604.—They admitted the possession of certain documents, but refused to produce them. Order from Lord Justice Knight Bruce, then Vice-Chancellor, for inspection of the documents, 605.—The documents were mentioned in the answer of the City and in the bill of discovery. Obtained order from Lord Abinger, Chief Baron, for a discovery in the portage suit, 606.—Both suits were in the Court of Exchequer. Saw some of the documents which Lord Abinger gave liberty to inspect, but they were not of much use. The portage suit came on before Vice-Chancellor Knight Bruce. Certain issues were directed by him to be tried at Winchester Summer Assizes; that was in January 1842. Obtained order from Vice-Chancellor Knight Bruce to examine documents of the City, supposed to be of great importance in both suits. Moved that trial of those issues should be put off till they had the privilege of inspecting those City documents. Appeal to the Lord Chancellor lodged against the Vice-Chancellor's order in the metage cross suit, and trial of issues put off in consequence. The appeal was argued before Lord Lyndhurst in January 1843; judgment given December 1845. Lord Lyndhurst confirmed the order of Vice Chancellor Knight Bruce. City appealed to the House of Lords. Suit began in October 1835. The thing is still tied up in the House of Lords, 607.—States that the appeal was given upon a collateral point, the refusal of the City to give up certain documents, 608, 609.—The documents are charters and other City documents which, it is thought, will prove that the claim which the City make is confined to the City or some part of the City, or as between seller and purchaser, where it would be very useful, 610.—The City claims a public right affecting the whole population of the metropolis from Staines to Yantlet Creek, by prescription, and charters supporting it, 611.—The City withholds the knowledge of public documents on which they ground claims affecting a large population both in and beyond the precincts of the metropolis, 612.—The result of the delay is that the claim of the City has not been enforced against Messrs. Combe & Co., 613.—The issues have been settled. Statement of Vice-Chancellor Knight Bruce, 614.—The portage suit stands over till the appeal to the House of Lords with reference to the order in the metage suit for seeing those City documents is decided, 615.—One suit hangs upon the other. Messrs. Combe's wharf is out of the City, 616.—The right claimed by the City extends from Staines Bridge to Yantlet Creek in Kent, upwards of 100 miles of river, 617.—Thinks it has cost Messrs. Combe about 2,000*l.* Reads evidence of Mr. George Stewart Amsinck, 618.—Thinks the 3¾*d.* or 4*d.* for 10 quarters mentioned in Mr. Amsinck's evidence would be for porterage only. Is not a fair comparison of the price of labour, 619, 620.—Does not know what lastage is. Thinks it would be necessary, in putting it in the sacks, 621.—Is not prepared to say how much Messrs. Combe would have lost a year.—(*Mr. Delafield*). About 1,000*l.* a year, 622.—(*Mr. Fisher.*) Thinks it very hard to put Messrs. Combe to the expenses from which they can derive no benefit, 623.—There have been cases in which the parties have given in because they were afraid to resist the City. Knows of one case, 624.—They were general corn factors and dealers, 625.—Believes this claim is enforced on parties who live out of the metropolis but within the jurisdiction of the City, 626.—The claim extends to all sorts of merchandise landed on the shore of the Thames for a considerable distance above and below the City of London, 627.—Believes this claim is enforced wherever it is worth the while of the City, 628.—The claim extends all the way from Staines to Yantlet Creek, 629.—Messrs. Combe and Delafield hold their premises on the north side of the river, under a lease from the Duchy of Lancaster. States that they had the evidence of the Secretary of the Duchy of Lancaster, with a view to escape by that means. Does not think the Duchy have the privilege, although he attempted to make it out, 630.

Deputy Lieutenants:

The chief magistrate should have 20 to assist him, *Wallis*, 1468.—Should be elected by the Crown, *ib.* 1473.

DERRY:

Irish Society pay their corporate officers 700*l.* a year, *Hazlett*, 8021, 8022.—History of its connexion with the Irish Society, *ib.* 8022-8080.

D'IFFANGER. (*See* George's Evidence.)

DILLON, JOHN, Esq. (*Analysis of his Evidence.*)—Is a merchant in the City of London, and partner in the firm of Morrison, Dillon, and Company, wholesale warehousemen, in the City of London, 650, 651.—Does not sleep in the City, but has been engaged in business there since the year 1818, and did reside there for many years, 652, 653.—Never was connected with the common council, 654, 655.—Is less acquainted with the affairs of the City than he was some years ago. In the year 1833 a Commission was issued upon the subject of the corporation. At that time a committee was formed of freemen to inquire into the abuses of the corporation, with a view to communicate with the Commissioners. Was appointed chairman. Produces a report drawn up by the committee on that subject. The committee consisted of 28 gentlemen, one now a member of Parliament for the borough of Lambeth, Mr. Williams, also Mr. Travers, deceased, Mr. Pritchard, Mr. Pearson, and Mr. Alderman Wire. He mentions these names to show the competency of the parties to make the inquiry. Some very important questions, such as police and sanitary questions, have since arisen, and extended the inquiry. To make the present corporation perfect, must extend it beyond the present area and limits of the City, 656.—Arrives at this conclusion from the necessity of uniformity with regard to police, and with regard to sewerage, 657.—Thinks it quite possible that some plan might be devised which should provide for a uniform system both of police and sewerage for the whole of the metropolis, without altogether abolishing the municipal system of the City. Should not propose the immediate and total abolition of the corporation of the City, but recommends that endeavours should be made to frame a more perfect system, by constituting as corporations Finsbury, Marylebone, Lambeth, the borough of Southwark, and so on; and that, having formed a series of corporations, you might, by means of boards to superintend the sewerage and police, without danger establish a more perfect system, 658.—One of the most important of the evils in the present system is the mode of making freemen of the City of London. Gives particulars of the mode of admission, 659.—Has no reason to believe that the corporation of London in early times exempted the larger wholesale merchants and traders from fines, while they exacted them generally on the admission of traders, upon grounds of public policy, but thinks it may have been so. A state of things of a very anomalous kind has arisen; while the poor are exempted because they cannot pay, the rich are so because by custom they are not called upon. An immediate and easy remedy for this state of things would be, that the freedom should be granted as a right, not as a privilege; every person who lived or traded in the City should by that fact become a citizen; and no fine should be exacted, except a small one for the mere purposes of registration, 660.—A nominal fee; not for the purposes of revenue, 661.—If it were a mere nominal sum, sufficient to defray the purposes of registration, it would be in effect nearly the same thing as doing away with the freedom altogether, and adopting burgesses, as in other corporations, 662.—Sees no advantage whatever in maintaining a connexion between the freedom of the companies and the freedom of the City, 663.—Is a member of the founders' company, 664, 665.—The feelings and opinions prevailing in the companies with respect to their connexion with the corporation are so various that he cannot classify them, 666.—There was a prevailing wish on the part of the companies to maintain a connexion with the City freedom. Most of the persons who are members of the City companies are also free of the City. They act in both capacities, and would retain their rights and interests in both, 667.—Has been told that some of the companies at present insist upon their right to compel persons exercising the trade of which the company bears the name to take up the freedom of that company, but is not well informed upon the matter, 668.—Has heard of actions being brought in which that point has been brought to determination, 669.—Admits that the corporation of the City has many defects. Judging from his experience, believes that whatever alterations are made in the corporation there will still be a reluctance to undertake municipal duties. Has witnessed several unsuccessful attempts to form a chamber of commerce in London. There is in these matters an essential difference between the commercial bodies of London and other cities, so that if the City corporation were reformed, an inclination would not be created on the part of the merchants of the City of London to take part in the management of municipal affairs, 670.—It was much more the habit a generation or two back for the principal bankers and merchants to reside in the City than it is now, 671.—Thinks it likely to have had great influence in causing the difference to which he has referred, 672.—It is natural that persons should feel more interest about the municipal offices of the place where they reside than they would feel if their residence is quite unconnected with their place of business, 673.—Should suggest that the three large constituent bodies in the City of London should be reduced to only one. The constituency under the Reform Act has worked a considerable difference in the constitution of the City, and removed many objections, 674. Can see no objection to the constituency formed for the purpose of voting for members of Parliament. The qualification of that is the 10*l.* householder, 675.—In order to vote for members of Parliament they must reside within seven miles; but still they, as liverymen, have not necessarily any interest in the municipal corporation or the welfare or rights of the City. They need not be engaged in business. They need not live within the City. That is the first constituency. The second is the constituency of the common hall, and is composed of the liverymen of the trading companies, of which one is called the watermen's company, whose votes are known by the name of the "'long-shoremen." The third constituency is a ward constituency for the election of aldermen and local officers, and consists of resident householders, being freemen. There is no longer any necessity for the voters being freemen or liverymen of the companies. Should suggest in place of the two first constituencies one for all the elections of the City, 676.—Sees no reason for keeping up the connexion between the companies and the freedom of the City, 677.—The general constituency should be totally independent of the companies, 678.—At present some of the officers are elected by the aldermen, some by the Court of Common Council, and some by the large constituency at common hall, 679, 680.—Very much inclines to a liberal policy in such matters, but can imagine some offices which had better be confined to the appointment of an active and limited body, 681.—Judicial offices and others, 682.—Thinks that the chamberlain should be elected by a large constituency at common hall, 683.—Has not considered the subject much, but thinks that the objection to any form of election is the chance of its being corrupt or misapplied, and suspects that the office of chamberlain is one which it would be better not to give into the hands of a few, 684.—Reasons for making this distinction: the fear of its being given from corrupt motives, or from favouritism, instead of fitness for the office, 685.—Thinks that an office which is given away either by the Court of Aldermen or the Court of Common Council is more likely to be given by favour than when it is bestowed by an election in common hall, 686.—Thinks that the election of lord mayor has become almost a matter of rotation among the aldermen, 687.—When there is a fear of a contested election, the uncontested election is likely to be decided by what would probably be the result of a contest, 688.—Would make the constituency in common hall much larger than at present, by the admission of a greater number of freemen. Corruption would be extremely difficult, 689.—Cannot say whether he would alter the limits of the wards; the principal public duties which they have to perform is the election of aldermen. Every alderman is a magistrate and justice of the peace, not only for and in that ward, but for the whole City for life. Cases have occurred in which a constituency of 50 or 100 persons in some of the smaller wards have appointed a man to be, as they thought, their alderman, neither knowing nor caring about the circumstance of his becoming their justice of peace. Thinks this a very unbecoming and injudicious proceeding, 690.—Is not aware that any of the wards have charities connected with them as wards, 691.—As to the advantage of retaining the division into wards, can give no opinion, 693.—The City is but a small area, 694.—The object for dividing and mapping it out into certain precincts for electoral purposes was self-government, and the appointment by the residents of a particular spot of their own officers, 695.—It is

DILLON, JOHN, Esq.—*continued.*

only as a justice of peace that an alderman becomes an officer in respect to the whole City of London, 696.—The Court of Aldermen acts for the whole City in its collective capacity, 697. Sees no reason for maintaining a division into wards in so small a district as the City of London, 698.—Considers local government a very desirable thing, 699.—Has never considered the case of the borough of Southwark, but believes that it stands in an inconsistent and incongruous position, 700.—Is in favour of a stipendiary magistracy, 701, 702.—Would appoint barristers of a certain standing, and pay them salaries, for discharging magisterial duties. The lord mayor and aldermen would then be relieved from their magisterial duties, 703, 704.—The connexion between the companies and the corporation of the City should cease, which would involve the total destruction of the Court of Common Hall, as at present existing, but it would then become a common hall formed of freemen of the City, instead of liverymen of the companies, 705–707.—Suggests that the interference of the companies in the City matters should be entirely abolished, 708.—Is not aware of any other connexion between the trading companies and the corporation. Has an impression that they are joint trustees for some purposes. The Royal Exchange is held under some kind of joint trusteeship between the corporation and one or more of the City companies; and there is a connexion between the corporation and the companies with regard to their Irish estates. These might have many matters of account between them, but no question of public principle. The funds and accounts of the City require revision. Has never found a man who is able to say what is the amount of the revenues of the corporation. The accounts should certainly be stated and audited more particularly and clearly than they have been, 709.—Thinks the auditors have been incompetent persons, but does not recollect the names of any recent ones, 711.—Looking at the corporation of the City in connexion with the map of London, would suggest the propriety of extending the area of its jurisdiction; but to this there are grave objections. Corporations might be given to the surrounding boroughs, 713.—From such four or five corporations, boards might be appointed, either by some federal union or some other means, 714, 715.—It would not be desirable to abolish municipal institutions, but to remodel and improve them, 716.—Should not propose any other alteration. The City would remain with its limits as a corporation, 718, 719.—Proposes that there should be a municipality of Finsbury, Marylebone, Westminster, Southwark, and Lambeth, 720.—Thinks it desirable that the police should extend over the whole of the metropolis, and not, as at present, be divided between the metropolitan police and the City police; and that the sewerage of the metropolis should be placed under a single authority, as also the regulations with regard to lighting and paving, 721–723.—Sees no reason why the supply of water should be taken out of the hands of private individuals or companies, 724, 725.—Repeats that the administration of justice in the City by the magistrates should be transferred to stipendiary officers appointed by the Crown, 726.—Assuming these measures to be carried into effect, very few functions of a municipal nature would remain for the corporation of the City and for the other corporations of the metropolis. The view he has taken may perhaps tend to the same result, but it would be more safely and gradually obtained, 727.—The corporation of the City is in possession of a very large income, independent of rates or local taxation, 728.—Thinks it a matter of great importance, with a view to corporation reform, that the good administration of that large income should be provided for, 729.—It is a legitimate object of corporation reform that endeavours should be used to apply the income of the corporation to as beneficial objects of a public nature as possible, but that it should be done under public control, and not by Government, 730.—The income of the corporation ought to be exclusively under the control of the corporation, 731.—The property of the City cannot be fairly applied to objects out of the City, 732.—Thinks it possible to find within the limits of the City objects of public utility to which the whole of the income might be applied, 733.—The widening of the streets would be a very material object, and improving the port and public buildings, 734.—Has had no experience of the privileges of the City with regard to porters and meters, 735, 736.—His warehouses are situated in the ward of Cripplegate, 737.—Has never employed the sworn porters of the

DILLON, JOHN, Esq.—*continued.*

City, 738.—Has no reason to complain of the trade regulations of the City, as far as his business is concerned, 739.

DINNERS:

At Guildhall, expenses between the Lord Mayor and Sheriffs, *Acland*, 420.

DUES:

Cart. Particulars of the, *Belton*, 2017.

Coal. The limits of, extend 20 miles out of London, *Hankey*, 1730.—Reasons why they ought not to be levied, *Belton*, 2001.—The coal tax is 1*s.* 1*d.* per ton, of which the City receive for the expenses of collection and other matters, 1*d.* They receive and appropriate to public improvements, under Act of Parliament, 4*d.*, and 8*d.* is handed over to the Government for the purpose of making general metropolitan improvements, *Bennoch*, 2054 a.—The evil of the coal tax lies in its being levied at all; the proceeds of the coal tax have been distributed with sufficient equality over the whole of the metropolis, *ib.* 2055, 2056.—The inhabitants of Marylebone complain of the coal and cart tax, *George*, 2274.—The coal duty is applied to the Orphan's Fund, *Merewether*, 2443.—It is a tax which a free-trade government should get rid of, *Hickson*, 2953.—They have increased, *Scott*, 4595.—They are three in number, *ib.* 4597.—All received by one officer, *ib.* 4598.—The City retains the 4*d.* duty and pays the 9*d.* duty to Government, *ib.* 4601.—Any expenses and outgoings being deducted, *ib.* 4603.—They have not all the same duration, *ib.* 4604.—The City have no interest in 9*d.* out of the 1*s.* 1*d.* paid for the coal duty beyond the charge of 88,000*l.*, *ib.* 4627.—A full report was made as to how much of the coal duties have been expended beyond the limits of the City. Statement as to the report, *ib.* 4633.—Extent of City jurisdiction over coals, *ib.* 4633.—Does not think the coal tax is felt to be a grievance by any class, *Lord Mayor*, 7199.—Full particulars as to the duration and appropriation of the coal duties, *Tyrrel*, 7236–7250.—The last portion of the 700,000*l.* which the City lost on the closing of the Exchequer by Charles II. was repaid in 1834, *ib.* 7238–7248.—The 8*d.* coal duty now annually produces 113,000*l.* net, *Hickson*, 2748.—The 8*d.* duty last year amounted to 117,606*l.*; the 1*d.* duty to 14,467*l.*; and the 4*d.* duty to more than 60,000*l.*, making altogether a tax of 192,000*l.* upon coals alone levied upon the inhabitants of this metropolis and twenty miles round; statements respecting this duty, *Williams*, 2817–2828.—Statement as to the 8*d.* coal duty, *Scott*, 4614–4623. 4627.—Statement with respect to the 4*d.* duty, *ib.* 4605–4612. 4631, 4632.—Particulars concerning the 4*d.* coal duty, *Tyrrel*, 7239–7250.—The corporation have a prescriptive right to the 4*d.* duty on coals, which duty they have charged with the large improvement in Cannon Street, *Hall*, 7326, 7327.—The 1*d.* duty produces about 13,000*l.* net, *ib.* 4624.

Corn. The result of these dues has been shown to be that ships are driven from the Thames to the Severn, because in the one they can clear their cargo for 14*l.* or 15*l.*, and in the other for 50*l.* or 60*l.*, *Bennoch*, 1252.—The corn duties, and other duties of that nature, are paid by the inhabitants of the metropolis generally, *Tyrrell*, 7251, 7252.

Tonnage. Paid to the corporation, *Williams*, 2798.—Are collected in the river, and the coal tax levied beyond the limits of the City, *Merewether*, 4825.—Particulars of, *Baylis*, 7090–7116.

Wine. Are collected by the same person as the tonnage dues, *Baylis*, 7090–7094.—The duty is 4*s.* 9½*d.* per ton of 252 imperial gallons, *ib.* 7112.—It is a uniform duty on all varieties of wine, *ib.* 7113, 7114.—The wine duties are paid weekly into the chamber, *ib.* 7117, 7118.

ECCLESIASTICAL PATRONAGE:

The corporation have some ecclesiastical patronage; they are proprietors of the advowsons of St. Peter's, Cornhill, and St. James's, Duke's Place, and alternately St. Margaret Pattens, *Hale*, 7515, 7516.

EDUCATION:

Mr. Brewer is publishing a work, which will show that the citizens of London have done more for the promotion of education than any other class of persons, *Hale*, 7517.

EDWARDS, Mr. GEORGE. (*Analysis of his Evidence.*)—The house in which he is a partner is engaged in the manufacture of linens in Scotland, and they sell their goods in London on the premises which they occupy in the City. Is one of the resident partners in London, 2840, 2841.—They have never had any difficulty in carrying on their trade, except that on one occasion it was required that the persons employed should be freemen instead of their own servants, 2842.—He and his partner are engaged in receiving goods made up in a certain state from Scotland. They require to transpose them, and put them in a new shape occasionally, 2843.—They receive a quantity of goods in a certain shape, and it is convenient in selling them to put them into another, and instead of sending them to calenderers out of doors find it more convenient to do the work at home by their own people. Some of the freemen of London thought they had a monopoly of the right to this work, because it was a calenderer's business. One of the partners was summoned to appear before the aldermen, who declined to interfere. Has no other complaint to make, 2844–2848.

ELECTIONS:

The City bill gave the liverymen a power of electing in conjunction with the householders, and to householders the monopoly of voting in ward elections, *Pulling*, 891.—Court of Aldermen claim extensive power over, *ib.* 892.—Describes the corrupt means used to secure elections in the City, *Mills*, 1004.—Not much corruption at the City elections, *Hyde*, 1542.—Non-resident voters for a member of Parliament do not refuse their expenses, *Wallis*, 1413, 1414.—In common hall are badly taken. Poll clerks have no official register. Many poll merely to get the fees for the day, *ib.* 1428.—Less money expended in City municipal than parliamentary, *ib.* 2896.—Bringing up distant voters adds to the expenses of City elections, *ib.* 2899.—Mr. Moon's contested election as alderman cost from 500*l.* to 600*l.*, spent in canvassing and parties. No man received a shilling for his vote, *ib.* 2900–2903.—For the office of Chamberlain, between Mr. Scott and Sir John Key, much money was spent on both sides; distant voters had to be paid their expenses and loss of time, *Rose*, 2908–[2913].—Complaints against the present system of, *Bennett*, 4179.—Suggestions for doing away with Bribery Act, *ib.* 4186.—If the system cannot be reformed it should be abolished, *ib.* 4655.

Common Hall Elections. With bribes varying from 1*s.* to 10*l.* can buy over the 400 liverymen, *Acland*, 417.—Common hall elections are a complete farce, *ib.* 2108.—In common hall, are conducted in a manner far from satisfactory, *Scott*, 4650–4654.—The election in common hall of the mayor, the chamberlain, the sheriffs, the bridgemasters, the auditors, and the ale connors, are all directed by a particular charter. The election of the recorder is with the aldermen. Supposes it is because the aldermen originally exercised all the powers of the corporation, particularly those connected with the administration of the law. The other officers are elected by the common councilmen, as representatives of the citizens, *ib.* 5033.—Provisions of the bill proposed in 1851 as to the right of voting at elections, *Merewether*, 5056–5108.—The effect of the bill would have been to deprive the livery companies of their monopoly of the elections at common hall, *ib.* 5078.—Does not think Mr. Alderman Humphrey was justified in his observation that he had been asked for a subscription to promote the election of Sir J. Key, *Lord Mayor*, 7145.—The common hall elections should be strictly confined to the election of lord mayor and sheriffs, *ib.* 7158.—There is much bribery in those elections, the candidates buy votes by the hundred. The agents hand in the names of the voters, and the contract is, they are only to be paid for those who vote for the party, *Harrison*, 7293.—In the ward elections it is sufficient that a person should be a freeman and a resident in the ward. As far as the franchise is concerned, freedom alone is necessary, *Merewether*, 5029.—At the annual wardmote elections there were not above two changes in the election of those common councilmen who formed the corparation last year, *ib.* 6774.

Election Act, 11th George 1st. Obtained by fifteen of the aldermen, by collusion with the Government. It took away the power of the citizens to amend the the customs, *Pearson*, 8472.

ELECTION, CONTESTED, between Sir John Key and Mr. Scott. (*See* Chamberlain.)

ELECTORS, MUNICIPAL. (*See* Municipal.)

ELLIOT, JOHN HAWKINS, Esq. (*Analysis of his Evidence.*)—Has been a common councilman for about five years. Has taken great interest in the examination of corporation affairs. Has for many years considered it not so useful a body as it might be, 1074.—Is a wholesale warehouseman in the City, 1075.—And resides there, 1076.—The wants of the metropolis have outgrown the corporation, which consists of men quite incompetent for the great and difficult matters intrusted to them. Self-government in London is almost impossible, as the most intelligent and influential men only spend a few hours there, and feel no interest in the municipal affairs of the City, 1077.—Thinks the first evil consists in the magistracy, which consists of twenty-six aldermen elected for life, who have neither time nor qualifications for their office. In addition to their duties as magistrates they are also members of the common council, and of various committees of the court, where they have a preponderating influence. Would relieve London of its alderman-magistracy, and have two paid police magistrates for the two offices of the City, appointed by the Crown. The aldermen take their places at the quarter sessions, but as they do not understand law, they get restless, and cause great disturbance. The business is conducted by a judge. The same applies to the Central Criminal Court, 1079, 1081.—Has known an alderman take his seat to adjudicate upon a case when his own partner pleaded either for plaintiff or defendant, 1083.—And of another going from prison in the custody of an officer day by day to dispense justice. No notice was taken by the corporation. The two police courts in the City are, by the Corporation report, carried on at a cost of more than 5,000*l.* a year. The twenty-three paid police magistrates in the metropolis cost altogether but 45,000*l.* a year, 1086.—The 5,000*l.* does not include the salary of the recorder. Believes the two cases to be parallel, 1087.—There is one police obtaining over nineteen twentieths of the metropolis, the total cost of which is 400,000*l.* a year. The City district has a police of its own, conducted at a cost of more than 40,000*l.* a year. Thirteen years ago an attempt was made to institute a uniform police over the rest of the metropolis, and it was then estimated that the police of the City might be well managed for 25,000*l.* a year, in addition to the cost of the metropolitan police. The City raised a cry about their rights, and the Government gave way, provided they formed their police on the model of the metropolitan, 1087. The City police is as efficient as it can be, cut off from the metropolitan, 1088.—The commissioners of sewers are a distinct body in the City, subordinate to the metropolitan board of commissioners. Does not think it desirable to disturb them, as in cases where it is necessary to have a united action they are always ready to act with the metropolitan commissioners. Having relieved the corporation of those important functions which ought to belong to the imperial authority only, submits that, for all the rest, the City of London should be brought under the jurisdiction of the Municipal Act, which will indicate whence the funds are to come to pay for the police and all other services, 1090.—Thinks there is a provision in the Municipal Act that stipendiary magistrates should be appointed by the Crown, and paid for by the rates; but if not, there are funds in the City. The lord mayor alone costs 25,000*l.* a year; so by stripping that office of some of its costs there would be funds for any new services which might be required, 1091.—By the plan which he proposes, the corporation might be reformed without clashing with the sympathies of the citizens, by extirpating it all together. Thinks the management of its estates would bear a fair comparison with that of the national estates of the Woods and Forests, 1092.—Would leave the charitable trusts in the hands of the corporation, reformed under the new Municipal Act.—By a proper management of the affairs of the City, enormous amounts might be saved for metropolitan improvements; and to show that there is no lack of funds, observes that the expenditure for 1852 for municipal purposes amounted to a tax of 5*s.* in the pound, and reckoning the rental of the City as 1,000,000*l.*, the expenditure for municipal purposes for 1852 was equal to 17*l.* per house, 1095.—Of the money so expended, about 146,000*l.* was derived from the City rents, tolls, &c., and about 120,000*l.* was raised by rates, 1096.—

ELLIOT, JOHN HAWKINS, Esq.—*continued.*

As in Marylebone, 1097.—An examination of the yearly abstract will show the distinction between the rents of the City and the tolls levied on the public, 1098.—The rates paid in the City for paving, &c. are quite as high as in Marylebone, 1099.—The rates are uniform over all the parishes, 1100.—They pay church rate, and all other parochial expenses in the City, independently of the municipal expenses, 1101.—With regard to the means of educating their children in endowed schools which the citizens of London possess, states that there are charities in the City, for instance, the City School, which enables them to give children a first-rate education at a very low price, 1102.—This school is in the hands of the corporation, 1103.—They have just built the Freeman's Orphan School available for the orphans of freemen till the school is full. They are now about electing them, 1104.—It is partly supported by the funds derived from the tax imposed upon the tradesmen of the City who are not allowed to commence a retail business unless they take up their freedom, and also the large fines wrung from those who do not find it convenient to be sheriffs. When any tax becomes obnoxious, the corporation take care to secure it for a particular and often a very good purpose, 1105.—There is a toll on the transit of commodities into the City. The corporation laid that fast to the amount of 5,000*l.* a year, by Act of Parliament, for the improvement of Holborn Hill. Thinks the power that the corporation have of interfering with Parliamentary business to the extent they do a great evil. Does not see why the inhabitants of the central district should possess a power which the people inhabiting the other districts have not, 1106.—The corporation have a remembrancer, whose duty it is to attend the House of Commons, and inform them if any Act of Parliament is proposed which can be considered hostile to their interests, 1107.—Some time ago they introduced a clause into an Act of Parliament without any public discussion, which gave them the power of levying a toll upon coals to the distance of twenty miles round St. Paul's. By reforming the corporation in the manner before described all such inconsistencies would be done away, 1108.—The corporation have great Parliamentary influence, 1110.—The coal tax has been misrepresented with regard to the corporation; it is 1*s.* 1*d.* in the ton. The corporation retain as much as is yielded by 4*d.* out of the 1*s.* 1*d.*, 1111.—The rest is under the control of the Woods and Forests, for improvements beyond the City. That is not to be complained of, provided the City apply their share properly, 1112.—Believes the part of the fund which is applicable to City purposes is perpetual, 1112a.—In a scheme of municipal reform, would recommend that the coal tax remain as it is now for ten years, as it is easily collected, and does not press hard on the consumer. Sees no advantage in making coals very cheap, as it would increase the fog and smoke in London, and render it more unhealthy, 1113.—Thinks that even if London has been deprived of some important branches of trade by the comparative dearness of coals, it has been an advantage, for the above reason, 1114.—But does not think it has been practically much the case, 1116.—With regard to the coal tax restraining the consumption of the poor as well as the superabundance of the rich, the cheaper things are, the more extravagantly they are used, especially by the poor, 1117.—Although coals are dear now it does not do to reason from the prices of one market day, 1118.—Thinks it advisable that the coal tax should be continued, and the proceeds entirely applied to metropolitan improvements, not only in the City. Knows no other way of raising 200,000*l.* a year so conveniently, 1119.—The application of the 75,000*l.*, being the corporation's share of the coal duties, is not very clear in the cash abstract. For the year 1852 they give the products of the corn and coal tax (by the corn tax is meant the metage dues, out of which they derive a profit of 10,000*l.*), the sum of 73,000*l.*, and they show, as the appropriation of that fund, 20,000*l.* spent for City improvements. Believes the rest was merged in the ordinary City expenditure. Considers it but fair to say that the corporation are now spending more money for useful purposes than they have done for many years. There is an item down of 20,000*l.* for public improvements, another 19,000*l.* for building lodging houses for the poor, 58,000*l.* for the new metropolitan cattle market. The difficulty in removing the old Smithfield market another instance of corporation narrow-mindedness, 1120, 1121.—Considers the City

ELLIOT, JOHN HAWKINS, Esq.—*continued.*

privilege with regard to metage and porterage disadvantageous to trade, as tradesmen are obliged to employ privileged persons at a greater charge than others would, which renders commerce in the City more expensive than in other towns, 1122.—The functions with respect to the conservancy of the river are in the hands of the navigation committee, which is composed of some members of the council, and a proportion of aldermen; persons one would suppose to be quite incompetent; but would not disturb an organization which has existed so long, 1123.—With regard to the borough of Southwark, would relieve it from the trifling jurisdiction which the City now has over it, and provide for its wants in the same way as those of Marylebone, 1124.—Considers that the size of the metropolis defeats the main objects of municipal government, namely, a knowledge of the local circumstances of the place, 1125.—Is not prepared to extend the Municipal Act to Finsbury, Southwark, &c. till the practical result of an improved municipality has been seen in the City, 1126.—It is in the power of those boroughs to apply to be admitted within the Municipal Act, 1127.—Does not think there has been any such move in any of those boroughs, except when they have been instigated to it by the corporation, 1128.—The general outline of his proposition is, to extend the provisions of the General Municipal Act to the City of London, placing all judicial functions in the hands of officers appointed by the Crown, and paid out of the City funds, and to incorporate the City police with the metropolitan, and to leave the board sewers as it is at present, with exclusive City jurisdiction, 1129, 1130.—Would entirely do away with the Court of Aldermen, 1131.—Would not disturb the livery or trading companies except in so far as they interfere with the freedom of trade; would deprive the livery of the power of electing the lord mayor and chamberlain, and by bringing the City under the Municipal Act would do away with all anomalies and absurdities, 1132.—Would get rid of all elections in common hall, and do away with the custom of liverymen residing within seven miles voting for Members of Parliament, 1133.—Would abolish the qualification of freedom, and consider every man free who lives in the City, and a burgess by the very fact of his having lived there a certain time and paid taxes, 1134.—Would assimilate the condition of burgesses in the City to that of burgesses under the general Municipal Act without exception, 1135.—Proposes that the burgesses should elect the town council, and the town council appoint the necessary officers. The aldermen in the new municipalities have scarcely any function except that of town councilmen, 1136.—The City now consists of twenty-five wards which are very unequal in their extent. Proposes that the City should be divided into twelve wards to return altogether 180 councillors, 1137.—Thinks that the difficulties with regard to the charities belonging to the present wards as wards might be got over, 1141.—That the old boundaries might be maintained for the purpose of administering the charities, while they were altered for electoral purposes, 1142.—Does not think the charities are considerable, 1143.—Witness as a common councilman has taken the usual amount of interest, and attended the committees as well as he could; but as the business of the corporation is carried on in the middle of the day, it prohibits men who have any avocation to perform from giving due time to it, 1144.—The court of common council is orderly in its proceedings, 1145.—It consists of 232 persons, 1146.—Which is very numerous as compared with other towns; it nearly doubles Marylebone, 1147.

ENTERTAINMENTS:

Some account of the expense of the banquet given to the allied sovereigns in 1814, contrasted with the entertainment to Her present Majesty, *Dakin*, 7385.

ESTREATS:

Facts of a case of prosecution in which the securities were forfeited, and query whether the fines belonged to the sheriffs or the corporation, *Gray*, 2914–2925.—Knows a case in which the corporation, having had a fine of 10,000*l.* set over to them, divided it among the sufferers from the delinquencies of the man who paid the fine, *Wire*, 7959.—In all places, unless by particular charter or grant, the estreats go over to the Crown. In Middlesex those which arise in connexion with the City of Westminster go to the Dean and Chapter of Westminster, *ib.* 7975.

Evidence Act:

Gives a power to a Court of Common Law of granting an inspection of the charters, *Pulling*, 857.

Farebrother, Charles, Esq. (*Analysis of his Evidence.*)—Has been an alderman of the City of London for 28 years. In pursuance of a resolution of a committee of aldermen, attends as senior alderman to express their entire approbation of the statement made by the recorder as containing the opinion of the Court of Aldermen, 7222.—Wishes the Commissioners to understand that though the suggestions of the lord mayor may be perfectly correct, still his statement is not the statement of the corporation. In answer to a question of the Commissioners to the lord mayor respecting the power of the Court of Aldermen to appoint police magistrates, states that by the Police Act passed of 1838 a power is given to the Court of Aldermen, in the event of their being unable to attend, to appoint such magistrates or persons as they may deem proper. There are a variety of charities, the administration of which is left by will to the Court of Aldermen for the time being. They are responsible, as all other trustees are, to the proper court for neglect of their duties, and may be dismissed from the trust if improperly carried on. Mentions this to show the distinction between these and other charities which are mixed up with the City of London generally. The Irish Society does not manage any portion of the estates which belong to different companies. But there was an Act of Parliament constituting a society for managing certain estates, in which the City have rights, and in which different persons have particular rights. In the Vintner's Company they have only an annuity chargeable out of those estates received by the City, and paid over to the company. The corporation of the City of London does not interfere with any estates which are the separate property of the different companies, 7223.—There is a committee now sitting to consider certain improvements and alterations to be recommended to this Commission, composed of aldermen and common councilmen, 7224.—Cannot say what is the precise constitution of the committee, but it is appointed for that special purpose, and is the same that drew up the statement submitted to the Commission by the recorder on a former day, 7226.

Farebrother, Charles, Esq. (*Second Examination.*)—Stated in former evidence, that there was a power given in the Police Act to the magistrates in the City to appoint further magistrates. Stated that the Act passed in 1838, but finds that it passed in 1839; and the power referred to is contained in that Act, the 2nd and 3rd Victoria, chapter 94, section 6, and is confined to the appointment of the commissioner of the police, 7268.

Fees:

Not one penny of the 74,000*l.* for fees appears in the City accounts. States how the gross sum was ascertained, *Williams*, 2804–2808.—The corporation have endeavoured to do away with fees, and to give their officers fixed salaries, *Scott*, 4527–8.—Thinks the practice of taking fees from the public for admittance to the galleries in the court at the Old Bailey very objectionable, more especially so now, for there is in the rest of the court no room for the public at all, though nominally open to the public, *Wortley*, 6502, 6503.

Fellowship Porters:

The fellowship porters are excluded from the London Docks for various reasons, *Cattley*, 1300.—Paid to them in nine months the sum of 1,939*l.* 4*s.* 8*d.*, *Keeling*, 1624.—Charges reduced one halfpenny a quarter, *Hales*, 1654, 1655.—Case in Commercial Docks, *ib.* 1657.—The body of free porters of the fellowship of London is not a corporation itself, but they claim their rights of labour under prescriptive right from the corporation, *Brown*, 3061.—The number varies with the amount of business to be done by them. Each fellowship porter, upon his admission, has to find two sureties, who give a bond in 40*l.* each for his honesty and general good conduct, *ib.* 3070.—The owners of the mills on the banks of the river have themselves excluded the porters; the dock companies have done the same, and make a profit on the labour. The fellowship porters petitioned the common council in the year 1847, calling their attention to the poverty brought upon the members generally in consequence of that portion of the employment being taken away from them, but from that time to the present they have not had any assistance from the corporation, *ib.* 3090–3092.—Thinks the corporation might more effectually protect their privileges if they were inclined, *ib.* 4018.—When a member of the corporation in 1833, witness brought in a bill, and passed an act through the Court to gradually reduce and ultimately abolish, if it was thought necessary, the fellowship of porters, *Pearson*, 5544.—The alderman of the ward of Billingsgate is always governor of the fellowship of porters, and his deputy is deputy governor, *Bower*, 6968.—Statement as to the fellowship of porters, *ib.* 6973–7018.—Gives full particulars about the rulers and porters, *Lawrence*, 7033–7089.—The system of fellwship porters is acceptable to the trade who come within the privilege, *ib.* 7088.—The porters do not derive any great benefit from the fellowship; it is considered a great advantage to the great bulk of the mercantile community, even in its decrepid state, *Lord Mayor*, 7173, 7174.—The porters have had their privileges interfered with, *ib.* 7175.—A conference has been held by several members of the corporation, and an agreement beneficial to the community at large has been come to; it will pass through Parliament, it is expected, with their sanction, *ib.* 7176.—The decrease in the annual payments to the fellowship from 1,604*l.* in 1841, to 770*l.* in 1851, alluded to by Mr. Lawrence, arises from the monopoly of labour by the dock companies, who will not admit the fellowship porters. They get the work done for 1*d.* per quarter, and charge from 2½*d.* to 3*d.*, *Rushton*, 7899–7912.

Ferguson, Sir Robert Alexander, Bart., M.P. (*Analysis of his Evidence.*)—Has been a member for the City of Londonderry for 24 years, 8140.—Resides within a mile of the town, on one of the perpetuity leases of the society, 8141.—Is well acquainted with the property of the society, 8142.—Enters into particulars as to the litigation between the Irish Society and the Bishop of Derry, and contradicts some statements made on the subject by Mr. Anderton in his evidence. With regard to the free school spoken of by Mr. Anderton, when King James granted Derry, &c. to the City of London, he seems to have expected that there should be a school. There is a small district in the possession of the society, which it is believed was intended for a school, which was reserved out of the division of the county among the companies, 8143.—That impression has arisen from papers produced during the proceedings of the Skinners Company against the Irish Society. Enters into particulars. The society have come forward since 1831 to support a school, but it is merely done as a gift at pleasure, so that the payment can be stopped at the will of the society at any time, 8144.—Believes the society are not only competent but bound to make a grant in perpetuity for the endowment of a school, 8145.—The present school is now deficient in funds for its support and for the repair of its buildings, 8146.—It would otherwise be extensively useful, and able to compete with the royal schools of Armagh, Dungannon, &c. Statement as to the estates of the royal schools in the counties, 8147.—The society, as trustees for the purpose of the plantation, being bound to give any surplus in their hands, after performing what they are called upon to do by their charter, to the London companies who furnished the funds from the outlay of which the society obtain their income, are incapable of performing properly the part of landlords. Thinks the constant change which takes place in the society makes it impossible that they can manage the property beneficially, 8148, 8151.—Thinks it would not be a breach of trust to manage the land as it is done in England, but does not think there would be sufficient funds. 8152, 8153.—The House of Lords avoided deciding whether the surplus should be given to the companies. Statement to prove that the society have not the power of doing their duty. Thinks something should be done for the town and district, as in the case of the ecclesiastical property, and Trinity College, Dublin, 8154.—Does not include the property of the companies, 8155.—Besides the measure adverted to, witness thinks there must be a definition of what the trusts and duties of the society are; their payments to the corporation of Derry ought not to be optional; if the corporation have a right to them, the right should be declared. Since the society granted the 1,200*l.* a year, they have not treated the corporation as they ought. Gives an instance, 8156.—Considers that an enormous part of the income of the Irish Society is spent in management and litigation, and that the

FERGUSON, Sir R. A., Bart., M.P.—*continued.*

litigation is not fairly carried on, 8159.—Some mode of simplification should take place to obviate that evil, and if there were grants in fee farm, that would do so, 8160.—Thinks three per cent. upon 25 years purchase of the present property would yield a larger sum than the net proceeds of the rental of those estates, if the charges of management are to go on in the proportion they did between 1817 and 1847, there are valuable reversionary interests which would bring in much money. The litigation in which the society has been engaged, with regard to the perpetuity leases, has been carried on most unfairly to the tenant. States full particulars, 8162.—Does not claim any peculiar privileges for the tenants of the society which should interfere with the general right which the community have to the advantage of the proceeds, as largely and as fully as they can be made, of the entire property; but thinks, as they are in possession, and have expended large sums on the buildings, they should have the right of pre-emption, 8164. —Thinks the deputations to Ireland would be very useful, were the members of the society less fluctuating, 8165.—The management of the affairs of the society rests practically with the London secretary, 8166.—The governor is elected annually, but has never known him changed when once appointed, 8167. —The present governor has gone over frequently to the estates, 8169.—Every Irish proprietor's affairs are of a very complicated kind in dealing with a large tenantry, so the difficulties of the society are very great, owing to the constant change of its members, 8170.—The tenants of the society are worse off in their relation to their landlord than those of any other proprietor which witness knows, both in the manner in which they are treated and the uncertainty in which they are as to how they will be treated should anything happen. Gives an instance. The society have given up for the last two or three years the practice of sending deputations over, but they now send what they call visitations, 8171.—The relation between the society and the corporation of Derry should be defined; if the corporation have a right to support, they should get it, 8172.—From the first it was considered that the corporation had a right to a fair sum for the support of the magistracy. In their first proceedings there was a certain district called the 1,500 acres allotted to the corporation. States full particulars as to the 1,500 acres. The corporation have no property now, 8173.—Thinks, if a certain payment in aid of corporate purposes were made by the society to the corporation of Derry, and the principles of the Acts which have passed with regard to tenants under the estates of the Ecclesiastical Commissioners, and with regard to Trinity College, were applied to the estates of the society, the inhabitants of Londonderry and its neighbourhood would be satisfied, 8174–5.—Thinks the present constitution of the society most objectionable, but is not prepared to suggest any mode of improving it, 8176–8185.

FERGUSON, Sir ROBERT ALEXANDER, Bart., M.P. (*Second Examination.*)—He did not say that the Irish Society had no right to build farm houses, but that they would have no funds to do so if they looked first to discharge the duties of their trust. Reads extracts from the answer of Alderman Thorpe, governor, and Henry Schultes, secretary to the Irish Society, in the suit of the Skinners Company. Mr. John Claudius Beresford, in the same cause states, that if the recommendation of Alderman Alsop had not been adopted, the city of Derry would have gone to decay. Also that the common building lease now granted for the City of Dublin is for 999 years, which leases were not considered advantageous by all the tenants, from the first condition in the letter from the Irish Society of 30th August 1766. In the town of Coleraine, the ancestor of Lord Waterford wished not to take these renewable leases, but, having done so, the society compelled him to continue them. With regard to the conversion of these leases into fee farm grants, submits extracts from the judgment of the master of the rolls in Ireland, 8514.

FINANCE COMMITTEE. (*See* Committee.)

FINLAY, MR. JOHN. (*Analysis of his Evidence.*)—Is a liveryman of the blacksmiths company. Has had a residence in Fenchurch Street upwards of 40 years. Is a tailor and draper, 4270–4272.—Has taken an active part both in the election of aldermen and common councilmen; has also attended the election of sheriffs, and has attended Common Hall. Is a guardian of the City of London Union. Has been serving on a committee for some time in which the City of London School is mixed up with St. Saviour's and several of the out-parishes of which there is great reason to complain. Was a mover of a certain resolution at the Common Hall, whereby there was a committee formed of the livery companies, who successfully opposed the attempt on the privileges of the livery of London, 4273.—Refers to a bill brought into Parliament one or two sessions ago. Has some observations to make to show the nature of the connexion between the livery companies and the Irish Society; has some complaints to make, 4274.—The Irish Society are trustees for the City of London, and they have not fulfilled their trust, 4275.—The property of the Irish Society belongs to the livery companies, 4276.—It has been disputed so far as this, that they absorb all the money. Has the accounts sent to the blacksmiths' company yearly from the Irish Society in which there is generally a small balance, but the larger amount is absorbed either in visiting Ireland or dinners, 4277.— The property managed by the Irish Society belongs to the companies, yet no large income accrues. The evil arises in this way, there are persons upon this trust who have no interest in it. This society was formed exclusively of members of the livery companies. At that time it was arranged they should be taken from the twelve companies. Afterwards it was extended, and it was said that they should be taken from the livery companies; but of late, since the alteration in 1837, many persons are on that committee who are not liverymen, and consequently have no interest in the Irish Society, 4278, 4279.—Does not think it is necessary to take the management of the Irish Society entirely out of the hands of the corporation, but thinks if the original intentions were carried out that would be all that is necessary, 4280. —As to what was the original state of things, witness reads a report of the common council showing that the Irish Society were trustees for the 12 companies, 4281.—It has been disputed whether they are trustees of the 12 companies. They only send a printed paper containing an account. The society goes over annually and makes a pleasure trip at the expense of the twelve companies, 4282.—Witness would exclude from the Irish Society all who are not members of the companies, 4284.—Would make no other alteration, 4285.—Complains of the union which is formed between the schools in the City of London Poor Law Union, and certain other unions of parishes. Is chairman of a committee who have been in communication with the Poor Law Commissioners for some months. The City is taxed for the benefit of the out-parishes in that particular, 4286.—A committee was formed to oppose a certain bill in Parliament, in March 1852. Finds from the minutes there have been many such committees formed in Common Hall. The town clerk had no power to summon the committee. At last witness applied to the mercers' company, and they very liberally took the matter up, 4287.

FISHER, HORATIO NELSON, Esq. (*Analysis of his Evidence.*) (*See* Delafield's Evidence.)

FOREIGN ATTACHMENTS:

There are many complaints in the Lord Mayor's court with reference to, *Acland*, 456.—It is almost necessary in a large commercial city, *Merewether*, 4848. —The peculiarity of the custom of foreign attachment is, that it gives a remedy against the debtor of the defendant; approves the custom, *ib.* 4861–4869.—Approves the custom, and gives opinions thereon, *Gurney*, 5750–5764.—It is a custom peculiar to the City of London, and one or two other cities. Believes, from experience, that it would be a very valuable custom to extend to all commercial communities. Knows of no injurious effects it could produce in country districts, *Wortley*, 6586–6488.—There is a difficulty about the attachment of goods; states difficulties, *ib.* 6490.—New rule with regard to attachments; has considered the question whether it is consistent with the custom, and hopes it is so, *ib.* 6493.—The nature of foreign trade has altered, but nothing seems so just and equitable as taking the property of a debtor to satisfy his debt, if found within the jurisdiction. The jurisdiction being answerable for the due execution of the law *Merewether*, 4857–4859.

FORTY-FEET WAY:

After the fire of London there was a clause introduced into an Act of Parliament which required that a passage of 40 feet should be continued from the Temple to London Bridge. There was a complaint made against the corporation that they had not maintained that 40 feet way. City's opposition to Mr. Calvert's application to repeal that clause, *Merewether*, 5357.

FRANCHISE:

The bill proposed in 1851 would have had a double operation upon the livery with respect to the franchise; it would have admitted freemen, not liverymen, to vote at common hall elections, and it would have disfranchised liverymen who were not occupiers, *Merewether*, 5096.—No alteration of the municipal franchise would affect the parliamentary franchise, *ib.* 5104.

Bishopsgate Within. Many influential commercial houses in the ward of Bishopsgate Within have no vote for common councilmen, aldermen, nor at common hall; therefore desires the extension of the franchise, *Jones*, 7798.

FRANCHISE, MUNICIPAL. (*See* Municipal.)

FRANKS, GEORGE, Esq. (*Analysis of his Evidence.*)—Is a citizen and solicitor of Derry, 8127.—States that it was under a very unconstitutional coercion on the part of the society, that the arrangement was made for their paying 1,200*l.* a year to the corporate body of Derry. Enters into particulars, 8128–8131.—Formerly the Irish Society interfered with the citizens of Derry in the election of their members of Parliament, and recently they interfered in the appointment of a recorder, 8132.—Believes that now they do not interfere with Derry in any manner. Cannot agree with what has been said of the liberality of the society in regard to the renewal of leases. States two or three instances of their illiberality, 8134.—Would remove the power of interfering in the appointment of officers of the corporation of Derry from the society, and oblige them to give a permanent fund for the support and good government of the City. Thinks especially that they should put the recorder in such a position as to be independent of any influence whatever, 8135.—Would have all payments made by the society towards the salaries of the municipal officers obligatory, not optional, that all suspicion of partiality be removed from the officers, 8136.—If the Irish Society are not bound by the charter to pay the officers of Derry, the citizens should make some rate to do it themselves. With regard to renewable leases, witness suggests that if the society has not the power to alter the obsolete covenants he alluded to in his statement, they ought to apply to the Legislature to authorize them to do so. There should be a power similar to that already alluded to in the Ecclesiastical Temporalities Act, 8137.—If all the town property of the society were sold, it would do more good than any system of management, and have a great effect upon the prosperity of the town. Speaks from experience, having seen the effects of the Encumbered Estates Act, 8138, 8139.

FREEDOM:

Recommends that it should be granted as a right, not a privilege, *Dillon*, 660.—Sees no advantage whatever in maintaining a connexion between the freedom of the companies and the freedom of the City, *ib.* 663.—Was frightened into taking it up by a lawyer's letter, and paid 12*l.* 10*s.*, *Hyde*, 1499.—The amount derived from freedom has fallen off, *Scott*, 4595.—The object of proceeding against persons to compel them to take up their freedom was not with a view to raise money, but to increase the constituency, *Merewether*, 5089.—In the year 1844 a very elaborate inquiry was made into the entries in the corporation books with reference to freedom. In page 74 of this document, a minute account is given of the fees which were then payable, which, when contrasted with the reduced fees which are now payable, will point out the gradual reduction of them, *ib.* 5226.—The fines remitted when the freedom is taken up, *Pearson*, 5629.—Complains of the power which is entrusted to the corporation to prosecute a small tradesman, a retail dealer, in the manner they have done, for not taking up his freedom, *Gentry*, 6704.—Mr. Acland gives a table of fines for admission to freedom, showing that to 1834, when the fines were about 30*l.*, there were 1,000 persons annually admitted, and that after the reduction was made the admissions gradually decreased, and imputes

FREEDOM—*continued.*

the cause to a reluctance to associate with the class of persons who constituted the corporation. Witness thinks the Reform Act of 1834 removed a great temptation to persons to take up their freedom, *Blake*, 7483.—Does not agree with Mr. Bennoch in question 1156, but thinks that obliging dealers to take up their freedom was done simply to increase the constituency, *De Jersey*, 7546.

FREEMEN:

Until the year 1835 the freemen were necessarily all members of a company, subsequently the Court of Lord Mayor, Aldermen, and Common Council decided by an ordinance, that a person might acquire his freedom without being primarily a member of any one of the guilds or liveries, *Acland*, 80.—A bill was brought into the House of Commons last session, to compel occupiers to take up their freedom; but the preamble not being proved, the bill was lost, *ib.* 95.—A freeman may not employ a non-freeman to the prejudice of a freeman, *ib.* 504–506.—One of the most important evils in the present system is, the mode of making freemen, *Dillon*, 659.—Produces a statement of the number of freemen from 1800 to the present time, *Bennoch*, 1159.—Freemen can elect members of common council, not being liverymen. Then again, persons who are freemen, and not on the parliamentary register, cannot vote for members of common council, —*ib.* 1247.—City obliged to employ them; could get work done cheaper by non-freemen, *Williams*, 2795.—Should have as many apprentices as they like, *Pillow*, 3035.—Cost of becoming a freeman, *Lawrence*, 4083.—The alteration of the rights of the freemen in 1835 was under the power of the before-mentioned charter, page 470 in Norton's book, *Merewether*, 4994.—The persons who vote in common hall are freemen, with the superadded qualification of being liverymen, *ib.* 5026.—The rules now followed by the corporation with respect to preventing persons exercising a retail trade in the City who are not freemen are byelaws; one passed in the reign of James I., and the other in the reign of Queen Anne. They are to this effect, that no person shall carry on trade within the City unless he is free, *ib.* 5175–5176.—Knows of nothing but that Act of the 11th of George I. to exclude a man who is not a liveryman, but a freeman of the City and of a company, from attending a common hall, called by the Lord Mayor, were he to insist on doing so, *ib.* 5353.—There have been about 679 freemen admitted each year for the last seven years; last year there were 883 in consequence of the large number of parties ordered to be summoned; these proceedings were instituted to enlarge the constituency, *Sewell*, 6250, 6251.

FREEMEN JOURNEYMEN:

The whole system of freemen journeymen should be abolished; it produces no advantage except to the man himself, *Woodley*, 3005.

FUNDS:

Particulars of those which the corporation have the management of, *Williams*, 2799.—Funds of the City are very small, not above 150,000*l.*, *Wilson*, 4400.—The different courts and committees have different powers of drawing out of the funds; the usual mode is by the signatures of seven members, *Scott*, 4452.

GAUGER:

Is a very useful officer, appointed by the City for the purpose of general reference by merchants with respect to wines and oils, *Kearns*, 2324.

GENERAL PURPOSES COMMITTEE. (*See* Committees.)

GENTRY, Mr. HENRY. (*Analysis of his Evidence.*)—Complains of the power which is entrusted to the corporation to prosecute a small tradesman, a retail dealer, in the manner they have done, for not taking up his freedom, 6704, 6705.—Has had his goods taken from him; was summoned; appeared before the chamberlain, and stated his case; put in his plea, and the reason of his objection to take up his freedom. This was in the former part of 1853, 6706–6709.—Told the chamberlain he had been a severe sufferer, and stated the circumstances; upon which the chamberlain said "Two months, Mr. Gentry," 6710, 6711.—At the end of the two months an action was brought against him, 6713.—Was a retail trader within the City, who had not taken out his freedom, 6714.—Understood they had tried the question with the rich men, and lost the action,

GENTRY, Mr. HENRY—*continued.*

6715, 6716.—Witness was proceeded against; they took about 25*l.* worth of goods, and detained them a month, then they were sent to a common councilman to be sold, 6717.—Supposes it was done under the direction of the City solicitor. Did not know the amount of the demand; was told it was between 8*l.* and 10*l.*, 6718—Does not know what the goods realised; they sold three lots out of four, 6719.—Saw Mr. Pearson a couple of months ago; till then had never seen any sort of document respecting the sale. Thinks it was between 13*l.* and 14*l.*, 6720.—Does not remember the exact amount claimed from him, 6721.—Was summoned again with many others after that, before they had rendered any account of the sale. Appeared before the City solicitor, who was at that time officiating for the late chamberlain, who was then ill. Stated the circumstances of the case. The solicitor said he would forego the costs, and if witness would agree to take up his freedom, most likely they (does not know who he meant) would give the penalty back, 6722.—There was about 20*l.* value they did not return, and you can take up your freedom for 6*l.* 5*s.* 4*d.*, 6723, 6724.—So that to enforce the claim of 6*l.* was put to the cost of 20*l.* Makes some remarks upon the report framed by the corporation, and states further particulars of his case, 6725, 6726.

GEORGE, Mr. CLEMENT; D'IFFANGER, Mr. THOMAS; and HODGES, Mr. EDWARD. (*Analysis of their Evidence.*)—(*Mr. George.*) Appears as one of a Committee from the Marylebone Vestry, to lay before the Commission the resolution passed there, relative to the coal duties and the tax on carts, 2273.—The inhabitants of Marylebone complain of this tax, which is computed at 22,000*l.* per annum, being placed upon them without having any share in the representation of the body which imposes this tax, or receiving any equivalent for it. Witness here enters into particulars of complaints, 2274.—There is a 4*d.* rate and a 1*d.* rate amounting to 5*d.*, which the City of London have had from ancient times. Thinks that ought to be abolished. An 8*d.* rate was conceded during the time of the Duke of Wellington's administration for the approaches of London Bridge. Believes the money raised by the City was discharged in the year 1852, and the amount anticipated by Act of Parliament will have been paid off in 1856. It is in order that no further extension of the coal duty shall be imposed, that they apply to the Commissioners, 2275.—At present that part of the proceeds of the coal tax which is appropriated to the general improvement of the metropolis, is distributed by the Board of Woods and Works, but no part of that has been expended on the parish of Marylebone, 2276.—The improvements in New Oxford Street have brought over the thoroughfares of Marylebone a large railway traffic, which costs them thousands per annum to provide for it. It has also drawn the whole of the poor in their low localities, and by it increased their poor rate considerably, 2277.—The best plan to be pursued would be to allow those coal duties to expire and not renew them. A general improvement rate, combined with representation at the Board would be a very proper course. In Marylebone they are desirous of having a voice in all local taxation, 2278, 2279.—Thinks no persons so well qualified to execute the public improvements in London as those who reside in the district, 2280.—The amount raised by the coal duties would easily be raised by a rate, 2281.—If the improvement to be made appears to be of a metropolitan nature, he would then levy a rate upon the whole of the metropolis, but if it is a local improvement he would confine the tax to the neighbourhood itself. Calls attention to the tax upon carts going into the City of London. It appears by the returns of the City to be but a small sum, 5,000*l.* or 6,000*l.* a year, but no doubt as it is farmed it amounts to considerably more. It has been the policy of the Road Trusts, the Metropolitan Trusts especially, to extend the ambit of turnpikes; yet the City of London, pursuing a contrary policy, maintain the system of tolls. A person going into the City for a carpet has to pay for the pattern of the carpet he takes with him and for the carpet he brings back. The men collect the tax with great avidity. Thinks that the tax also stands in the way of the City markets, 2282.—Admits that they have the right, but it ought to be put an end to, 2283.—Has no more remarks to make on the tax upon coals, or carts, but wishes to make one or two remarks upon the subject of municipalities. Is one of the elected Vestry.

GEORGE, Mr. CLEMENT, &c.—*continued.*

They are under Hobhouse's Act; and also special Acts giving them the control over the churches they build, and over the poor, and over the pavements, 2284, 2285.—For certain purposes there should be a central board. The less it has the name which has hitherto existed the better. In their own vestry, there are men of high position who are eager to get elected as vestrymen who would not like to be called common councilmen or aldermen. The qualification of vestrymen is to be rated to the amount of 40*l.* to the poor, 2286.—(*D'Iffanger, Mr. Thomas.*) Marylebone has never applied to be incor-porated, in consequence of the expense, 2287, 2288.—The parish wishes that Marylebone itself should form a municipality. It would be desirable that Marylebone, St. Pancras, and Paddington should form separate municipalities, 2289.—Marylebone is larger in point of population than the City of London, and as it is so extensive, and there is so soon to be a New Reform Bill, if those three parishes could form municipalities, it is more than probable that the Government might concede a member to each, 2290.—If the whole of the parliamentary borough of Marylebone were incorporated under the Municipal Act, the area would be too extensive. The borough extends from Highgate as far as Kensington, 2291.—Thinks there are more people than in Liverpool or Manchester, 2292.—The population of that area would be too large for that municipality. The present officers find they have quite sufficient to do to regulate the affairs of Marylebone parish, and it would cause great confusion should it be incorporated; in fact it would not be a benefit if the borough were incorporated into a municipality; it would be a great boon if there were three municipalities. Thinks the existing parochial government and the parochial feeling would resist it, 2293, 2294.—They would prefer municipal government, 2295.—Even if they desired to be formed into one corporation, but they have never formally applied, the expense and difficulty have been so great, 2296, 2297.—Is not prepared to say how the application can be made, 2298.—Supposing London were parcelled out into municipalities, each one having its separate council, it would be possible to have a combined council for the whole of the metropolis, which should embody the representative principle, and have powers of taxation for general metropolitan purposes. Such a plan would be very acceptable to the parish of Marylebone. The principle there is that there should always be representation wherever there is taxation, 2299, 2300.—(*Mr. George.*) Believes the parish of Marylebone has never applied to be incorporated. Considers that the establishment of any municipality in the parish of Marylebone would take from them the amount of power they now possess. Is against incorporating Marylebone, but would rather take the good example of the working of Hobhouse's Act with our local Acts, and compulsorily apply it to all sections of the metropolis, and from the elected vestry select so many persons to the central board, which might be the corporation of London, if you pleased so to call it; then when they meet let them elect their president or head, calling him mayor, or president, or what they like. This plan would involve a separate municipal government for each parish, 2301, 2302.—The plan would work well even in a small parish. Take the small parishes comprised in the Strand Union; you there cluster certain small parishes together for the purpose of electing poor-law guardians. Do the same with those and other small parishes for municipal purposes, 2303.—Has no objection to combining the three parishes of the present parliamentary borough of Marylebone into a single municipality beyond this, that in the arrangement of a municipality you would take from them the privileges they already enjoy and give them to the central board, 2304.—Marylebone would be gainers by the general provisions of the Municipal Act, because every important improvement is by that Act vested in them, 2305.—The only objection witness can see to it is this, that in a cluster of parishes or boroughs, all merging into each other, there must be some of those matters taken from the locality and made central; for example, sewers, police and general improvements. The metropolis might be fairly represented by one central board, which should be the concentrated essence of all the vestries of municipalities round London, though it is witness's individual opinion that the parish of Marylebone would object, 2306, 2307.—Thinks there would be a strong

George, Mr. Clement, &c.—*continued.*

parochial feeling against the combination or the three parishes under one municipal government; as they have hitherto been separate, their interests seem so little in common. States other reasons, 2308.—(*Hodges, Mr. Edward*). Thinks from what he has noticed, having had a great deal to do with public meetings, and the expression of public opinion in the parish of St. Pancras, and something, though to a less degree, in Paddington, that they would prefer a municipality which would include the whole of the three parishes, for this reason, that the same staff of officers and the same machinery could be used for the whole of the municipality, 2308.

Gibbs, Mr. Henry Stephen; Alston, Mr. David Thomas; Wickenden, Mr. James; and Bennett, Mr. Benjamin. (*Analysis of their Evidence.*)—(*Mr. Gibbs.*) Appears before the Commissioners as one of the proprietors of the oyster grounds at Queenborough, and also as a member of a deputation of oyster companies and proprietors generally, 2222.—Alludes to companies in Essex and Kent; they are nine in number. Some of the oyster fishery grounds are managed by proprietors only, others are managed by companies, 2223.—The deputation witness represents, has been agreed to on the part of all those companies, seven of which are in Kent, 2224.—They have repeatedly met, but more particularly within the last week, to consider the question which they are desirous to lay before the Commissioners, 2225.—The permanent body only meet upon special occasions, when called together for any particular purpose, 2226.—The other gentlemen are members of the same deputation, 2227.—The trade in oysters carried on in the City of London is most extensive; is desirous of calling the attention of the Commissioners to the abuses in the metage, porterage, and City dues. There are upwards of 50,000*l.* laid out annually between the parties whom witness and the other gentlemen represent, 2228.—The purchasing season may last from two to three months in the year only, 2229.—That is the extent of the trade to the City of London. There are other parties who receive a large number of oysters which are called rail-borne. That oyster trade is carried on by very enterprising men in the locality of Billingsgate, and they are wholly exempt from the taxes alluded to, 2230.—Such is not the case with those fish they represent, which are called water-borne oysters, 2231.—They, the companies only, generally send their oysters by water, but in the event of a fog, or anything which prevents vessels from sailing, then some of them avail themselves of the rail; but that is very seldom, 2232.—The principal subjects to which witness wishes to call attention are the meters, then the porterage and City dues. Mr. Alston sends up to Billingsgate, probably, every year to the extent of from 35,000 to 40,000 bushels of oysters. A tax is levied upon those oysters, to the amount of from 1*s.* 2*d.* to 1*s.* 3*d.* per bushel, 2233.—(*Alston, Mr. D. T.*) The amount of all the City dues levied upon witness's trade, is about 800*l.* a year for meterage only. Adding the porterage and the other City dues, it would amount to considerably more. The article is taxed, but the porterage is paid by those who buy. If the oysters come up by land there is nothing to pay, 2234, 2235.—It suits better to bring oysters by sea as the vessels are warehouses for them, 2236.—The City metage is not any advantage to an oyster trader, 2237.—The oysters must be measured to be sold on board. One of the principal grievances is, that the article is measured by people over whom they have no control; and not only pay heavily for having that work done but the public come in and pay as well; therefore the men who measure the oysters have it in their power to do injustice, because they receive money from the public, when, in point of law, the public have no right to pay at all, 2238.—Everything is done by the City measurement, 2239.—It would be necessary under any circumstances that the oysters should be measured before they are sold to the public, 2240.—According to the law laid down by Baron Alderson, the meters are to do the work for 8*s.* a score for the first 100 bushels; afterwards at the rate of 4*s.*; if they do not do it themselves, they hire people to do it. If the public pay them as well, it is to be considered not only as a gratuity, but a double tax, 2241.—It would be considerably too large if the whole payment were what the oyster traders pay to the City officers, 2242.—(*Mr. Gibbs.*) If they were left to themselves, and there were no interference on the part of the City, they would then have a control

Gibbs. Mr. Henry Stephen, &c.—*continued.*

over their own servants and measure their own property. Should take care that the measure so employed were legalized by the City, and that their own men did the duty of measuring and shovelling. The work could be done more cheaply and equally conveniently, 2243-2245.—(*Mr. Alston.*) States the amount he calculates he pays for metage 800*l.* a year; but for the trade 3,000*l.*, 2246.—Thinks he could get his oysters measured by his own servants for half the money it now costs him, 2247.—Besides paying about 800*l.* to meters, then comes the porterage upon the article, 2248.—If he has oysters up by the railway he can go and place them in Billingsgate Market for sale without any porterage, metage, or anything of the kind. If he sends a bushel out of his boat to be sold at the same place in the market, it costs 5*d.* a bushel for metage, then 4*d.* for having them measured, and then it costs 6*d.* to take them up into the market by means of porters again, 2249.—Oyster merchants pay the meters 8*s.* a score on the first 100 bushels delivered upon each voyage to market, afterwards 4*s.* per score. The meters put men down the hold whom they ought to pay themselves, to measure the oysters, but they manage to get the public to pay them. Some of them get more than 4*d.* a bushel, 2250.—Metage is a nominal measurement, no service at all. The measurement is done by fellowship porters appointed by the deputy meters, 2251, 2252.—(*Mr. Gibbs.*) The oysters are sold in the boats afloat, 2253, 2254.—(*Mr. Alston.*) Many of the poor people who come down would do the porterage themselves if allowed to do so, 2256.—(*Mr. Gibbs.*) Proposes that the oysters should be measured by the seller's own servant. The buyer is present at the same time, and the deputy meter who it has been stated was appointed by the City, that he might do justice to both parties, is not there. They send their servants, who are very independent about the measures one way or the other; when they go down in the hold, they go there without any charge to the meters, who have the exclusive right of saddling the proprietors of the oysters with 4*d.* a bushel, or 8*s.* a score. The men so employed in the hold are desirous to receive their 4*d.* per bushel also; that they consider is a sufficient compensation, and it frequently occurs that they will receive more than that, for the express purpose of giving an excess of measure; therefore, if they receive an excess of 1*d.* upon the peck, or 2*d.*, which is frequently the case, the proprietors lose, as a matter of certainty, from three pennyworth to six pennyworth of oysters, 2258.—Is not aware that any of these meters stand between the buyer and seller in any other large town, 2259.—Has no doubt a remedy could be provided securing to the public justice in the shape it desires. Oysters are generally sold in pecks of four to the bushel, 2260.—The large buyers of oysters would immediately detect anything wrong in point of measurement, 2261.—It frequently occurs, that the persons who actually measure the oysters, being the servants of the City deputy-meters, cheat the sellers, being bribed by the purchasers to give over measurement, 2262.—The men who measure have no right to receive anything from the buyer, but they do receive a douceur, and they are induced by that to give a false measurement in his favour, 2263, 2264.—Witness also calls attention to the tax of 2*s.* for each fishing vessel which comes up to Billingsgate. It is levied by the Marine Society, which has an office in Bishopsgate Street, 2266.—The corporation have nothing to do with it, but it increases the expense of those vessels, and it compels the party who engages them for the purpose of conducting or bringing up his oysters, to pay a larger freight, 2267.—The Marine Society is a society for bringing up lads for the Mercantile or the Naval Service, 2268.—Cannot understand what authority they have for levying that tax. Calls attention to the large sums of money which have been and are annually expended by the various oyster companies. They do not stop at 50,000*l.*, that is only the expenditure during the oyster season for purchasing. After that comes an expenditure of double that amount distributed among various persons connected with the water in their different fisheries. The oyster fisheries alone have employed by those means and do employ from 10,000 to 15,000 persons annually, all of whom are brought up to the sea, and form by that means a nursery, which is beneficial to the nation, not only in the mercantile but in the naval department, to the extent before stated. Speaks from experience, being a seafaring person. They are some of the best sailors afloat, 2269.—The neighbourhood of Colchester, Burnham, Cheney Rock, Sheerness

GIBBS, Mr. HENRY STEPHEN, &c.—*continued.*

Queenborough, Whitstable, Feversham, Rochester, and Milton, is the locality of the oyster fisheries. Has nothing to do with the arrangement of the stalls of Billingsgate. Adds that the corporation are desirous to remedy the evil complained of, but it appears at present they have no power to do so, 2270–2272.

GILTSPUR STREET COMPTER. (*See* Prisons.)

GOODEN, JAMES C., Esq. (*Analysis of his Evidence*).—Is desirous of appearing before this Commission in connection with the conservancy of the Medway by the corporation of the City of London, 1327.—Is a yachtsman and sketcher, and hearing of vast devastations upon the land committed by the water, was induced to address Sir Francis Beaufort on the subject, who ordered a survey of the river between 1850 and 1851, the conclusions from which may possibly involve the future existence of Chatham Dockyard, 1328.—The City, as conservators of the Thames and Medway, have not maintained properly the embankments in either river, 1329, 1330.—Is not aware that they have ever applied any part of their funds to the embankment of the Medway, though it is clear they are under obligation to do so from the charge laid down by the common sergeant at Gravesend in 1616, as detailed in Stowe 1618. Is not a civil engineer, 1331–1334.—It is difficult to trace by whom the embankments were originally made. Edward III. owned embankment marshes, and in Dugdale it occurs that this district was governed by the law of Romney Marsh, which presupposes that there was embanked land, 1335.—About eighty acres of land in a single parish in Gravesend beach, have been lost since the reign of Queen Elizabeth, 1336.—The Admiralty resurveyed the Medway in consequence of witnesses letters in 1850, therefore the Commission can obtain authentic information from them as to what occurred, 1337–1339.—The Medway now exists only as an archipelago of marsh islands, 1340.—Cannot suggest any measures which the City would now be likely to adopt. The case is hopeless. Came forward to show that they had neglected certain duties as to the embankment of the Thames and Medway, and that serious consequences are threatening the dockyard, 1340–1344.

GOODMAN, SAMUEL ROBERT, Esq.—(*Analysis of his Evidence.*)—Has been principal clerk to the lord mayor since the year 1843. This office continues from one mayoralty to another, 6271–6273.—Witness here states the duties of his situation; is a sort of legal adviser to the lord mayor. Is not a solicitor, 6274–6278.—The salary attached to his office is 500*l.* a year, and 150*l.* in lieu of certain freedoms. Receives 50*l.* a year for copies of depositions. The whole income from the office is 700*l.* a year, 6279, 6280.—His whole time is now given to the duties of his office, business has increased so much, 6281, 6282.—The lord mayor takes the chair in the magisterial court at 12 o'clock. The court is kept open till the business of every applicant is attended to, but never closed before two, 6283–6285.—The court is always open; the lord mayor sits every day, unless other courts require his attention. There is another in Guildhall, and there are two petty sessional courts always open, 6286–6289.—In the absence of the lord mayor, another alderman attends, 6290.—Makes statement respecting the expenses of the court, in explanation of some charges which have been made against them. The gross amount of expenditure is 1,738*l.*, 6291–6293.—Does not know the expenses of the other court, 6294.—Witness was appointed by the Court of Aldermen. Presumes he holds office during good behaviour. It is not an annual appointment. Calls the attention of the Commissioners to the subject of the recovery of tithes in the City, 6295–6297.—Under the 37th of Henry the Eighth there was a tithe of 2*s.* 9*d.* in the pound upon the rental of the City parishes generally. It is made upon the average of the poor rate. It is very productive. The Act of Parliament passed in the reign of Henry the Eighth makes the tithe recoverable before the lord mayor as lord mayor. It says, any person not paying his tithe shall be imprisoned till he has agreed with the curate for his tithes. There is no limit to it by the Act of Parliament, 6298–6303.—The imprisonment has never been enforced since witness has been in office, 6304.—The order for payment has been effectual in producing the money or causing a settlement, 6305.—The tithe only remains now on eleven parishes; it is payable to the incumbent, 6306.—Those tithes are precisely similar to a poor rate, or a borough rate, or a police rate of 2*s.* 9*d.* in the pound. That is the operation, but it is not carried out in the same way, 6307.—There is a power of imprisonment without the power of distress, 6308.—The occupier, if he does not pay, is brought before the lord mayor, and if he thinks fit, he can commit him till the money is paid. The clergyman would no doubt be able to collect his tithes, if he had the ordinary power of distress, without any power of imprisonment. Apprehends that would be the proper mode of recovery, 6309–6311.—The question was brought before the Government in 1830. The corporation have no interest in the matter, 6312, 6313.—The lord mayor is called on to exercise a jurisdiction to which a reasonable objection may be made. It is a very unpleasant duty to him. The law does not obtain in other parts of England, 6314, 6315.

GOODMAN, SAMUEL ROBERT, Esq. (*Second Examination.*)—Wishes to make a remark upon a statement in No. 6696, that Mr. Alderman Wire sat on a case where his partner was solicitor and the prosecutor his client. The explanation is simply this. Mr. Alderman Hunter issued a warrant, and the prisoner was brought up from Devonshire in custody on the 5th of June. On that day Mr. Alderman Wire happened to be sitting. It was the last case, and, knowing he was connected with the company, endeavoured to get another alderman to sit, but could not do so. Suggested that sufficient evidence should be taken to justify a remand, himself beginning to examine the witness, when prisoner immediately put in a written confession of his guilt, which he had previously prepared. The case was remanded till the 7th, when Mr. Alderman Wilson sat, heard the evidence, and gave the prisoner the usual caution; he repeating the confession of his guilt, was committed by Alderman Wilson for trial, 7864.—Mr. Alderman Wire certainly did not interfere in the adjudication of the case further than to remand the prisoner, 7865, 7866.—Mr. Alderman Wire is the only alderman who is a practising attorney, 7868, 7869.

GORE, JOHN ZACHARIAH. (*Analysis of his Evidence.*)—Is a sheriff's officer and sergeant-at-mace of the Lord Mayor's Court, 6938.—Was employed by Mr. Pearson to levy an execution upon the goods of Mr. Gentry, 6939.—Has been called upon to explain the circumstances to a committee of the Court of Common Council. Will read draft of statement, 6940.—The amount to be levied under the writ was 8*l.* 6*s.* 4*d.*, 6941.—Gives account of additional expenses, 6942.—A sufficient portion of Mr. Gentry's furniture was sold, and the rest returned, 6943.—There was no complaint of illness of his wife, she was attending to her domestic concerns at the time. Hands in scale of his charges in the Lord Mayor's Court, 6946.

GRAY (Mr.):

Some particulars respecting his claim for the estreats, *Wire*, 7954–7974.

GRAY, Mr. HENRY TRIMBEY. (*Analysis of his Evidence.*)—Is a citizen and freeman of the Drapers' Company, 2913.—Was once engaged in a prosecution in which the City of London took some part, 2914.—States the facts. Witness prosecuted a gang of swindlers in 1847, their names being Gardner, Holliday, Seager and Loup, residing in Pancras-lane, and carrying on business in a fraudulent manner, having various counting-houses in different parts of the City. Among others was robbed of a portion of property, cordage for shipment, to the amount of 297*l.* At the commencement of the prosecution was given to understand that the cost of it would be merely nominal; that it would be under 25*l.* As witness proceeded with the case he found that it involved many other cases; there were 49 witnesses to be sent for on behalf of the prosecution to ensure a conviction; the prosecution involved the loss of his trade to a great extent, besides occupying time. The expenses were so much larger than were anticipated, that it was found necessary to open a public subscription. Messrs. Travers, Baron Rothschild, and others, gave subscriptions, and the corporation of the City gave 50*l.* in aid of the fund. The case was brought on for trial in December 1847 at the Old Bailey; succeeded in convicting three men; two escaped—Loup and Herman Casel, whose sureties were forfeited. The attorney's bill amounted to 352*l.*, the subscription amounted to 304*l.* There was a deficiency in means to pay the solicitors, independently of losing goods, time, and the private expenses it incurred. Was advised to pay the solicitor 250*l.* on

GRAY, Mr. HENRY TRIMBEY—*continued.*

account of his bill, leaving a balance of 102*l.* Petitioned the Lords of the Treasury on behalf of the estreats which had been forfeited from this Herman Casel's sureties. Received a communication from Mr. Reynolds, the purport of which was, that when the money was paid over there would be an order given in the Exchequer to receive the estreats of Herman Casel's sureties; made several applications, but finding the estreats were not paid into Her Majesty's Exchequer, inquired the addresses of those two sureties; found that they resided within the jurisdiction of the City of London; sent to the corporation of the City; on applying to them went with Mr. Barber to the office of the under-sheriff, Mr. Wire, to get his support in recovering the estreats, and assist in recovering the amount by a petition to the corporation. Mr. Wire at the outset promised his able assistance. In the course of the twelve months which elapsed witness went several times to the secretary's office, and then received a letter from Mr. Potter, saying that he had received the fines from Herman Casel's sureties, 100*l.* each; advising witness to petition through the City solicitor. Mr. Wire told witness, in the presence of his friend, who knew quite to the contrary, that the fines were not received, nor were paid into the secretary's office, and that they never would be paid; Mr. Wire must have known that the fines had been received. Witness then petitioned the City solicitor by the wish of Mr. Potter. Received no answer, and was then advised to make a public appeal to the Court of Common Council. The petition was presented by Mr. Norris ofAldersgate-street; when the petitioner came forward Mr. Lawrence was sheriff elect; and opposed the petition, on the ground that the money belonged to the sheriffs. Mr. Lawrence's motion was carried, that the money belonged to the sheriffs; afterwards the petition was presented in another form, giving them credit for 50*l.*, which they had voted to witness, and asking for 150*l.*, the balance of the amount which they had received. The court generally terminates soon after four o'clock, and this was brought forward just about that time by Mr. Taylor, and was overruled by the majority, there being only 20 persons present instead of 40. It was all lost, and there the affair terminated. Mr. Hilliary waited no longer for his bill; he put it into another attorney's hand to get taxed, and the balance of 102*l.* was brought down to 63*l.* Received a communication from him to attend the taxation of the bill; witness offered no obstacle, nor did he seek to resist the payment; this happened on Wednesday, and on Friday, witness on going home found an execution in his house from Mr. Hilliary's solicitor, who was Mr. Carroll, 2915.—There was no further notice given than to attend the taxing master, 2916.—Had arranged to settle it with Mr. Hilliary, by paying 20*l.* on the Monday and 10*l.* a month afterwards, but on Friday morning there was an execution in the house. Got the money together and paid 9*l.* 16*s.* costs. The 200*l.* has been received, and has been paid into the secondary's office and transferred to the corporation, and the corporation have entirely closed the doors against him, or any application of his for the purpose of recovering the money, 2917.—The money was paid by those sureties into the secondary's office, 2918.—It was paid to Mr. Potter, who received it from the under-sheriff on behalf of the corporation, 2919. Understands that estreats have been actually given to the sheriffs, and Alderman Lawrence said they should have to pay certain expenses at the Old Bailey if the sheriffs were deprived of their right to the fines and estreats, 2920.—It was never disputed by the corporation that they had received it, 2921.—Mr. Wire was the under-sheriff at the time, 2923.—During the time the prosecution was going on witness was offered the sum of 500*l.* to make a flaw in the indictment, so that the whole of the prisoners might be acquitted. Rejected that offer. After the trial was over wrote to the City solicitor, asking the aid of the corporation to assist in prosecuting Herman Casel, should he be apprehended. Was offered 250 sovereigns to give up the judge's warrant, to allow Herman Casel to come to England. The offer was made by agents of theirs in the presence of a respectable gentleman, a Mr. Dearsley, of Billingsgate, a fish salesman. Rejected the offer, as every other bribe and temptation which has been offered. Had 500 copies of petition printed and have circulated them among the members of the common council, but have received no remuneration from the corporation except the first 50*l.*, 2924.—Claims it on the ground that it is

GRAY, Mr. HENRY TRIMBEY—*continued.*

a very hard case that he should have been put to this expense and been almost ruined, and they should refuse all assistance in the matter. It appears as if there was a certain party connected with the corporation who invariably carry the day. Mr. Sheriff Wire, Mr. Taylor, Mr. Deputy Harrison, and Mr. Hall invariably side together; had witness succeeded in getting their assistance he would have obtained his object. If any member of the common council would ask for an account of the estreats and amerciaments which are levied within the jurisdiction of the City for any definite period, it would throw great light upon the case and upon where the 200*l.* was paid. Has never heard of those estreats being accounted for by any inquiry, 2925.

GREENWICH PIER ACT:

Mr. Pemberton, in his evidence, No. 2992, on the Greenwich Pier Act, says a clause was inserted, "saving the rights of the Crown," instead of "any rights of the Crown," which merely implies a reservation in case there should be any, *Tyrrell*, 7253.

GRESHAM COLLEGE:

The lectures are not largely attended, except those on music and astronomy; the lecturers are persons of known character and reputation, *Merewether*, 6740.—History of, *Bennoch*, 7269.—Endeavours to show what has been the state of the college, and the conduct of the professors since its foundation. Gives his account up to the year 1755. Thirteen years after, in 1768, the college was sold. Continues the history of the college to the present time. Ventures to suggest whether, under the late Charitable Trusts Act, the trustees, if anxious to make their lectures more in accordance with the wants of the present day, might not apply to the Charity Commissioners for a scheme for the purpose of rendering the funds at their disposal more serviceable for public purposes, *Waddilove*, 7270–7272.—Particulars of the purchase by the Government, in 1768, of the land and property of Gresham College, for an annual rental of 500*l.*, *Merewether*, 7578.

Committee. Have refused to agree to the proposition submitted to them (by the committee for establishing a mercantile and maritime college in London), of raising on the Gresham College foundation "a mercantile and maritime college," which is so much wanted, instead of expending 1,200*l.* or 1,300*l.* per annum on lectures, which, with the exception of the music lecture, are hardly ever attended. Gives full particulars of the correspondence, *Bennoch*, 7269.

Estate. The nature of Sir Thomas Gresham's will is to give the property mentioned between the corporation and the Mercer's Company; they both appoint committees, who act sometimes together and sometimes separately. Under their care the Royal Exchange was rebuilt after the fire of London, and again after its destruction by fire in 1835. The City's moiety of the last rebuilding to the 31st December, 1846, was 84,267*l.* 3*s.*, *Merewether*, 5331–5337.—The land, which was the site of Sir Thomas Gresham's house, was sold a good many years ago to the Government; it was then converted into the excise office, *ib.* 6728.

Trust. Gives a statement of the receipts and expenditure of the City's moiety of Sir Thomas Gresham's estate for the year ending October 10, 1852. The City, acting as joint trustees, have from time to time advanced large sums of money above the amount received as trustees, *Dakin*, 7353.—The amount of charities under the Gresham trust is 284*l.* 12*s.* 5*d.* for almsmen, 55*l.* a payment to poor prisoners, *ib.* 7361.

GURNEY, RUSSELL, Esq. (*Analysis of his Evidence.*)—Holds the office of judge of the Sheriff's Court. As judge of the Sheriff's Court presides at the Small Debts Court by Act of Parliament, 5730.—The appointment takes place by the common council, 5731.—Has held the office since 1850. Previously, from 1830 to 1845, held the office of common pleader; for the next five years was not connected in any way with the corporation, 5732.—Judge of the Sheriff's Court is an ancient office. When the Small Debts Court was created, it was provided that the judge of the Sheriff's Court should preside as judge of the Small Debts Court, 5733.—The salary is 1,200*l.* a year without anything additional, 5734, 5735.—Is not theoretically debarred from private practice, 5736.—Practises to some small extent, 5737.—Is required to attend in the Small Debts Court from two to three days a week. Is also in the Commission of the Central Criminal Court,

GURNEY, RUSSELL, Esq.—*continued.*

and has to attend there occasionally, 5738.—Has to attend in the Central Criminal Court first of all for the opening of the court and the swearing of the jury, every day the judges are there. Has to keep the Third Court full; there is the recorder in one, the common sergeant in another, and, when the judges are not there, has to take the Third Court. Besides that, there has been an arrangement that each is away for one session; so that there are two sessions in the year when either the recorder or the common sergeant is absent, and then has to sit the whole session, 5739. —His time is pretty fully occupied with his different judicial duties, 5740.—Anciently there was the judge of the Sheriff's Court for the Poultry compter, and a judge of the Sheriff's Court for the Giltspur Street compter. Latterly, there has been only one person appointed to both offices, 5741.—With reference to the word "employment" used in the Act constituting the Small Debts Court in the City, there has been no complaint made as to the difficulty of finding out who has employment in the City. Every body has stated it to have been a great improvement. There were a great number of clerks in the City who obtained credit by virtue of their employment, but people could not find out where they lived, consequently there was a difficulty in serving them. The creditor knew where they were employed, and knew, therefore, what court would have the jurisdiction. The words used in the first Small Debts Act were supposed to include those cases, and parties were sued where the business of their employers was carried on. It was held that the words must refer to a man carrying on his own business, and not his master's business, 5742.—Last year there were between 10,000 and 11,000 plaints in the Small Debts Court. A great many of them were not tried, being settled the day before hearing, 5743.—Out of those there might be thirty cases in which there was a jury, 5744.—The jurisdiction extends to debts of 50*l.*, 5745.—Thinks the cases which come into this court are rather more important than those of other County Courts. In Liverpool and Manchester it might be the same, 5746.—There is a distinction in this court between debts under 20*l.* and debts under 50*l.*, with respect to the plaintiff being entitled to costs if he sues in a superior court, 5747.—A case can be stated in appeal if the amount is between 20*l.* and 50*l.*, 5748.—Practised for many years in the Lord Mayor's Court, and can give any information respecting it, 5749.—Thinks upon the whole the custom of foreign attachment is very beneficial, but that some alteration is necessary. In the custom of foreign attachment, there is a good deal of power placed in the hands of the attorney concerned for the plaintiff, and a good deal depends upon the mode in which his practice is conducted. Formerly, there were only a limited number of attorneys; their offices were of great value, and they were responsible to the Court of Aldermen for the way in which they exercised their duties; so that there was a great check upon their conduct, which, now that it is thrown open to the whole of the profession, there is not; and that may render necessary some precautions which were not found to be necessary previously, 5750.—Thinks it would be a good custom for the whole of the metropolis, and in large commercial towns where there is a local tribunal by which it can be enforced, 5751, 5752.—The practical effect of it is that it enables the plaintiff to get at money belonging to the defendant in the hands of a banker, and there are a great many occasions on which property can be obtained, where it is not in the hands of a banker, 5753, 5754.——Is decidedly in favour of the custom, 5756.—Thinks some alterations are required in the amount of bail which is required to be put in, in cases of foreign attachment; having no reference to the amount of the property attached, but only to the debt sought to be recovered; and in one or two other respects, which can be mentioned. There are, undoubtedly, some facilities for fraud, which ought to be corrected, 5757.—The amount of bail ought not to exceed the amount of property attached, 5758.—The effect of the custom is that the debtor's debtor is brought into court, 5759.—If he admits having the money, he suffers judgment by default and does not appear, 5760.—In case of disputes between him and the defendant, then he must come into court, 5761.—Thinks there is a hardship in the rule which provides that no costs shall be paid, and that the garnishee ought to be entitled to his costs; he never gets nor pays costs, 5762.—It has been held that if the garnishee admits the debt and

GURNEY, RUSSELL, Esq.—*continued.*

pays the money, a recovery against him would be a protection to him in a dispute between him and the actual defendant, 5763.—Any party besides the defendant who claims the money attached, may come in by filing a bill of proof, 5764.

HALE, WARREN STORMES, Esq. (*Analysis of his Evidence.*)—Has been connected with the corporation, and taken an active part in it for 28 years. Is a wholesale manufacturer of stearine and composite candles, and an importer of Indian produce. His business is in the City, but resides at Hampstead, 7496–7499.—Is at present on two committees by virtue of being deputy of the ward, and on two by an act of common council; those are the City of London school, and the orphan school, 7500.—The committees are so arranged by the corporation that there are seldom two sitting at the same time, 7501–7503.—Gives very frequent attendance, and invariably attends the meetings of the school committees, 7504, 7505.—Has been chairman of the City of London School Committee since its appointment in 1834, and of the orphan school since its appointment two years back, 7506.—The corporation have been left trustees for various bequests, and have faithfully discharged their duties, and have always taken great interest in the subject of education. In 1828 a member of the corporation, Mr. Peacock, endeavoured to convert a useless institution, called the London workhouse, into what promised to be practically useful. This institution was established in the reign of Charles II. for the reception of destitute persons frequenting the City; this continued till 1829, when the alteration in the poor law rendered it useless. For months there were no inmates, and an Act was obtained for the abolition of it. The gentleman above named endeavoured to obtain the proceeds of the lands for the establishment of a corporation school, of a liberal character, without religious distinction; but the House of Lords inserted a clause that the principles of the school should be according to the Church of England. The corporation subscribed 2,000*l.* towards it, but from its restrictive character few other persons subscribed, and it could not be sustained. In 1825 the corporation appeared before the commissioners under Lord Brougham's Act to inquire into the various charities of England, The sum of 19*l.* 10*s.* had been left by Mr. Carpenter, town clerk in the reign of Henry VI., to clothe, board, and educate four boys, 4*l.* for each boy, and 3*l.* 10*s.* to the corporation for the management of the fund. The will for the personal property has been found, but not the will devising the freehold property. There are four houses in the City, and ground at the eastern side of Tottenham Court Road, at a rental of about 900*l.* a year. The corporation, thinking that not sufficient of the money was expended, sent four boys to Tonbridge school, at 80*l.* per year for board and education, and 20*l.* for clothing. In 1832 was on the City Lands Committee, and the bills came before witness; suggested to the corporation that they ought to expend the whole of the proceeds of the property, and proposed to establish a school on the site of the Honey Lane Market. The corporation adopted the suggestion, and proposed to expend the whole of the 900*l.* a year to found some scholarships in memory of John Carpenter, and at the same time take the produce of the lands of the London workhouse, about 300*l.* a year, and make it a part of the endowment. The House of Lords opposed the appropriation of the 300*l.* The bill passed in 1834, appropriating the 900*l.* a year, and the school opened in 1837. The building was erected at an expense to the corporation of 20,000*l.*, independently of the ground. In consequence of omitting the 300*l.* a year, it had been lying useless till 1848. Suggested to the corporation that that money, with the fines for the sheriffs, and for parties taking up their freedom, which together would be about 1,000*l.* a year, might be applied towards a school for the orphan children of freemen. Was requested to furnish them with an estimate of the probable expenditure of such an institution. Calculated that for 100 children the sum of 2,500*l.* a year would be required, and the corporation agreed to furnish this additional sum out of their own funds. It was necessary to have a bill to repeal the Act of 1829. The bill passed the Houses of Parliament almost without opposition, and witness is chairman of the committee appointed to carry out the provisions of the Act. The expense of the building will be from 18,000*l.* to 19,000*l.*, when fit for occupation, to accommodate 70 boys and 30 girls. A portion of

HALE, WARREN STORMES, Esq.—*continued.*

the number have been elected, and the schools will shortly open. Attendance at the Church of England not compulsory. Produces a copy of the rules and regulations, 7507, 7508.—The head masters of King's College, the City of London school, and the London University, were to select three of the best qualified candidates for the office of master of this school, and the one chosen happened to be a master in the City of London school. He will have a salary of 300*l.* a year, a residence, and some other benefits. In 1834, at the time of passing the Reform Bill, a gentlemen suggested it would be better to commemorate that event by erecting reform almshouses than by mere illumination. He made an appeal to the public, but they did not respond to it; the corporation subscribed 1,500*l.* to that object, and the projectors proceeded to purchase the ground, and erect 16 almshouses, with two sets of apartments in each, for 16 widows and 16 married couples. But it was found that merely giving shelter was not the benefit it was thought it would be, and they had no funds to carry the object further. The corporation then took it off their hands, repaired the cottages, and added 8 more, and allowed 25*l.* per year to each married couple, and 15*l.* to each widow, and two tons of coal to each party per year. It has entailed an expense of about 900*l.* or 1,000*l.* a year on the corporation, 7509.—The Corn, Coal, and Finance Committee has the appointments; and as it is composed of a member from each ward, they draw lots for priority, and then consult their own ward before appointing the party, who must have been a housekeeper of the City, and not less than 60 years of age 7510–7514.—The corporation have some ecclesiastical patronage; they are proprietors of the advowsons of St. Peter's, Cornhill, and St. James's, Duke's Place, and alternately St. Margaret Pattens, 7515, 7516.—The appointments are made by election by the common council. St. Margaret Pattens is worth about 300*l.* a year, St. James's, Duke's Place, about 60*l.* a year, but the corporation have increased it to 200*l.* a year out of their own funds. Mr. Brewer is publishing a work, which will show that the citizens of London have done more for the promotion of education than any other class of persons, 7517–7519.

HALES, EDWARD, Esq. (*Analysis of his Evidence.*)—Is engaged in the corn trade, carries on business in the Corn Exchange. Office in Bush Lane, Cannon Street, 1630, 1631.—Has been in business 25 years in London, does not reside in the City, 1632,1633.—Was a member of the committee appointed for the purpose of supporting a memorial presented to the lord mayor, aldermen and common councilmen of the City, on the subject of the charge for metage on corn, 1634.—The committee was appointed about 18 months ago by the corn trade, on account of the grievances they felt they were under, in paying a heavy charge for metage and porterage. Hands in a copy of the memorial, 1635.—The committee fairly represented the corn trade, and drew up their memorial for the purpose of calling the attention of the City and the corporation to their grievances, and asking them to relieve them, 1636.—They complain of the heavy charge for metage and porterage, and the way in which it is collected, 1637.—What they wish the City to do is to reduce the charge and to collect it in one uniform way; there are now twenty-five different modes of charge, 1638.—When the City received the memorial the committee received a communication from them inviting them to embody their views in a report, which report witness produces, 1639, 1640.—Witness then read the substance of the correspondence which took place between the corn dealers and the general purpose committee of the common council, 1641, 1642.—The trade in the port of London would be satisfied to have the supervision of the City corporation, provided they had it at a moderate cost, 1644.—The advantages of a proper supervision are, that with the immense trade now carried on in London in corn, some protection is required both for buyer and seller. The the certificate of a corporation standing so high as the City of London would be a great satisfaction to the public even if they had to pay something more for it, 1645.—Thinks it a great advantage to have the metage performed by some independent authority, 1646.—There are no less than twenty-five different charges made, 1647.—Produces a statement of the charges, 1648.—Thinks that the City authorities now are anxious to set the whole thing to rights, but such abuses have crept in under the old system that there

HALES, EDWARD, Esq.—*continued.*

are some persons who might be injured by any alteration. They therefore wish to keep the system as it is, 1649.—Thinks that the City are losers by the present system, 1650.—The meters in the City of London get three farthings for the work performed, and the City three farthings or more as a due, for doing nothing, 1651, 1652.—In the corn market there is a distinct item charged as dues besides fillage, porterage and metage, it belongs to the Corn Exchange. The charges of the fellowship porters were reduced about twelve months ago about a halfpenny a quarter, 1653, 1654.—The London Docks, the St. Katherine's Dock, and West India Docks reduced their charge in the same proportion about the same time, 1655.—The claim for metage and the claim for porterage do not rest upon the same legal ground. The fellowship porters have been thrown overboard lately by the City, and the City now say the trade can employ what men they like on the river; but if the corn is in the dock the dock companies prevent their employing their own men. Witness has a case now in the Commercial Docks: a claim was made of about 200*l.* which witness refused to pay, but told the fellowship porters the captain employed them—he did not; they then commenced an action against witness, but did not continue it, 1657.—The right of metage claimed by the City is unconnected with the boundaries, of the City, and much more extensive. Reads a report of a select committee appointed by the House of Commons to inquire into the sale of corn. The report was in 1834, 1658, 1659.—The fellowship porters were appointed by an Act of the Corporation of London some two hundred years ago as stated in report, 1660.—Thinks the system with regard to the measurement of corn a very bad one all over the kingdom. With the exception of London there is no corn sold in any large town but by weight, and in most of them it is weight combined with measure. In almost every town the weight of the bushel varies, 1661.—As an individual, would prefer corn sold by weight and measure combined. It is the only true test, 1662.—The charge at Liverpool, for instance, is twopence per quarter for metage and porterage, and a halfpenny per quarter for weighing. The duty is performed by private individuals, and that they charge to the consignor. The cargo of corn is consigned to Liverpool, and the party receiving the consignment makes a charge for it, 1663.—The corporation should interfere in the matter in the port of London. Thinks it would be satisfactory to the trade, 1664.—All witness wants is security, high standing and respectability. A body which has been established so long as the corporation of London is the best they can have for the purpose, 1665.—Should have meters authenticated by some public body of credit, 1666.—Does not wish that the porterage should be connected with the City; it was stated in their report that the crew of the vessel should be called upon to do their portion of the work, otherwise the City could scarcely do the work so cheaply as put down, but witness has altered his opinion lately on thinking more of it. The most satisfactory way would be if the City would make a charge of a halfpenny or three farthings per quarter for employing one man who should be an educated, respectable and responsible man, who should supervise the metage, standing by and doing very little manual labour, and then let them provide the labour for doing the remainder of the work in the best way they can, 1667.—Thinks in short that the metage should be superintended by some public independent body, and the porterage left to private individuals, 1668.—The City's right is one which should be exercised rather for the accommodation of the public than as a means of raising a tax upon it. Does not think that the corn trade in London would object to pay the City a very liberal tax for the supervision of it, 1669.—It would not be necessary to have it twice measured by the City meters, namely, out of the ship and out of the granary. If you send for the City meters you must pay 2¾d. per quarter; you have it done by your own granary keeper for a penny per quarter, therefore the City meters are never sent for, 1671.—It is not compulsory upon any one to employ the City meters to measure corn out of the granary; with respect to some articles which come on board ship to London, such as linseed and corn in bags, the same plan is adopted as in the case of nuts, 1672.—Believes that the City have the right to meter all corn, 1673.—If English corn comes to London and is not sold, would advise the City to give the parties to whom it belongs the right of having

HALES, EDWARD, Esq.—*continued.*

it measured or not, as they would prefer; if sold would insist upon the right. This management would act very well if buyers and sellers chose to agree to it, 1674, 1675.—If public meters were provided by the corporation, even though the charge were higher than it ought to be, the trade would in 99 cases out of a hundred resort to them; here reads a letter from Mr. Stead, who was forty years established in the corn trade in Norfolk, 1676.—Would make the metage compulsory with regard to foreign corn, because the customs require that foreign corn should be metered by a sufficient authority, 1677.—The customs do not measure foreign corn; they take the meters bills in London, and supervise it in the outports, but it is wretchedly done, 1678.—The customs do not measure the corn which comes into the port of London. They trust to the City measure, 1679.—They take just the same trouble with regard to Indian corn, on which there is no duty, 1680.—During the last few years corn has been sold a great deal by weight. Believes that in time all corn will be sold by weight, 1681.—Thinks it best that it should be sold both by weight and measurement as it is sometimes, 1682.—Were the element of weight in the sale of corn introduced, it would be a very simple system, and would only entail the expense of another man, for which one halfpenny a quarter would be ample, 1683.—There is often a difference of 10 lbs. a bushel between good and bad wheat, 1684.—In landing large quantities of wheat it is impossible to sack it all, but as much is done so as can be, to avoid a second measurement; the City have taken a great deal of trouble in the matter latterly, Mr. Alderman Muggeridge has been giving a great deal of information in the matter. A Gloucester merchant said the other day that he hoped the metage charges would not be reduced, as it would interfere with the trade of Gloucester. Witness believes he said before that the customs exercised no supervision over the metage on board ships in the river, but the fact is, that they send an officer on board, 1685.

HALL, T. H., Esq. (*Analysis of his Evidence.*)—Is a member of the common council, and has been chairman of the Improvements Committee for some years, 7308, 7309.—The functions of that committee are the improvements in the City and the districts outside the metropolis, 7310, 7311.—Is a wholesale hat manufacturer. Has been chairman of the Improvements Committee for six years. Was for ten years a member of the London Bridge Approaches Committee, and on the retirement of Mr. Richard Lambert Jones was placed in the chair, 7312–7315.—This committee meets very constantly. They conduct the examinations of those who have claims upon them as if they were a jury, leaving the value of the freehold or leasehold property to their adviser Mr. Bunning, who tells them the amount they ought to pay. There is sure to be present some one who knows the neighbourhood, so that every claim is sifted to the utmost, 7316.—In the case of any great improvement the suggestion comes from the Improvements Committee, or by a petition from the locality; it is then discussed by the Court of Common Council, and if approved by them the scheme goes to Parliament for obtaining an Act. If the Act is obtained it is then referred to the committee to carry it out, and to treat with all the claimants under it, 7317–7321.—This committee has had to deal with claims to the amount of 1,200,000*l.*, which they have settled for a much smaller sum, 7322.—There may be an architect on the committee, but the corporation do not desire it; they wish all the members to be disinterested, 7323.—In matters of expediency the committee decide themselves, but if it is necessary the solicitor is asked if such an agreement is the same as a lease; the lease is then referred to a competent person to value, and in the large amount of settlements made by the committee scarcely a claim has been carried to a jury, 7324.—The general principle of the corporation is that the details of the executive business should be transacted by committees, and the officers should merely advise and carry into execution the decision of the committees. The committee report annually to the corporation the whole business they have transacted; and after having carried out the Act of Parliament thoroughly, report the result of it, that they may judge whether it has been carried out at the value originally fixed, giving the corporation an opportunity of testing that. The corporation are constantly devoting part of their property to improvements, and yet Mr. Bennoch in 1182

HALL, T. H., Esq.—*continued.*

speaks of the corporation being goaded into improvements. In question 5265, Mr. Bunning is asked whether the improvements in Cannon Street will not considerably increase the value of the property belonging to the City. That question did not receive a sufficient answer. Says at once that they will not increase the value to the extent of one shilling. In reference to questions 5268, 5269, and 5270, begs to observe that where every street must be cut through at the expense of many thousand pounds, what improvements shall really be made must depend upon the means there are for making them. There is now a report before the corporation for continuing the new line of street to Earl Street, at an expense of 195,000*l.* If approved, means must be adopted for raising the money, and an Act of Parliament applied for. With respect to Clerkenwell, the old improvements commissioners, having expended the funds entrusted to them, besought the corporation to take it up, and as 50,000*l.* had been expended on a street which was of no use till the other was completed, the corporation took great trouble to carry out a work which was not within the City, and agreed to receive 88,000*l.* and to charge their own estate for three years longer with 11,500*l.* per annum, 7325.—This 11,500*l.* was given out of their general estate. The corporation have a prescriptive right to the 4*d.* duty on coals, which duty they have charged with the large improvement in Cannon Street, 7326, 7327.—Thinks it quite reasonable that, out of a fund like the 4*d.* coal duty, derived from payments made by the whole metropolis, the corporation should consider the interests of those out of the precincts of the City, and they are most ready to do so. Is authorized by the corporation to say that there is now a contemplated improvement for raising the valley of Holborn; the amount required is 333,000*l.* Does not know how so large a sum, and 125,000*l.* for another purpose, is to be raised. The corporation are ready to assist all in their power to carry out these great improvements. About four years back a fire took place at the back of Holborn Hill; the corporation immediately bought the property to prevent the houses being rebuilt. The corporation cannot let ground in Clerkenwell, along that line, till they have the Government's sanction to improve Holborn valley. Thinks the object must be met by the Government as well as the corporation. Mr. Bennoch in 2051, 2052, says "money is charged for lodging houses, and not a brick has been laid." The fact is, the money was charged for the purchase of freehold ground, not for the erection of houses. The improvements now pressed upon the corporation are Holborn Hill, Earl Street, and several others, involving an expenditure of about two millions for streets only. In addition to that, a large sum is wanted to widen London Bridge, and if the engineer cannot sustain Blackfriars Bridge, a larger expense will be required for a new bridge, 7328, 7329.—If there is a scheme of improvement fairly proposed it is always sent to a committee, who always refer to Mr. Bunning the City architect; the corporation decide which of the various schemes proposed shall be adopted, and determine whether they have the means of carrying it out, 7330–7334.—The corporation invariably refer every improvement to Mr. Bunning the City architect, who takes an enlarged view of the subject, and reports to the corporation, 7335, 7336.—The committee invariably say which plan of improvement ought to be done first. Thought he had explained that the plan must be brought before the corporation before they will refer it to committee; the committee then report what they think desirable, then the corporation decide whether they will adopt the report or take some other more desirable, 7337.—The corporation do not allow the committees to suggest to them; the larger body refers particular suggestions to the smaller, not the smaller to the larger. Observes that the Commissioners have examined several witnesses with respect to Southwark Bridge. The corporation are now taking means to obtain an account of what state the bridge is in, and then will come the question of the value. As it will involve a great outlay of money, they have looked at it before they undertake anything. In 4396, Mr. Edward Wilson is asked if "a gentleman who had not given his attention to such subjects could judge of the effects of an embankment of the River Thames?" No such question can arise in the Navigation Committee. The corporation have taken the best advice they could procure on the subject, that of Mr. Walker and Captain Bullock

HALL, T. H., Esq.—*continued.*

who have laid down a line which the committee have not power to deviate from, 7338.—With regard to the system of managing the conservancy of the river, there is scarcely an institution in the world which is not susceptible of some improvement, but must decidedly negative the opinion that the committee are incompetent to perform their duties, 7339–7340.—The present body are independent, they give their decisions firmly, and believes they would be generally sanctioned; as Mr. Norris said, if anything would be injurious it would be to have private interests on the committee. Mr. Clement George says the corporation have a 4*d.* and a 1*d.* rate. That is a mistake, the 1*d.* rate was given up. Admits that in Marylebone much improvement has not been carried out, but that rests with the Government. The corporation are not answerable for that. Mr. George says the corporation are an irresponsible body; it is not right to say this of a body which is elected annually. The city pay 9*d.* towards metropolitan improvements, beyond their own 4*d.* Thinks the Commissioners must see that the City has not been injured by the corporation. It is rising in character to a great extent; its business is becoming almost wholly wholesale. Was on the committee nominated in 1834 at the suggestion of Mr. Williams. Can that body be bad which granted to a gentleman known to be a reformer a committee which he says was all it ought to be? He speaks of the mansion house as the corporation's great feasting house. The corporation no more feast at the mansion house than the House of Commons at the speaker's. In 2819 he says the 8*d.* duty is expended in City improvements; this is not the fact, an enormous sum has been paid over to the Board of Works. Mr. Travers is asked if he knows the ordinary business of the common council? He says he does not. He is in the Court of the Fishmongers Company. Believes they have in a small way some of the duties the corporation have in a large one; they manage the small debts, but believes they have some pay for it. Mr. Hankey called your attention to the question of London Bridge. The corporation have not the means of doing what they wish. In 954, 955, 957, Mr. Pulling says, the City officers are too numerous. He himself is a victim to the desire of the corporation to decrease the number. He was a candidate for the office of pleader, but the office has not been filled up. Mr. Bennoch says, the committees desire to take the most inefficient of their body for their chairman. To show that the corporation do not act as Mr. Bennoch says, witness was one who joined in the report to the corporation in 1835 for a reduction in the allowance to committees, and though he reduced the allowance of the Committee for General Purposes from 500*l.* to 200*l.* he was unanimously elected to the chair two months after, 7341.—The corporation have resolved that a certain amount should be continued to each committee to secure the attendance of the members. Thinks it quite right that some allowance should be made to committees, as most of the common councilmen live out of town, and where are they to get their dinners, 7343, 7344. —This allowance is given for needful refreshment, and has sometimes not been given till the business has continued to so late an hour as to require it, 7345 —Thinks that if there was a comfortable place, as there is at the House of Commons, to which gentlemen could withdraw a few at a time, coming back again to business, they would not require a dinner after. In 2029 Mr. Bennoch says, "so general has the tendency become to elect relatives of the members of common council, that it is now one of the byelaws of the court, that the son of common councilmen shall not be eligible so long as his father continues in the corporation." Witness brought forward that motion, and at that time Mr. Bennoch said, "the motion was nothing but a censure upon the court, and he did not see why, if the son was more competent to perform the duties of the office than any other person, he should be shut out from the chance of election." Mr. Bennoch was the gentleman who opposed the motion of which he now expresses his approbation, 7346.

HANKEY, THOMSON, jun., Esquire. (*Analysis of his Evidence*).—Is a merchant of the City of London, 1686. —Last year filled the office of governor of the Bank of England, 1687.—Has been a merchant upwards of twenty-five years, 1688.—Occasionally sleeps, but has never regularly resided in the City, 1689.—Has never been connected with the corporation of London, nor

HANKEY, THOMSON, jun., Esq.—*continued.*

have any of his partners, 1690, 1691.—There are scarcely any of the leading merchants who take any part in the corporation. Thinks it is because the merchants have withdrawn their residences from the City, and because the duties which attach to members of the corporation are so onerous, 1692, 1693.—It is very undesirable that the merchants as a body should have no voice and take no part whatever in the corporate affairs of a town in which they carry on their business, 1694.—Does not think the merchants would consent to take any part in the corporation while it is conducted as it is at present, 1695.—Does not think the great merchants in the City take any part in the parish business of the City, 1696.—They are unwilling to give up their time, and they admit that as an excuse for not attending to duties which they would feel themselves bound to attend to if it were made a matter of emulation and pride on the part of those on whom such duty should devolve, 1697.—In order to induce the merchants to become connected with the corporation certain duties which are now imposed upon members should be taken from them. Alludes to magisterial duties and a great many of the ceremonies, 1698.—Refers to the description of pageantry which surrounds the great offices of the City, 1699.—The duties of hospitality which are exercised by the lord mayor might be discharged less ostentatiously, 1700. —These duties as exercised by the present lord mayor are by no means undesirable, but the annual entertainment at Guildhall is a very useless expense, 1701.—The object of bringing the members of Government in communication with the City of London would be better attained at the Mansion House than at Guildhall, 1702.—Could never hear a single word of the speeches at the Guildhall, although he always had a seat of honour, 1703.—Thinks there is no interest taken in the lord mayor's show, except by idlers and children, 1704.—The tradesmen consider it an annoyance, 1705.—The lord mayor ought to move about in a carriage of sufficient state to show his importance, but as at present it makes him ridiculous, 1706.—It is every year more ridiculous, 1707.—The only thing that calls to mind former times is the coach; the attendants and allegories are got up from Astley's, 1708.—It is no longer like the processions of the middle ages, 1709.—It would be more absurd if the lord mayor were left out, it would be a procession without a meaning, 1710.—The chief magistrate ought to exercise splendid hospitality, 1711.— The entertainments given by the mayor of Liverpool are conducted in a much quieter manner, which ensures respect and esteem by the corporation, 1712.— It is the habit of the mayor to entertain distinguished visitors, who go to Liverpool, publicly, 1713.—At the dinner at Guildhall the body of the hall is filled with common councilmen and their families, 1714.—It is merely an opportunity of giving a certain number of people a dinner, 1715.—The corporation might be framed so that the merchants would be willing to act in conjunction with the corporation, 1716.—A merchant might consent to be lord mayor for a year, who would not consent to be an alderman for life, 1717.—Thinks the duties of the corporation by no means useless but inapplicable to the present state of affairs.—Statement with regard to the best system for municipal government of the City, 1718.—Has never had anything to do with the corporation as a merchant. Thinks the more the traders are left to themselves the better, 1719.—Alludes to the whole metropolis when he speaks of the mayors of different departments, 1720. —If there were corporations for the other parts of London the City might remain one also, 1721.— There should be corporations for the various boroughs, which should unite for joint action, 1722.— London might be divided into a number of municipalities, some for the north and some for the south of the river, 1723, 1724.—There are certain objects of municipality which should be assigned to each separately, and certain others for which they should be combined, such as widening streets, building bridges, the supply of water, and the sewerage and drainage, 1725, 1726.—The inaptitude of the corporation shown in its conduct about the bridges. London Bridge is not large enough; they are debating whether they shall give 250,000*l.* or 300,000*l.* for Southwark Bridge. This ought to be an antecedent step to altering London Bridge, 1727.—The Government ought to provide thoroughfares suitable to the wants of the people. They have left the building of bridges over the Thames to private enterprise, 1728.—Have no other means of

HANKEY, THOMAS, jun., Esq.—*continued.*

building bridges than by asking Parliament for a vote of money, 1729.—That money need not be paid out of the general Exchequer, 1730.—The limits of the coal dues extend 20 miles round London, 1731.—Coal dues are levied on inhabitants of metropolitan districts, 1732.—Thinks the inhabitants would consent to pay any taxation necessary for the efficient building of bridges, sewerage, lighting and water, 1733.—Is not aware of any means of levying a tax without a special Act of Parliament, 1734.—Must resort to one of the two funds, the City or General Exchequer, 1735.—Thinks that by such a union of municipalities as he has sketched out, a tax might be effected for purposes of metropolitan utility, 1736.—It would be better to raise the tax as a property or house tax than by the coal dues, 1737.—Thinks it would be possible to form a metropolitan board of works, with a power of taxation co-extensive with the metropolis, 1738.—The element of popular election would make it work better and be more popular, 1739.—If London were divided into municipalities, could form a board by taking two or three members from each, giving that combined board power of taxation, 1740.—The public would like a system of that sort better than the tax on coals, 1741.—The interest of the Government might be guarded by the First Commissioner of the Board of Works, or some person appointed by Government, being a member of such Board, 1742.—One or two merchants have alluded to the formation of a Chamber of Commerce, 1743.—Thinks neither Chambers of Commerce nor Tribunals of Commerce are at all desirable; that they are no use but a great deal of harm; that is the general opinion of the merchants; unless presided over by judges of as high character as those who preside over our law courts, it would rather add to the expense of litigation than diminish it. Supposes from the general use of them on the Continent, they are found to be of some use. The chambers of commerce in our large towns have a tendency to become mere political bodies, 1744.—Does not know how the Chamber of Commerce works at Liverpool. Thinks they would work better in country towns than in London. Commerce is so subdivided in London that there are few subjects in which there can be a common interest. Gives instances. The trades have all their own Chambers of Commerce in their own trades, for instance the West India Association, the Baltic Coffee house, Lloyds and the Jamaica Coffee-house. Has never found any difficulty in communicating with the Government since he has been in trade, 1745.—Liverpool resembles London very much in the particulars mentioned. Has not the same means of communicating with Government. Even at Liverpool the principal trades have their exclusive unions, 1747.

HARBOUR MASTER:

The duties of the harbour master are to enforce certain regulations and provide proper moorings and anchorage for shipping, *Kearns*, 2037.—Very efficient, *Wilson*, 4393.—Are highly efficient officers, *Leach*, 6449.—There are four statements as to their salaries and their duties, *James*, 6864-6891.—All efficient men, *Turnley*, 7721.

HARRIS, Mr. EDWARD. (*Analysis of his Evidence.*)—Is a sworn deputy-meter of the corporation, 7977.—Appointed by the Committee of Corn, Coal and Finance, 7978.—Is paid at so much per last, or per hundred quarters, 7979.—The meter waits at the office till an application is made, when he takes the job according to his seniority. His duty is then to proceed wherever it may be on the river or in the docks within the distance the corporation may claim, and to measure whatever quantity of grain he is required by the factor or buyer to measure; to keep an account of the same; to render an account to the custom house officers; to endorse the order upon which he works, for the settlement of the freight; he gives a certificate to the satisfaction of the buyer and seller, which is evidence in the courts of law; and books the work finally at the office, so that a correct account may be taken and the collection made upon it, for all which the meter is held responsible, 7980.—Though the porters are not admitted into the docks, the meters are invariably, 7982.—Formerly the custom house officer kept a tally against the meter's account. Some time ago the Board of Customs rescinded that order. Now, when the meter has done whatever quantity he has to do, he signs the officer's book for the amount, and it is merely checked on the opposite leaf by comparison with the meter's account, 7983.—Is exclusively a corn meter,

HARRIS, Mr. EDWARD—*continued.*

7986.—The porters' duties have diminished of late years in consequence of the ships going into the docks. The meters' work has diminished to some extent by the introduction of railways, the charter of the corporation only including water-borne grain, 7987.—Does not know that the quantity imported into London has increased of late years. Taking the average of five years from 1847 to 1852, the quantity generally measured has been 4,409,032 quarters, varying slightly, including coastwise and foreign, 7988–7992.—There is occasionally some litigation about measuring consigned corn, which means corn bought in the country and directed to a party in London; but generally, when the grain is sold, there does not appear much difficulty about it. If they take it without the meter, they take it for the amount it is sent for, and have no guarantee. Mr. Acland states that the situation of the working meters is a highly lucrative one. They have a laborious duty to perform, and the deleterious nature of the work inclines them to diseases, and sometimes renders them prematurely unfit for labour, 7993, 7994.—In consequence of this a fund has been established, which is paid out of the earnings of the working men, who only earn upon the average just sufficient to keep themselves respectable. The meter's office, from the origin, has been a self supporting place, 7995.—The operation requires practice and sometimes great exertion, 7996.—When found competent to discharge the duties, they are passed by the Board of Corn Meters, who have the management of the office as a sort of delegation from the corporation of London, 7997.—Whether it would be desirable that the same persons should not be employed the whole year in the same business, it being an unhealthy occupation, raises a question whether parties could be found having other occupations to fill up their leisure time. The work is not regular. A short time since about 400 vessels arrived in a short space of time, and kept them employed constantly for four weeks, 7998.—In other ports in this country it is the invariable practice to have sworn persons to execute the duty, 7999.

HARRISON, EDWARD, Esquire. (*Analysis of his Evidence.*)—Is deputy of the Cornhill Ward, and therefore one of the corporation, 7280.—Has been connected with the corporation sixteen years; in that time has filled several corporate offices. Has been chairman of the Freedoms Committee; also attends to day as a member of the Commission of Sewers, the chairman not being able. Is on the consolidated committee, and is appointed by the corporation one of the four gentlemen in the Metropolitan Commission of Sewers. Has also been up to the present time on the Improvements Committee, 7281, 7282.—Is a stationer. As an old member of the corporation, wishes to call the attention of the Commissioners to certain evidence referring to the character of members of the corporation at the present time compared with a former period. That evidence is highly objectionable, and cannot be justified by facts. Passes over the evidence of Mr. Acland. The evidence of Mr. Travers is of much importance, because in answer to question 209 he states, he has not directed his attention to the municipal concerns of the City of London; and in 211 says, "he believes, in common with most of his class, that the corporation of London is in a most unsatisfactory condition; its system is quite unfit for the requirements of the present day." Believes Mr. Travers is the son of the late Mr. Travers, who was connected with the reform measures of the City of London. As he speaks of a class, presumes he must mean the gentlemen with whom he is associated to promote certain political views, 7283, 7284.—Mr. Travers is a wholesale grocer; perhaps he means the opinion of the class of wholesale grocers. He is a man of great respectability, therefore his opinion thus expressed gives pain to gentlemen who have been many years in the corporation. In answer to questions 212 and 215, he says he would sweep away the corporation and local government of the City altogether, and would have no municipal body of any kind in the City of London. Would next refer to No. 1181. That witness, speaking of the corporation, says, they have never led, but have with great difficulty been dragged at the tail of popular opinion, and that the merchants now spurn them as something loathsome. The answer to 1216 is, "That it is not possible to propose a plan which would give the corporation of the City of London power to conduct its affairs so as to conduce to the advantage of the whole metropolis." In 2146 Mr. Samuel Morley says, the citizens

HARRISON, EDWARD, Esq.—*continued.*

of London look at it with feelings of repugnance. With regard to the sewerage, in 234 Mr. Travers, and in 722 and 723, Mr. Dillon, say the management of the sewers is very unsatisfactory, and should be placed under a single authority, also the paving and lighting. In 1726 and 1718 Mr. Thomas Hankey makes two observations which answer each other, therefore passes them over. Wishes now to show that these remarks cannot be justified by facts. The corporation have endeavoured to increase the constituency; and with regard to the sewerage, before there was any pressure from without, were very anxious to improve it, applied to Parliament, and obtained from the Government powers larger than had been given to any body of commissioners, powers for regulating the consumption of smoke, which worked favourably for twelve months, which power has since been given to the metropolis generally. The sewerage of the City is now completed, so that there is not a court, street, or lane, which has not a proper drainage, and believes the rate for this year will not exceed a penny in the pound. The Commissioners of Sewers are also in treaty for a large plot of ground for the purpose of a burial ground. It has been objected that there can be no unity of action between the Metropolitan and City Commissioners, when great public works are under construction. There is now a very large and important scheme under consideration for the drainage of the entire northern side of the metropolis, and nothing can be more useful for the public good than the co-operation of the two bodies. Thinks that, as the City Commission have completed their sewerage, it would not be just to unite them with the Metropolitan Commission, and call upon them to contribute towards similar works in other districts. The whole of the expenses of the works executed by the Commission of the City are under seven per cent. on the amount rated, which, compared with the amount which other commissions have expended in a similar way, is very small, as it also includes the salary of the officer of health, and the inspectors of the department. The whole of the rates upon property in the City of London at the present time amount to 3*s.* 4*d.* in the pound, that includes the consolidated rate, police rate, sewers rate, and City of London Union, 7285–7290.—Similar rates in Marylebone come to 3*s.* 6*d.*, and in St. Pancras to 3*s.* 9*d.*, 7291, 7292.—Believes that he has now shown the City has done its duty to the public in reference to the sewerage and sanitary state of the City, and managed their works more economically than any other board has managed similar works. Wishes now to say a few words with regard to election in Common Hall. There is much bribery in those elections, the candidates buy votes by the hundred. The agents hand in the names of the voters, and the contract is, they are only to be paid for those who vote for the party. States this from his own personal knowledge. There is also another way in which you have to pay for getting a hall, as it is called. The voters ought to pass through the respective wickets, and was called on to pay 5*l.* a hundred to some person for having allowed what appeared to be non-voters to pass through a particular wicket. The corporation have twice tried to alter this, but the opponents were too strong on both occasions. It has been said that the corporation would prefer to appoint an incompetent to a competent man on a committee. From his own experience knows this is not the case; for instance, Mr. Hall has been continued chairman of the Improvements Committee for some years, because he knows the nature of the business; again Mr. Lambert Jones was kept by the corporation in the chair, from the commencement of the improvements at London Bridge almost to the termination of them, because he understood every department of the business, 7293, 7294.—Does not know that there would be any advantage in reducing the number of the corporation, except in saving the time of some of the members. Does not say that the corporation is not susceptible of improvement, but that as they are constituted they have done their best to promote purposes of public usefulness, 7295.—Is one of the consolidated committee; thinks the business might certainly be done with a smaller number, as the whole committee rarely meet. Such a circumstance as a member coming in to vote upon an important subject without having attended the whole proceedings may have arisen, 7296–7298.—Having much time to devote to public interests, should not find it more satisfactory to devote the whole time to one committee, 7299.—There are sometimes three or four committees

HARRISON, EDWARD, Esq.—*continued.*

in one day, but not often at the same hour. Cannot attend them all, 7300–7302.—Under the present arrangements of the corporation a rule cannot be laid down, that a member shall not be put upon more than one important committee at the same time, 7303.—Has been a member of the Navigation Committees four years; used to attend pretty regularly, 7304.—In consequence of the litigation going on on that subject, does not think the business of that committee is transacted in a manner beneficial to the public; otherwise thinks the committee quite competent, and their arrangement of the conservancy most satisfactory, 7306, 7307.

HARVEY, DANIEL WHITTLE, Esq. (*Analysis of his Evidence.*)—Is commissioner of police, appointed under the Act of 1839, and has continued so from that period, 6504.—The salary attached to the office by Act of Parliament is not to be less than 800*l.* a year. It was also determined that the commissioner should be furnished with a suitable residence in addition to his salary, and for four years subsequent to witness's appointment he was allowed 200*l.* a year in lieu of a house till one was found. In 1846, the working of the City police was made the subject of inquiry by the Court of Aldermen, and also by a committee of the Court of Common Council. The Court of Aldermen came to a unanimous resolution, based upon their entire approbation of the management of the police, that the salary of the commissioner ought to be 1,200*l.* a year, the increase to take place from the month of June previous. As the amount of salary rests with the Common Council, that opinion was certified to the Police Committee, and they, after having gone into the working of the police very minutely, came to a unanimous and very gratifying resolution as to the manner in which the police was conducted, and expressed the opinion that the commissioner's salary ought to be 1,000*l.* a year, and 200*l.* a year in lieu of a house. The 1,000*l.* a year was granted to be paid from that period, but the 1,200*l.* a year, has never been paid, and is still due, nor has any provision been made for a house, 6505.—Those are the whole of the emoluments attached to the office. It is the third clause of the Act which fixes the salary, 6506, 6507.—Witness here states generally the duties he performs as commissioner of police. The undivided responsibility is peculiar to the commissioner's office. In the metropolitan there is co-ordinate authority given to three commissioners, 6508.—The men who are made constables in the metropolitan district are appointed by the Home Office; that is, so far as the Act of Parliament declares they shall be so. In effect they are for the most part appointed by the Commissioners, but in the City the appointment is wholly with the commissioner, as is their discharge. He is amenable to no one, either in the one case or in the other, 6509.—There is no police committee in the City which superintends the control of his office. Under the City Police Act the common council has the power to appoint a committee, and to depute to that committee, if it thinks fit, all its functions, so that whatever the Court of Common Council can do, that committee can do; but what they can do relates to what may be considered the civil branch of the police, such as raising the finances and attending to the complaints of persons who may object to the rate, and all that applies to the financial branch. So far as regards the working of the police in the appointment of men, and in dealing with them, and in making rules, &c. that rests entirely with the commissioner. In the early stage of his appointment made rules and regulations. Produces the same. They have remained the same from that time, 6510.—The rate of pay of the constables of the City has been raised since the first of January, 6511.—The application of the men for an increase of pay was made to himself; that was transmitted by him to the Court of Aldermen; it became a question whether it belonged to the Court of Aldermen or to the Police Committee, one or both, to entertain and deal with that application. It was eventually dealt with, and a scale of increased pay, based upon his own recommendation, was sanctioned by the committee, 6512.—That scale is considerably higher than that of the metropolitan police generally, 6513.—Did not communicate at all with the authorities who superintend the metropolitan police before that increase was made. Circumstances existed in the City, calling for an increase of pay, which would not apply to the Metropolitan Commission, 6514.—Undesirable that a previous communication should be made to the metropolitan

HARVEY, DANIEL WHITTLE, Esq.—*continued.*

authorities upon any subject, without being prepared to a considerable extent to adopt their view. No train of reasoning based upon their own policy could have altered his judgment, because it was based upon necessity, 6516.—Whether, as a matter of public policy, it is of importance that the police of the metropolis generally should be looked upon as a whole in some respects, opens quite another question, 6517.—As commissioner of the City deemed it much more important to conciliate his own force than to consider how it might operate upon others. Has a very exclusive responsibility, 6518.—The communications of the metropolitan police with the City police have always been most amicable, 6521.—His jurisdiction extends about a mile and a half in one direction and a mile in another, 6522.—It extends over the City proper, not over the river, 6523, 6524.—The whole of the Thames along the City as well as without the City is under the jurisdiction of the metropolitan police, 6525.—With reference to the complaint that that space of ground between high and low water mark, on the bank of the Thames, was not protected, and is infested with bad characters, called on Mr. Saward yesterday, and went over the locality, so as to be able to state more correctly that it is not a locality which would justify sending men to walk up and down the shore, among barges and timber lying there, night after night, 6526.—They do not interfere, with the ground between high and low water mark within the City jurisdiction, except in the neighbourhood of Blackfriars Bridge, where children descend the steps to bathe. This is unseemly, and sometimes dangerous, and therefore the police occasionally look after them; but so far as watching the strand in the same way as they do the street, they do not undertake it, nor consider it their duty so to do, 6527.—The constables of the metropolitan police do not consider it their duty to watch this strand; they are constantly moving up and down the river, and from their boats see what is going on, 6528.—They consider that their duty, 6529.—No difficulty arises, nor any inconvenience to the public, from doubts as to the jurisdiction under which the strand is placed, particularly in connection with the river force, 6530, 6531.—Does not consider that strip of land within his jurisdiction, 6532.—Most of the landing places within the City are approached by ways which are private property, 6533.—The Thames police is a river police. The Metropolitan Commissioners never send their policemen within the City on the dry land. It would be necessary, if they acted upon the 5th section of the Metropolitan Police Act, and watched the strand, to send them into the City, 6535–6537.—They are not in the habit of sending persons out of their regular beats within the City, 6538.—Does not believe that any attention is necessary, either in the law or the practice, with regard to the efficient watching of the strand on the river side in the City; but if the two forces were made one force, the operation in that respect might yield some advantage, 6539.—The Temple is within the City for police purposes, 6540.—The City police do not go into the Temple. At the beginning they expressed a wish to have their own constables, 6541.—They pay the police rate. If the Temple were to call upon the police authorities to supply them with protection, looking at the fact that they pay as other persons do, they should comply; and if they could not spare men from their existing force, they must increase it. They would be entitled to protection if they chose to give a notice that they require it, 6542, 6543.—Serjeant's Inn is in the City, and is watched by the police. St. Bartholomew is partly in and partly out of the City. There is a small district there which is extra parochial, and it is a very nice question to whom it belongs, 6545.—They have no police of their own. Inconveniences occasionally arise as to the boundaries of the City and the metropolitan district. For instance, in Charter House Square, which is in that neighbourhood, there was a robbery some time since, which was made the subject of investigation, the back premises being in the metropolitan and the house in the City district, 6547.—Though all the evidence that the Commissioners have had before them testifies to the efficiency of the City police, it is capable of being made more efficient, and it ought to be so. The accommodation at the chief office is very defective when compared with the large sum which the corporation pay. The chief office and the residence of the commissioner are one and the same thing. The chief office ought to have a separate entrance, and a separate exit, in case of and serious disturbance, 6548.—The head police station in

HARVEY, DANIEL WHITTLE, Esq.—*continued.*

the City ought to be better than it is. A gentleman comes there, and is shown into a room more or less occupied by a dozen constables and persons connected with individuals who have served their period of imprisonment, and who come to claim whatever chattels may belong to them, 6550.—In Scotland Yard there is an access in front, and another for all purposes of numbers from behind, 6551.—The system might be made more efficient if in the City the detective power were connected more directly with remote places of commercial importance. It is one of the strongest and perhaps the only strong reason that suggests itself in favour of the union of the two forces, that there would be a detective power which would be almost irresistible in its utility. What the metropolis wants is a real independent detective force, efficient for its objects, in all places, 6552.—If there was one general metropolitan police established, thinks the heart and centre of the system should be in the City, 6553.—No doubt the head office of the metropolitan police was placed in Scotland Yard, to be near the principal offices of the Government, it being at that time a Government office, 6554, 6555.—It would be one of the most pernicious steps that could be taken, as it regards the interests of the City, to merge the City in the metropolitan police without very important reservations. Has statistics which perhaps may be useful in illustration of this question. The City police rate is 7*d.* in the pound, 6556.—The City also makes an allowance from its own funds. The corporation is for that purpose the government; it does for the City just what the general government does for the rest of the metropolis; besides which, in the case of the funeral of the Duke of Wellington, the City paid 2,000*l.* out of their own funds. The metropolitan police is at this time assessed at 6*d.*, which against the City is a difference of 1*d.*, or 4,000*l.*, but in effect the metropolitan do pay 7*d.*, and for this reason. The rate in the City is levied by the committee, who pay all the expenses attending the collection. In the metropolitan police the different parishes are called upon to pay a net sum of money equal to the 6*d.*, but what it costs them to raise it is an additional charge, 6557.—Supposing the City were united to the metropolitan district, under the notion that it would be an economical arrangement, it would be a great loss to them, because at this time the inhabitants of Marylebone are paying very nearly as much as they do, and witness questions very much whether they have half the force. They also have a chief authority in the City, no other district having that advantage. Have also the advantage of a small area and a rich and dense population, 6558, 6559.—If thrown together, with districts which have a large area and a thinner and not so rich a population, they would be losers, but it would be beneficial to the others; others would get the benefit of their income; the question is whether the City would get the same amount of protection, 6560.—Possibly, if it were all united, there would be a saving of some small portion of the machinery, perhaps 2,000*l.* a year, 6562.—Has made many inquiries as to whether any difficulty now arises between the City jurisdiction and the metropolitan jurisdiction, and the answer of the officers is this, that there is not so much jealousy between the respective forces who are upon the confines of the different districts as there is between their own officers in reference to their own divisions or beats, 6563.—Under the City Police Act, upon an emergency, with the consent of the Secretary of State, the City Police may go into the metropolitan district, and a metropolitan man may come into the City with the sanction of the lord mayor, but it is only upon emergencies, 6564.—In the case of the pursuit of a common thief or a pickpocket just upon the frontiers of the City, a City constable pursues him into the metropolitan district. Its detective men go as much into Marylebone as they do into the City, 6565.—The man is a constable out of the City if he has reasonable cause, 6566.—With regard to petty cases there is no difficulty on either side in pursuing a delinquent beyond the jurisdiction either of the City or the Metropolitan Police, as the case may be; and with regard to great occasions, such as public riots and so on the two forces may be interchanged upon application to the lord mayor or Secretary of State. The commissioner must be incessantly at his post, unless allowed to be away by the sanction of the Secretary of State and of the lord mayor; and with that sanction he can appoint the next person in authority. To obtain this sanction upon any occasion for a short time would be quite impracticable; therefore the commissioner is

HARVEY, DANIEL WHITTLE, Esq.—*continued.*
either obliged to be incessantly at his post, or if he leaves it without sanction he is subject to all the responsibilities which may arise in his absence. Therefore if the City police is to continue, there ought to be some person of equal authority under the particular circumstances, 6567.—There are two metropolitan commissioners, and they can mutually arrange their periods of absence. There is another very serious evil, and that is the existence of an interior irresponsible police. At the Mansion House there are officers who, if they are not clothed with all the powers of police, are exercising police functions, and that very much to the prejudice of the ordinary police, 6568.—These men are old officers of the corporation, paid 150*l.* a year each, but they are amenable to nobody, 6569, 6570.—Speaks of the two Forresters. The practice acts very perniciously and unjustly to the public and the public force, who fancy that the cream of the cases is lapped up by other persons, 6571.—They pick their cases. They are old officers who were connected with the Mansion House before the Act passed. They are always to be found or heard of at the Mansion House. Does not know that they have a regular office, 6572–6576.—Has mentioned it to some gentlemen of the Court of Aldermen, and they say, if they are removed others will not be appointed in their place, 6577.—There are two; should say there are a couple of hundred constables sworn in at the Mansion House exercising the functions of constables, but not amenable to any one, 6578, 6579.—They are sworn in by the lord mayor as special constables. Under the Metropolitan Act, the Commissioners have the power of appointing those men and of discharging them, but it is not so in the City, 6580.—This double system is in every way objectionable. Such as it is, it is under the control of the lord mayor, 6581, 6582.—The committee of the common council do not at all interfere with the police, except so far as raising the funds, and also receiving from time to time reports which witness may have to make, 6583.—They deal with all cases involving expenditure, and settle the contracts for the police, 6585, 6586.—Witness has no control over the contracts except to complain, if the articles, which are supplied, are not proper. The commissioner has the power to determine what the clothing shall be. The committee decides upon the rate of pay. The recent increase in the rate of pay was made by the committee at the instance of witness, 6587–6590.—They looked entirely to the efficiency of the City police, 6592.—There are some private watchmen in the City, who are constables, and they are sworn in in the way spoken of, 6593.—The Post Office have 6 or 8 men belonging to witness. When any one comes and asks for a constable, he is required to pay a scale which has been fixed by "the committee, and that money is paid to the chamberlain," 6594, 6595.—Does not think the Temple watchmen are constables. It is very undesirable that there should be those independent constables all over the City, 6596, 6597.—It is not the case in any other part of the metropolis, 6598.—Has a list of the places to which metropolitan constables are sent. The commissioners receive 15,000*l.* or 20,000*l.* a year from those sources, 6599.—The parties apply to the metropolitan police for constables. The metropolitan police are empowered to swear constables for the special purpose of protecting the Palace. There is some particular form of oath in that case, 6600.—They are answerable for the general maintenance of the peace, and the security of property in the metropolis; and, therefore, they ought to have the agents of their administration under their control. 6601.—The control witness has over the City police is greater than that of the Metropolitan Commissioners over their police. He appoints the men, and can dismiss them without reason, if he pleases. The system in the City is as good as witness can make it, 6602–6605.—The district of the metropolitan police extends considerably to the east of the City, 6606.—Never heard of any inconvenience arising from the distance between those parts and the principal office of the metropolitan police; each district is presided over by a superintendent, who is for that purpose the chief of the district, 6607.—Is aware that when the City bill was first introduced it was not proposed to have any superintendent at all, but to govern the police by a committee of common council. The superintendent was an after thought. What is termed popular control would in some instances be palatable; that is to say, that there should be more control in the hands of the common council, 6608–6610.—There never has been any Parliamentary inquiry into the City police since it has been established. There was a committee of the House of Commons which sat in the year in which the Act was passed, 6611, 6612.—That committee came to the conclusion that it was not desirable to have a separate system for the City police, 6613.—Their first recommendation, before the present system was in existence, was, "To consolidate the several constabulary forces of the metropolis and the City of London and the river Thames under one authority, responsible to the secretary for the home department." The City made four objections to this arrangement, first, that it differs in many ways from other parts of the metropolis, and requires a differently regulated police. This, witness thinks nothing of, as all the constables have to learn their duties. Second, "The inconvenience it would be to the inhabitants of the City to have to apply to the commissioner at Whitehall with complaints against constables." This is a true objection. The third is, "That the taking away the power of managing its own police would be an interference with the charter of the City." This is a legal question. And the fourth, "That the inhabitants would lose by being deprived of the contribution which is now made from the corporation funds towards the expense of the City police;" but whatever the City does now, the Government must do if the forces were united. The corporation would be gainers of above 10,000*l.* a year, 6614–6619.—The principal reason why more policemen are required in the City is the crowding of the great thoroughfares. The great obstructions in the City are in the neighbourhood of Cornhill and Cheapside especially, and the streets leading to both; they are Fleet Street and Newgate Street; Newgate Street at times is blocked up, 6620.—If the new street is constructed in continuation of Cannon Street, it will ease Cheapside, but not Ludgate Hill, unless they have a diversion down to Blackfriars, 6621.—Since the great increase in the size of the metropolis, the old thoroughfares of the central part of the City have become inadequate to the traffic, 6622.—The number of obstructions which occur in the thoroughfares in the course of a day or a week is pretty well implied in the number of summonses. Another reason why more police are required is that the City is deserted at night; people leave their premises unoccupied, and very insecurely fastened, depending on the police. The City police has always been found very efficient, and on the late occasion of the Duke of Wellington's funeral it was found quite adequate to perform the duties required, without any assistance from the metropolitan police, 6623–6625.—If there were a detective force which should be a London force, it would be very desirable, 6626.—Does not think it would be possible to separate the detective force from the common police so as to have it under two branches, 6627.—At present there is a detective police force for the City, and another for the metropolitan district, 6628.—The detective police of the City might be made much more effective. It is not so strong as it ought to be. Would have under the executive control two or three men at each of the outports and great towns, 6629–6630.—The arguments for concentration are very strong in the case of the detective police. Such a detective force might be established in London as would make it scarcely possible for any large offender to escape, 6631.—There are 12 detectives in the City, and they receive 30*s.* a week. In the metropolitan district they receive two guineas a week, 6632.—The City pay their detective less, and the common policemen more, than the rest of the metropolis. Knows of no reason for this difference, 6633, 6634,

HAYWOOD, WILLIAM, Esq. (*Analysis of his Evidence.*)—Is engineer to the City Commission of Sewers, 5950.—States the duties he performs in connexion with the corporation, 5950, 5951.—There is a Building Act in the City, 5952.—Witness believes he is the only officer in the metropolis who has any control over ruinous buildings, except the district surveyor, 5953.—The district surveyors are under the Metropolitan Building Act, 5954.—That Act applies to the City; their jurisdiction is not concurrent with witnesses, but they do not clash at all. Witness has a more prompt power than they have, and is generally called on to give the commission advice on all sanitary matters which come under their control, 5955, 5956.—The sanitary police of the City is in a very satisfactory condition, 5956*a*.—There is a medical officer attached to the commission of sewers. Whenever the medical officer finds, from the detailed returns of the registrar-general, that deaths have occurred in premises of a nature which leads him

HAYWOOD, WILLIAM, Esq.—*continued.*

to infer that the condition of those houses is unsatisfactory, domiciliary visits take place by the inspectors; they report what sanitary works are required to be done, and orders, upon recommendation of the officer of health, are issued by the commission for the execution of those works. Those orders have amounted to between 1,000*l.* or 2,000*l.* annually, 5957.—The medical officer of the commission makes an annual report, and also weekly reports of what he advises to be done in the interior of premises which are reported by the inspector of nuisances to be in an unsatisfactory condition, 5958.—The City had an Act which empowered them to enforce the regulations for lodging-houses, before there was any similar power in the metropolis. These powers are exercised in a very efficient manner, 5959–5961.—Witness has nothing to do with that inspection; it rests with the medical officer and the inspectors of nuisances; but if anything is to be done in the interior of those premises which require works to be done compulsorily by the commission, it falls within witness's department. There are six inspectors of nuisances under the commission; they are inspectors of pavements, they take charge of the scavenging and dusting, have the general superintendence of the public ways, and indeed the whole of their respective districts, 5962.—Every house which has been registered by the commissioners as a lodging-house has a card affixed in each room, stating what sex is to sleep in the room, the number having been determined by the medical officer. These regulations are enforced, 5963, 5964.—If these regulations are contravened, the proprietor is summoned before the commission, 5965. *(Mr. Daw)* The course is to summon the party, if he disobey the orders of the commission, or do not act up to them, before a magistrate. There is a fine for disobeying the order of the commissioners, 5967. Thinks the inspection might be more efficiently done if it were with the more continuous assistance of the police by night, as it is by night that the nuisance of overcrowding occurs, 5968.—The police have periodically given assistance. In the rest of the metropolis the Lodging-house Act is carried into effect by the police, 5969, 5970.—The police have examined several of the lodging-houses and made their reports from time to time, 5972.—There are not in the City many common lodging-houses in which persons are indiscriminately received at 4*d.* or 5*d.* per night, 5973.—In the neighbourhood of Smithfield there used to be some such houses, but they have been got rid of. Believes that the operations of the commissioners of sewers in that respect have been the cause of closing a great many of them, 5974. *(Mr. Haywood.)* Has never observed any evil result from the separate commission of sewers for the City, 5976.—The only shadow of a reason assigned for the desirability of annexing the City to the general commission for the metropolis has been that it was just possible that the corporation might object to the external commissions draining through their area. Such a thing is not at all likely to have existed, and at the present day it would be perfectly absurd to suppose any commission having an outfall sewer could object to any external commission draining through that sewer. At the present time there are more outlets provided at the City boundaries than are likely to be immediately wanted by the metropolitan commission, and if at any time a junction with the City sewers is required, the application to connect those sewers is generally complied with within a week or two, by the City commission, and the work executed within a month. The extensive area under the metropolitan commission of sewers obliged them to separate the area into districts, under the charge of different officers, who co-operate, when necessary, in precisely the same manner that the officers of the City commission of sewers co-operate with those of the metropolitan commission of sewers whenever it is essential for the public benefit. Considers there is great practical benefit in the contract of the pavings being joined to that of the sewers, particularly in a district so peculiar in its traffic, &c. as the City of London, 5977, 5978.—Whoever takes charge of the paving, as a matter of course, takes charge also of the lighting and cleansing of those pavements and the projections over them, 5979.—The water and gas are wholly independent of the commission, but the commission can compel the owners of property to have a proper water supply on their premises, 5980.—There is scarcely a house in the City that has not been looked to; there has been a vast deal done. Believes there is not a house in the City that has not a daily supply of water

HAYWOOD, WILLIAM, Esq.—*continued.*

of some kind, 5981.—In the year 1849 the commission applied for a new Act, giving them extensive controlling power, and they obtained it. The City was the first section of the metropolis which possessed the power of compelling the abatement of the issue of opaque smoke from furnaces, and since that time nearly all the furnaces have been so altered that the smoke is consumed. It is the only section of the metropolis which possesses power over slaughter-houses, and of regulating the way in which slaughtering is done, and power of seizing and confiscating diseased cattle or food unfit for human consumption, 5982.—Does not think there is any part of the metropolis where more care is taken for the accommodation and convenience of the public, and the huge traffic which rolls through the City streets. The restrictions which existed upon persons breaking open pavements, and with respect to boards and scaffolds, have all been made either more stringent or wholly new within the last four or five years. Entirely new rules and regulations with regard to all those matters brought under the control of the commission by their Acts of Parliament have been made, and the result has been most beneficial to the citizens and the public generally. Thinks that on the whole the sewerage of the City of London has been well carried out. They have recently been enabled to reduce their rate to 2*d.* in the pound, and will shortly reduce it to 1*d.*; and it is not that the City has had less sewers to provide within its area, and less difficulties to contend with than other portions of the metropolis, for it would be difficult to find any portion which has had more to do or more difficulties to contend with, 5983.—Thirty or forty years ago, that which it is a statutable offence now not to do, when called upon, it was a statutable offence to do at all. The sewers which were then constructed were for surface drainage only, and they do not answer their purpose so well or so efficiently as the sewers of more recent years. Believes that in a few years the old sewers will be remodelled and adapted to the exigencies of the present day, and then the sewers of the City of London will be in the highest possible state of efficiency, 5984. *(Mr. Daw)* In all usual cases the occupier is assessed, but the rate is recoverable from the landlord on small property where the rental is less than 25*l.* a year, 5985.—The levy is on the occupier, but in case of the rent being less than 25*l.* a year, the owner is assessed upon a composition, and it is recovered from the owner in that case, 5986, 5987.—In all cases it is intended that the immediate incidence of the sewers' rate should be upon the owner. In cases above 25*l.* a year the tenant can recover from the owner, unless there is any clause in his lease or agreement to forbid it; he then deducts it from his rent, 5988, 5989. *(Mr. Haywood)* As an evidence of the co-operation which exists for the public benefit between the City commission and the metropolitan commission, has been associated with their engineer as regards works which mutually affect the jurisdiction of the metropolis generally. Was associated with Mr. Frank Foster in 1851 in the preparation of his general scheme for the interception of the sewage flowing into the Thames. Is preparing with the engineer to the metropolitan commission the details of a scheme for that purpose, 5989*a.*—There has always been a disposition between the two commissions to co-operate for purposes within the sphere of their duties, but the necessity for such co-operation occurs very rarely indeed, 5990.

HAYWOOD, WILLIAM, Esquire. (*Second Examination.*)—Lays before the Commissioners certain statistics of the carriage traffic of the City of London; likewise a packet of reports upon the works of the Commission of City Sewers, showing their annual progress for many years past in the various sanitary matters committed to their charge, 7863.

HAZLETT, WILLIAM, Esq. (*Analysis of his Evidence.*)—Is an inhabitant of the city of Londonderry, 8009.—Held the office of chief magistrate, from the year 1842 to 1844, 8011.—Was elected senior alderman of the reformed corporation, and after serving for ten months was mayor for 26 months following, 8012.—Is manager of a bank in the town. Up to 1846 was a merchant connected with business in Derry, and had taken an active part in all matters connected therewith for 25 years; is now disconnected both with trade and with the corporation, 8013.—Is one of the deputation from the north of Ireland for inquiring into the management of the Irish Society in Derry, and reporting the same to this Commission, 8014,

HAZLETT, WILLIAM, Esq.—*continued.*

8015.—The deputation from Londonderry were elected by a meeting of the tenantry, and from Coleraine they were deputed by the town commissioners, 8016.—The deputation consists of eight gentlemen, 8018.—Believes they represent fairly the feelings and views of the majority of the tenantry, 8019.—Has communicated with the other members of the deputation, so as to ascertain their views, 8020.—Up to the time when the reformed corporation came into operation the Irish Society had paid the municipal officers, but after that time they declined to pay them. Witness, as head of the corporation, thought it right to inquire into the grounds of the claims of the corporation on the society, and presented an address, stating his views on the subject, to the corporation, which was confirmed by them; and in October witness came over with a deputation, and waited on the Irish Society to make known their grievances, but nothing followed for several years, 8021.—The contribution to the corporation was given in 1831 for the first time; it was withdrawn in 1832. In 1834 petitions were presented to the House of Commons complaining of the Irish Society. The society then resolved to pay the corporate officers of Derry; continued to do so till 1841. On the passing of the Municipal Reform Act the Society again withheld their grant, although they had expressed great anxiety for the reform of the corporation. The citizens of Derry remonstrated, and were again preparing to go to Parliament, when the Irish Society yielded, and are now paying 700*l.* a year to the corporate officers, and 500*l.* a year toward the improvements of the City. Gives a short history of the connexion of Derry with the Irish Society. The plan of colonizing the north of Ireland originated with James I., in 1608. He declared the nature of the project of plantation in Ulster as not for his own profit but for the welfare of the kingdom. In 1609 King James addressed peculiar motives to the corporation of London, in which he said that the late ruinated city of Derry, and one other place at or near the castle of Coleraine, were the best places for London to plant, and it goes on to state that "These towns his majesty may be pleased to grant unto, not only corporations, with such liberties and privileges for their good government, &c., as shall be convenient, but also the whole territory and country betwixt them, out of which 1,000 acres more may be allotted to each of the towns for their commons, rent free, the rest to be planted with such undertakers as the City of London shall think fit," and would also buy from the possessors the salmon fishing of the river Bann and Lough Foyle, and bestow them upon those towns. In January 1609, those propositions were converted into articles of agreement, and it was agreed that the City should pay 15,000*l.* to be expended on the intended plantation, and 5,000*l.* for clearing private men's interest. This agreement states that at Derry 200 houses should be built, and room left for 300 more, and that 4,000 acres next adjacent to Derry should be laid thereunto, bog and barren mountain to be no part thereof. Then there are 3,000 acres to be laid to Coleraine. The 7,000 acres laid to the city of Derry and town of Coleraine, one to be in fee farm at the rent of 53*s.* 4*d.*, and the city of Derry and town of Coleraine and 7,000 acres of land to them are to be holden of the king in free burgage. Then the whole of the county is granted. The county has since been conveyed in divisions to the twelve companies who advanced the monies, and the city of Derry and town of Coleraine are held by the soceity; the society have intercepted many free gifts which were made to the towns. Calls attention to the fact that it does not appear that the Crown received any money from the corporation of London for this grant, except 12,000*l.* paid as a fine in the reign of Charles II., 8022–8026.—The whole county belongs to the companies, excepting the church land and some native freeholds, 8027.—Believes the liberties of Derry were taken off the county of Donegal, and the liberties of Coleraine from the county of Antrim. Statement as to the origin of the society. Believes the corporation of London never advanced anything towards the settlement of Derry and Coleraine. The companies advanced the money to the corporation, and the entire county was conveyed to them as a compensation, 8028, 8029.—The corporation handed the money over to the society, who disbursed it. In 1613 a charter was granted. Statement as to the charter, 8030.—With regard to the officers of Derry there is no direct provision made in the shape of property for their sustenance, the whole property being conveyed to the

HAZLETT, WILLIAM, Esq.—*continued.*

Irish Society, 8031.—On the 26th March 1615, King James complained of the proceedings of the society; the corporation then sent over Alderman Proby and Matthew Springham, with specific instructions how to act, which prove that there were considerable duties which the common council thought they were bound to perform at that time. Here witness shows the proceedings, 8032.—The first instructions sent over were with reference to the plantation before the charter, and the second were subsequent to it, 8033, 8034.—In answer to the second of these instructions in 1616, the commissioners report to the king that Derry had already out of the 4,000 acres 3,217 acres, and for a free school they had allotted 300 acres. In 1623 the corporation of Londonderry made a complaint to the commissioner for Irish causes, that out of the 4,000 acres directed by the charter to be laid to Derry only 1,500 acres had been apportioned to the corporation towards the maintenance of the mayor and officers, which were insufficient for the purpose, not being worth 60*l.* per annum. They are now worth 2,400*l.* The king complained in 1624 through the privy council. Witness states some of the complaints, reads the answer made by the corporation of London, 8035.—The first complaint of the citizens of Derry against the Irish Society is that the 1,500 acres which is in their hands ought to be in the hands of the City, 8036.—The claim is founded on the answer of the society to King James, 8037.—Witness argues that the society, being incorporated for the protection of the rights of Londonderry and Coleraine, ought to have protected them in the possession of the 1,500 acres, 8038.—The way in which that land came into the possession of the society was this: The 1,500 acres were granted to the Bishop of Derry in the reign of Charles I. The corporation had a lease under the bishop; when the lease expired they applied to the society for assistance, the bishop not renewing. The society did assist them, but instead of returning the lands to the city of Derry they kept them themselves, 8039.—Witness does not think the city of Derry had any legal claim, but the crown had certain intentions in granting this property to the society, which have not been carried out, 8040.—The corporation were never out of possession till they applied to the society, 8041.—Between the bishop and the society the agreement was settled by Act of Parliament; the rights of the crown and of the corporation were reserved. It is stated in the charter that bog and barren mountain were reserved as to the city of Londonderry belonging. Witness reads the same, and observes that there might be a question of titles yet between them and the society, 8042.—Has no doubt the payment of 1,200*l.* a year to the officers of Derry by the society has been contingent upon claims made by the corporation of Derry in reference to these disputes, 8044.—The allowances made in the way the society make them to Derry are objectionable in point of principle, 8045.—As maintaining the control of a body residing in London over a corporate body in Ireland, 8046.—The property ought to be laid out for the good of Londonderry and Coleraine, and some of the funds be applied to paying the corporate officers, 8048.—The mayor of Derry, the recorder, the town clerk, and the serjeant at mace, are paid from those funds, 8049.—The mayor receives 300*l.* a year, 8050.—Derry is a rising town, 8052.—The corporation make borough rates, 8854.—Which are applied to the general purposes of the corporation, 8055.—They are limited to 4*s.* in the pound, 8059.—The expenses defrayed by the corporation are the sewerage of the town, the supply of water, and gas, 8057.—Objects to the Irish Society as landlords, to the short tenure they give, and to the standing order passed in 1847, that no lease be granted in perpetuity, and no determinable leases be renewed till within three years of expiration, 8060.—The greater part of Derry and that part of the neighbourhood is held by leases for lives and for years, and renewable for ever, 8061.—Those leases were granted in 1766, as the town was then nearly in a state of ruin, owing to the short leases, 8062.—The property held under the lease system is prosperous; the income amounts to 2,500*l.* a year. They require from the tenants, in order to carry out the law and convert them into perpetuity, from 100,000*l.* to 150,000*l.* 8063.—The Irish Society send everything to the House of Lords. Witness questions whether, being trustees, they ought to employ their public purse to give such a sum of money for exacting 40 or 50 years' purchase for renewals which do not injure their interest, but which benefit the tenants,

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8064.—Complains that the society refuse to renew leases till within three years of their expiration, which deters people from establishing manufactures in a way that they otherwise would. Questions whether they are justified in having spent 22,000*l.* in the last ten years in law expenses, and whether certain gentlemen, acting as trustees, were entitled to take, in ten years, 4,900*l.* as fees to their own members, 8067.—Complains that a large sum of money is spent by the society on expenses of deputations and entertainments, which ought to go to the benefit of the property, 8070.—There is little purely agricultural property under the society but those 1,500 acres, 8072.—Does not think the society can ever be serviceable to Derry and Coleraine as it is at present composed or constituted. States reasons, 8073.—Believes the property of the companies of the City of London generally is well managed, but there must be an injury to any kind of property from the want of a resident landlord, 8074.—If the Irish Society had a proprietary interest their conduct ought to be considered liberal, but if on the other hand, they act as trustees, they have indulged in expenses which they ought not, 8076.—With regard to what is called "tenant right," there is always a regard had in the towns to the party who has built the houses, and expended money upon them, 8078.—But with regard to country districts the usual mode is to value the land with its improvements, and leave the houses the property of the tenant. In 1713 a similar standing order existed in the society, 8079.—Thinks it would be a great advantage to the country if the land were sold, and set free in the hands of private purchasers. With regard to the towns would adopt some schemes similar to the ecclesiastical form of leases. Thinks that the Crown, having given the lands for public purposes, should see that the society is competent to undertake the management of it, 8080.

HAZLETT, WILLIAM, Esq. (*Second Examination.*)—With regard to the charge of three guineas for the renewal of leases, the clauses in the society's leases are of such a nature as to throw a great deal into the power of the society. States one case in illustration of that. States another case to show how the business of the society is managed. The facts which witness stated as to how Derry became possessed of that property and was afterwards dispossessed by the society, with the words of the charter and of the articles which preceded the charter, form a primâ facie case showing that the corporation of Derry are entitled to some substitute for 1,500 acres, for the common holdings, and for the Sheriff's Mountain, which have been taken from them. The municipal commissioners for Ireland examined into these matters, and commented upon them with considerable severity, 8333, 8334.—Supposes that those transactions to which he has referred constitute the ground upon which the society now makes that allowance for municipal purposes to Derry which they do not to Coleraine, which has its own property, and is consequently independent. Suggests that the plan of granting leases in perpetuity, upon the same basis as ecclesiastical leases are granted in Ireland, is not at all inconsistent with permitting the sale of the property to tenants either before those perpetuities are completed or after. In Coleraine the quantity of leasehold property is much smaller than in Derry. Thinks that both plans might be carried out at the same time. Witness's reason for referring to the difficulties which the society make with regard to their leases was for the purpose of showing the terms on which the leases were granted, namely, that by granting those leases the society precluded themselves from the benefit of all future improvements; and, having received 37 per cent. as increase of rent at the time as a consideration for so doing, it seems very ungracious in them to ask a sum of money for those renewals equal to twice the purchase of the fee of the society's interest in those leases, retaining at the same time the full amount of rent, fines, and fees, to which they are at present entitled. 2,500*l.* is all the rent they derive from those leases, but they ask a sum which their own counsel states amounts to from 100,000*l.* to 150,000*l.*, 8335.

HICKSON, WILLIAM EDWARD, Esq. (*Analysis of his Evidence.*)—Has given great attention to the subject of the corporation of London and municipal institutions generally, 2693.—Was formerly commercially connected with the City, but has not been so connected for many years. Is painfully reminded of the necessity of a Commission of Inquiry, and of efforts being made to improve City local administration by the

HICKSON, WILLIAM EDWARD, Esq.—*continued.*

local rates he is called on personally to discharge every year in the parish of St. Dunstan, Fleet-street, 2694.—Has not been an habitual resident in the City for fifteen years; but still retains chambers and occasionally sleeps there, 2695.—Has not carried on trade in the City for fifteen years. Was proprietor and principal conductor of the old Westminster Review for eleven years. During that time frequently wrote articles on the subject of administrative improvement, many of the questions relating to the corporation of London, 2696.—Has never been a member of the common council, 2697.—The object in view has been to show the necessity of a better system of local government generally both for the internal affairs of the City, and in its relations to the whole metropolis. Does not think the charge of personal corruption applies generally to the members of either the court of common council or court of aldermen. There are among them as honourable men as are to be found in any municipal constituency of this empire, and they may be regarded as a fair average of the middle class. The question of City reform is not one of particular abuses, but of consolidation of useless establishments and general simplification. Is of opinion there is not a city in the world in which local burdens ought to be so small as in London, nor one in which they are at present so heavy, 2698.—Speaks with reference to direct taxation of local rates, and indirect taxation; also to the immense trust estates which ought to be made available for municipal objects, 2699.—Statement of the mode of keeping the accounts of the corporation, 2700.—Must demur to the statement that they are the mere recipients of 8*d.* for coal duty, and that all they have to do with it is to hand it over to the Commissioners of Woods and Forests. With regard to establishment expenses the sum that appears for the lord mayors in the City estate account is 6,000*l.*, but it is well known that he receives in addition about 2,000*l.* in fees at the Mansion House. This 2,000*l.* does not appear at all in any City account, 2701, 2702.—It may possibly appear in the account which the corporation gave to the last Commissioners, of the emoluments attached to the office of lord mayor. Is not acquainted with any of the annual financial statements of the City in which it occurs, 2703, 2704.—In all well-regulated municipal establishments, the fees of office appear in the accounts. The public has a right to know what it pays, whether in fees or any other way, 2705.—The object of the present inquiry, and of City reformers, is to discover what the public pays altogether, directly or indirectly to the officers of the corporation, not merely what they receive in a corporate capacity. Instances City tradesmen's bills to illustrate the general complexity of the corporation accounts referred to, 2706.—Divided management does not of course necessarily imply divided accounts. A report has been printed, dated July 28th 1853, of the salaries and emoluments of officers of the London corporation which amounts to 55,000*l.*, but does not include the lord mayor's salary or fees of office. The Commissioner of the City police and his chief officers are omitted, likewise the district surveyors and their fees, and officers connected with the metage charges—in fact salaries and emoluments amounting to 50,000*l.*, and yet the committee appointed in March last, to inquire into it, make no reference to its incompleteness, 2707.—It does not profess to be a complete return. It is an instance of that suppressio veri, which in its effect, unintentional perhaps, is tantamount to the suggestio falsi. Seeing one of the witnesses has quoted it as complete, produces a statement of the salaries, fees, and office allowances of officers and clerks of the London corporation in 1833, signed by the officers themselves, and presented to the revenue committee of common council in 1835. Even this account was incomplete at the time it was rendered. The common council give out that matters have improved since then; the facts are these: There has been some reduction of office expenses, and there has been some increase of their offices; some have been abolished and new ones established. Salaries have been given in lieu of fees. The fees in 1835 amounted to near 70,000*l.* a year received by officers of the corporation in sums not passing through the City accounts. That amount has been reduced, including fees connected with the metage dues, but not all the trade dues. Speaks of fees of the same miscellaneous class received by the lord mayor at present, of which Sir Peter Laurie made a return in 1833. They have been in various instances reduced, but should say the sala-

ries and emoluments of officers connected with the corporation fully amount to 120,000*l.*, 2708–2710.—In a few cases the fees go into the hands of the chamberlain, and appear in the City accounts, but that is not the general rule, 2711.—Does not include in the sum named, fees for the admission of freemen; the amount for them is now small. If the Commissioners wish to obtain an accurate account of these receipts, the question of compensation to the City officers is one of the first matters upon which it will be necessary to decide. Knows there are many honourable men, officers of the corporation, desiring to give the fullest evidence on the subject, but feeling the necessity of having regard to the interest of their wives and families, they will appear with reluctance before this Commission. Would recommend that a retiring pension of two thirds of existing salaries and emoluments should be given to officers superseded under any bill which may be passed in consequence of this inquiry, 2712.—Undoubtedly the corporation at present do not know the amount of fees annually received by many of their own officers. Declines to specify any of those officers, 2713–2715.—Thinks it more important to obtain accurate returns of the expense of each individual office, than merely the salary and emoluments of each individual officer. For example, the chamberlain's salary is stated at 2,500*l.*, but including his clerks, the office costs 4,600*l.* So with the town clerk, his salary out of the City estates is put down at 900*l.*, and his emoluments 982*l.*, but in the City estates account, in addition to this 1,882*l.*, his clerks and office expenses are 2,787*l.* 9*s.* 6*d.*, making 4,679*l.* 9*s.* 6*d.*, which rule applies more or less to all offices of the corporation of London. In contrast with these general remarks with reference to the corporation of London, gives "an abstract of the accounts of the Municipal Borough of Leeds for the year ending September 1st 1853." This account does not include paving, lighting and cleansing; nor the poor's rate, which is under separate management, 2716.—The City account does not include the poor's rate, but that for Marylebone next following does, 2717.—That parish is a remarkable instance of comprehensiveness in municipal matters of administration. Its vestry, in reference to useful matters of expenditure, really enjoys more power than the corporation of London. For instance it has the management of the churches. Receives the pew rents of seven different churches and chapels in the parish, and pays the ministers' stipends, lecturers' salaries, and visitation fees out of the general funds; and includes all the customary branches of municipal administration for a very extensive district. The population of Marylebone is 157,696; inhabited houses 15,826; area 1,490 acres; all in one parish. The City of London is subdivided into 110 different parochial districts, which occupy only an area of 600 acres; an extraordinary anomaly in our metropolitan system of municipal government. The rental as assessed to the poor rate is 866,454*l.*; as assessed by the police commissioners and county magistrates, it is 987,548*l.* The expense in respect to lighting this parish is 11,711*l.*; the police commissioners 24,688*l.* The difference in respect to police as compared with the City is 20,000*l.* per annum. The expense is less by nearly one half, although the area to be watched in Marylebone is more than twice that in the City, 2718.—The parish of Marylebone pays the expense of the police to the police commissioners for the metropolis; it is charged upon the poor rate, as is also the county rate, a fact to be remarked, otherwise the figures as to the burden of the poor rate might mislead, 2719.—The vestry have no share in the management of the county rate, or police. All they have to do is to pay the sum called for by the commissioners of police. Refers to it now as part of the general question of consolidation. It was proposed when Government first established the metropolitan police, to place the whole of London under it; and the Commissioners estimated that the City might be watched for 25,000*l.* per annum. The corporation resisted that proposition, and succeeded in getting the management exclusively in their own hands, and the result is, regarding the financial question alone, that the City police cost 40,000*l.*, and the Marylebone 24,000*l.* per annum, 2720, 2721.—The police commissioners estimate for 25,000*l.*, appears in some of the Parliamentary blue books, 2722, 2723.—Gives an abstract of the accounts of the parish of St. Marylebone for the year ending 31st December 1852.—The corporation maintains its own prisons, at a large expense, and there is no corresponding expense in Marylebone, except as it contributes to the county rate. The conservancy of the river and many other expenses fall upon the City, and not upon Marylebone, therefore the comparison can only properly affect particular items of expenditure; but this account is submitted as suggestive of the economy and advantage of a general consolidation of establishments in place of a system of divided management. Now proceeds to a general view of the revenues of the City and its local burdens. Regards the present inquiry into corporation abuses as something more than a question of abolition or modification. It is one of reconstruction. What kind of municipal government should supersede the existing worn-out, antiquated, and effete institution; and what powers should be entrusted to the new municipality in its relations to the metropolis as a larger municipality? Produces "An account and in part an approximate estimate of the sums collected for public and charitable objects by different local bodies, within the City of London, for the year 1852." All those objects should be embraced in the new municipal government to be provided for the City. The indirect taxation levied through the officers of the corporation amounts to 333,702*l.* 8*s.* First the 4*d.* duty on coal, which they claim as their private property, 57,591*l.* 10*s.*; the 8*d.* duty on coal, 113,559*l.* 3*s.* 3*d.*; the 1*d.* duty on coal, 14,297*l.* 17*s.* 6*d.*, amounting altogether to 185,448*l.* 10*s.* 9*d.*, 2724–2729.—The chamberlain says, "the 4*d.* duty was given to the corporation for ever by the 5th and 6th of William and Mary." Gives a statement of other items of indirect taxation; likewise of the local rates directly collected by the corporation. The poor's rate amounts to 88,475*l.*, being 35,000*l.* more than the poor's rate in Marylebone. Estimates the ward rate, which is in some measure, a corporation tax, at 4,000*l.*; the church rates, tithes, and Easter offerings, at 70,000*l.*, though it is impossible to get accurate figures for this item, for churchwardens and clergy have generally been more backward in making returns than even the corporation. The tithes are in some places paid to the parishes as rectors in their own right; in others, direct to the clergy, 2730, 2731.—Is not giving corporation receipts alone, but the whole municipal receipts of the City, over which a new municipal body properly constituted, should exercise a general surveillance, with a view to the reduction of existing burdens. The total of the City local rates is 277,488*l.* The next branch relates to trust estates for public and charitable objects. First, the real estate of the corporation, including fines for the renewal of leases, produced last year 99,112*l.*; the Bridge House estate, 47,021*l.* The different charities, as taken from the report of the Charity Commissioners in 1837, the parochial charities, 38,703*l.*; those administered by different chartered companies, 85,685*l.*; the five Royal hospitals, 128,763*l.*; and sundry charity estates, 3,298*l.* Estimates the increased value of this property at 10 per cent., being 25,000*l.* upon the last four items. These trust estates for public and charitable objects amount to 427,585*l.* Gives statement of the whole of the City revenues, amounting to 1,107,154*l.* Population, 129,128; area, 600 acres; inhabited houses, 14,693; rental to police rate, 1,020,000*l.*; number of parishes within the walls, 97; without the walls, 13; ex-parochial inns of court, 13; wards, 25, but including Bridge Without, 26, 2732.—Includes tithes and all charges relating to the Church, as necessary to a complete view of the local burdens, and because in Marylebone all such charges are made through the vestry. In other counties charges for church building and repairs commonly appear in the municipal accounts, 2733.—It is undoubtedly a practice in some municipal administrations for parochial charities to be included in one common system of management, 2734.—It is impossible to state, with any accuracy, what is done generally in the 185 cities and boroughs placed under the Municipal Reform Act as to including in borough accounts charities which belong to a parish. The rule in one municipality is not the rule in another. The defect of the Municipal Reform Act was that it did not sufficiently define what were to be the functions of the new corporation. The question of the proper province of municipal administration had been very little considered, and there has been no end to the local Acts since obtained, and continuing to be obtained, by different municipal bodies, extending their power of municipal administration. Hopes that in framing a new constitution all the powers which such a governing body should possess will be conferred at once; and, among them, powers

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for controlling the present wasteful church expenditure. A new municipal board should have power to take proper steps for a consolidation of these numerous ecclesiastical divisions, by conferring with the bishop of the diocese and the clergy generally, to frame a bill for effecting the object, 2736.—Believes that in Marylebone there was a special Act of Parliament, by which the rights of the Duke of Portland were purchased, and the vestry was enabled to deal in that manner with the churches in that parish, 2737.—The object in drawing up the statement put in was to collect all the local expenses of a public nature, whether of the corporation or of other bodies within the precincts of the City, with a view to the general consideration of the whole question, principally to that part which relates to the powers which should be given to a new municipal board, 2738, 2739.—The statement as to a total of 600,000*l.* a year is made up by taking what is called the corporate estate, which, with the Bridge-house Estate, amounts to 200,000*l.*; then the gross receipts of the coal duties, about 200,000*l.*; then the rates directly collected by the corporation, such as police rate, consolidated rate, and other rates before enumerated, with the 70,000*l.* returned by the Revenue Committee of the Court of Common Council in 1833, as received indirectly by the officers of the corporation, 2740.—Does not recollect that there appears in any of the published accounts a separate item for fines, estreats, and amerciaments. Thinks there has been some misapprehension on the part of previous witnesses with respect to the first item of the coal duties. The 4*d.* duty is what the corporation call their property. It has been stated that it was chargeable with the burthen of the City improvements. The amount appears under the head of "Offices," in the account of the City estate, as applicable to general purposes; but the corporation have made it chargeable with 20,000*l.* in aid of City improvements. This has been done, not under an Act of Parliament, but by a by-law of the corporation, 2741.—Understands the minutes to mean that they have borrowed money for City improvements, and mortgaged their coal duties to that amount. Does not know for what length of time they are mortgaged. It was stated that the 8*d.* duty was simply handed over to the Woods and Forests, in consideration of the cost of making New Oxford Street, New Victoria Street, and the expenses generally of some improvements at the West End. That is the general impression of the members of the corporation at this present moment, as made by their officers; but it is a very inaccurate one. Up to the present year, 1853, the 8*d.* duty was mortgaged for improvements executed within the City, and under the direction of officers of the corporation. Has brought a statement of the loans secured upon that duty from 1831 to 1853. The first was the remaining part of the 96,000*l.* borrowed before, for the debtors' prison, 1,000*l.*; ditto of the 5,000*l.*, for the improvement of Moorfields, 1,500*l.*; ditto of the 80,000*l.*, for the site of the new post-office, 61,000*l.*; London Bridge approaches, 1,000,000*l.*; removal of Fleet Market, 250,000*l.*; removing the site of the Royal Exchange, 150,000*l.*; ditto 40,000*l.*, New Farringdon-street, 25,000*l.*, showing a total of 1,535,600*l.*, raised for improvements in the City exclusively, and administered by officers of the corporation. Believes the whole of these loans are not fully paid off at the present moment. The corporation, or their officers, have been financially responsible for nearly the whole of the 8*d.* coal duty since 1831, namely 1,535,600*l.* Up to the present time the proceeds of the 8*d.* duty would have been absorbed in City improvements, 2742–2744.—The interest and repayment of loans have absorbed nearly the whole of the revenue received within that time, 2745.—Is not prepared to say how much of the revenue from the 8*d.* duty for 1852 has been used for City improvements exclusively, 2746.—Puts down this item in the account of City revenues, because the corporation have hitherto administered the largest part of the proceeds of the 8*d.* duty, and are still receivers of the money. Every citizen of London ought to have an accurate statement of how and by whom that money is collected, what charges are made for its collection, and what securities are taken that the whole of the 8*d.* duty shall first be raised, and then applied to the objects intended by the Legislature. The coal duties are collected in different establishments. The corporation are obliged to employ officers connected with the railway companies, and it is desirable to know what securities are taken against a possible understanding

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between the inferior class of those officers and some of the large coal owners, so that the full amount of duty which ought to be levied shall come into the public coffers, 2747.—The 8*d.* duty now annually produces 113,000*l.* net, 2748.—Does not know how much of it the City has paid in any recent year to the Commissioners of Woods and Works, 2749.—An increasing sum is paid over to Government, but that is very far from being the whole question, 2750.—In some cases the Office of Woods and Works have had the right of examining the plans, 2751.—Undoubtedly they have not the same control over the improvements in the City as over those in New Oxford Street and other places. The corporation are not only responsible for having spent, within the last twenty years, 1,500,000*l.* out of the 8*d.* duty; but for having retarded, to a very great extent, by the sectional and antagonistic spirit of their institutions, the progress of metropolitan improvements generally, especially at the west end of London, 2752.—No doubt the whole of the 8*d.* duty has been raised by Act of Parliament. A sum of 1,500,000*l.* out of it has been expended in the City since 1831, and a further sum secured for general metropolitan improvements on the prospective receipts of the 8*d.* duty, amounting to 753,000*l.* Gives statement of the loans so secured, 2753.—Nearly the whole of the charges in the above-named statement are for improvements in districts without the City. The prospective 8*d.* duty is mortgaged for those improvements, 2754.—The statement that the whole of the 8*d.* duty is handed over to the Office of Woods and Works is an error. Some portion of it is still liable for old mortgages, 2755, 2756.—Should think a large portion for last year, 1852. But the fact that 1,500,000*l.* has been administered by the corporation seems to be evaded in the statements to this Commission. With reference to the 1*d.* coal duty it is not an exact statement that it was given to the City in consideration of the expenses of collection. All the coal duties are subject to separate charges to the officers of the corporation for collection. The gross receipts of the 8*d.* duty are not applied to improvements. A portion of them is subject to charges of the corporation; so, also, in the 1*d.* duty. Both these items ought to be brought into the accounts of the corporation of London, 2757.—The 1*d.* duty is the fund out of which the Coal Exchange has been built. That also has been exclusively administered by the corporation up to 1845, since which time it has been paid to the Office of Woods and Works for general improvements; so says the return of the late chamberlain, 2758, 2759.—Thinks that every municipality should be at liberty to tax itself to any extent it thought proper, and enjoy absolute control over the funds which the ratepayers in the municipality are willing to contribute from their own pockets. But it is a very different thing to allow a local body to waste funds belonging to the public generally. The City of London might have the direction of City improvements to the extent of funds which it could raise within itself by direct taxation; but funds, raised from the inhabitants of the whole metropolis, ought to be under the administration of a metropolitan board. The limitation of municipal expenditure to the resources of a municipality is generally an efficient check to local abuse. It is unquestionable that the funds raised by the 8*d.* coal duty, for the approaches to London Bridge, have not been economically applied, nor the funds raised for building the bridge itself. Mr. Charles Fowler, the architect of Hungerford Market, obtained the first class premium for the best design, but he was set aside through the local influence of the bridge contractors, exerted in favour of another architect. The erection of London Bridge was contracted for by Messrs. Joliffe and Banks, at the sum of 426,000*l.* The Act for building it received the Royal Assent July 7th, 1823. It appears by a report to the Court of Common Council, that the corporation had spent up to the 3rd of December, 1831, upon the bridge and its approaches, 1,426,145*l.*, one million sterling more than the original contract, 2760.—The City of London, over which the jurisdiction of the corporation extends, is only about one twenty-fourth part of the uncovered area of the metropolis, and one-twelfth part of the area built over, 2761.—On some occasions the corporation appear to represent the metropolis, but it is one of the prerogatives to which they have no claim, and which should be taken from the local government of the City, and given to the metropolitan municipality. With respect to the conservancy of the river, and metropolitan improvements, thinks that the power of

HICKSON, WILLIAM EDWARD, Esq.—*continued.*
interfering with any measures that affect the interest of the whole metropolis should be taken from the corporation and placed in other hands. Shows Sir Christopher Wren's plan for the improvement of the City after the fire of London, which could not be carried out owing to the obstructive spirit of the corporation of that day. Notwithstanding the security of the Act to which Mr. Pulling referred, the corporation have allowed the river to be encroached upon and built over, and this process of encroachment is still going on; see an instance in a building on the south bank, erected in 1850, which projects twelve feet into the river beyond the stairs of London Bridge, destroying the ornamental character of the bridge, and which would interfere with any future plans which the Government may have to embank or throw open that side of the river as a public thoroughfare, 2762.—The building referred to is a large block, let to different parties, partly as chambers, partly as wharf warehouses. Knows that in several improvements going on, the obstructive spirit of the corporation has affected their progress. Since attention was first drawn to Mr. Martin's plan for the embankment of the river, has been led to inquire into the nature of the obstacles which have occasioned the delay. Finds that they have arisen chiefly out of a contest about the proceeds of the 8*d.* coal duty. The committee of the House of Commons which sat upon metropolitan improvements, from 1838 to 1840, reported in favour of a number of improvements at the West End, especially as connected with New Oxford Street, which it was thought could be effected by a surplus anticipated of the 8*d.* duty, over and above the amount granted for the London Bridge approaches, &c. But the corporation having been accustomed for many years to administer the whole proceeds of this duty were extremely disinclined to relinquish their grasp, and they brought forward a plan for improving the approaches to the Royal Exchange. The two parties were in mutual opposition. The surveyors to the corporation, Mr. Richard Lambert Jones and Mr. Higgins, were continually before different committees of the House of Commons, giving evidence against the plans of the Woods and Forests, and attempting to show that many of the proposed improvements were not required, and others could be executed for a smaller sum; their object, of course, being to secure a larger residue of the 8*d.* duty, for the administration of the corporation. In the report of 1838, question 137, Mr. Jones is found giving evidence against the necessity of pulling down Middle Row, Holborn. Again, in question 1201, he objects to Mr. Pennethorne's plan of a new street from Leicester Square to Long Acre. In question 1,227 he is giving evidence against the line proposed from Bow Street to Holborn. The result of this was that the suggestions of the corporation were to a considerable extent adopted. They cut down the sum destined for metropolitan improvements proposed by the Woods and Forests, from 638,000*l.* to 390,000*l.*, and most seriously marred them. For example, it was originally proposed that there should be a new line of street from Waterloo Bridge to Upper Gower Street and the Regent's Park, of the same character as Regent Street, which is the kind of thoroughfare the metropolis ought to have had in connexion with Waterloo Bridge. As now carried out it is one of the most unsatisfactory improvements we have seen effected, 2763.—Mr. Pennethorne proposed that Bow Street should be continued into High Holborn by a perfectly straight line. From economical considerations, suggested by the corporation, that line was given up, and it is now a crooked line by turning round a sharp angle to the left, and widening Belton Street. There are old houses on the one side and new ones on the other; and the value of the frontage has been so much affected by it that half the ground is not built on to this day, 2764.—Cannot now state the precise sums of which the application was disputed. A number of Acts have been passed in reference to the coal duties since that time. The first question raised was about the application of a surplus of 200,000*l.* Subsequently it was determined to extend the 8*d.* duty to 1862, 2765.—The money which has been spent in City improvements of late years has been ill applied in this sense, that none of those improvements have been sufficiently considered in reference to the wants of the metropolis as a whole. Refers to the widening and continuation of New Cannon Street. As a local improvement it may be considered a satisfactory one; but, in reference to metropolitan objects, it is not the arterial communication that ought to have been carried out. It brings the whole traffic of the eastern part of the metropolis into St. Paul's Churchyard, and down the steep and narrow declivity of Ludgate Hill into Fleet Street, which should have been avoided, and a new main street made leading from London Bridge direct to Charing Cross. Before this improvement was set on foot, the Committee of the House of Commons had recommended that there should be an embankment on the north bank of the Thames, from Charing Cross to London Bridge. It would then have been easy to have made this new artery of the City run on to the new embankment at Blackfriars Bridge, and then at once to Charing Cross by the shortest route, 2766.—The metropolis being left without adequate municipal representation, an obstacle to constructive improvement, before any metropolitan improvements are submitted to Parliament, they should be referred to some body which should collect the sentiments of the metropolitan constituency generally, 2767.—The corporation, as the chief municipal body of the City of London, ought to have taken upon itself the poor-law administration. The proposition that the City should, for the administration of the poor rate, be formed into one union, was successfully opposed by individuals seeking personal appointments under the local unions they wished to create. The City having three unions, when one would suffice, has cost at least 300,000*l.*, 2768.—Under one union the poor would have been more efficiently relieved, 2769.—The whole of the extra expense has been a mere charge of establishment management. The poor have greatly suffered by the existing system. Statement in confirmation, 2770.—There are at present three unions in the City of London, the City of London Union, the West London Union, and the East London Union, 2771.—Had there been no corporation in existence when these unions were formed, they would probably have been consolidated into one. The extravagant expenditure of the City of London workhouse may perhaps be traced to a spirit of Mansion House emulation, 2772.

HICKSON, WILLIAM EDWARD, Esq. (*Second Examination.*)—States his views with regard to the remedial measure desirable to be applied to the municipal government of London, keeping in mind that the local interests of the City should always be considered in relation to those of the other metropolitan districts by which it is surrounded. First, with regard to free trade; next, the application to the City of London of the first clause of the Municipal Reform Act, respecting charters and prescriptive rights, and the conservancy of the river, which is at this time the subject of a Chancery suit between the Woods and Forests and the corporation. It has already lasted many years, and no one knows when it will terminate, 2946.—Believes that, before the Municipal Reform Act, the conservancy of rivers was vested in other corporations, 2947.—It still exists in the case of Liverpool, but cannot be certain. Would not restore this conservancy to the corporation of London, nor to any strictly municipal body. Would have it provisionally handed over to the Woods and Forests till a special department for rivers and watercourses is provided. Would not restore the City corporation the right of excluding the City from the jurisdiction of the metropolitan police. Gives reasons, 2948, 2949.—Fears misapprehension might arise from an answer given at his last examination, in reference to the proportion of the area of the metropolis to the City. Has since ascertained that the area watched over by the metropolitan police is as much as 700½ square miles, by a body of 5,600, while the City of London only occupies an area of 1½ square miles, watched over by 500 policemen, exclusive of City marshalmen, ward constables, and private watchmen of the Tempie, the large banks and warehouses. Connected with this subject of administrative functions is the propriety of abolishing the right of general taxation, such as coal duty, wine duty, apprentice fees, and others. If it is proposed to abolish indirect taxation, in the shape of exclusive privileges affecting fellowship porters and others, instead of making a new corporation, it would be better to make an end of all imposts of that kind, 2950.—There are many reasons why the whole 4*d.*, 8*d.*, and 1*d.* duties should be abolished. When sitting as a member of the Hand Loom Inquiry Commission some time ago, had a good deal of evidence brought forward, showing that the pauperism which

HICKSON, WILLIAM EDWARD, Esq.—*continued.*

prevailed in places where the trade of woollen and silk weaving had formerly flourished was owing to the high price of fuel. Thinks if there is to be a duty at all, it should be levied at the pit's mouth, not in the port of London, and the drawback allowed upon coal carried to those parts where there are no coal fields, 2951.—This observation applies more to the coal duty as a general tax than a tax for local purposes, but as we are considering whether the power of levying coal duties is to be given to the new corporation, it comes before us now from the extreme dearness of both food and fuel in London, 2952.—Is not proposing that the whole proceeds of the coal tax should be applied to the City of London, but merely stating the principle upon which to proceed if there is a coal tax, but thinks it is a tax which a free trade government should get rid of. Has always insisted on the propriety of these coal duties appearing in the annual accounts of the corporation of London. Very little is known of the gross proceeds of the coal duties, and of deductions for collection. In the collection of duties of those that come by railway, the corporation is obliged to associate itself with the railway companies. The rule is, for the railway companies to send an account of the number of tons carried, certified by one of their officers, and for the corporation to take it for granted that no more have been imported by railway into London. If the duties are continued, there should be a much more searching inquiry than has yet been attempted. Would wish to know how much ought to be received, what is received, how much stays by the way on its passage into the London coffers, what precautions are taken to prevent coals being smuggled into London; for instance, coals deposited twenty-five miles from St. Paul's might easily be brought within the prescribed boundary along the turnpike road by waggon, 2953.—This would not be worth while for the whole distance, but it would for five or ten miles. Thinks a great deal of coal finds its way within the prescribed boundary without paying duty. The corporation employ scouts upon the high roads to check these proceedings, but this is an objectionable system. Does not know how much of the loans raised upon the coal duties remains unredeemed. Gives calculations to show that a single penny rate (which might be called a coal duty compensation rate) on the rental of the whole metropolis would produce the amount. 2954.—In addition to the penny rate, a fund sufficient for the ultimate redemption of the rate might be raised by a separate assessment on the owners of furnace chimnies, 2955.—With regard to the separate sewerage of the City, would not limit the powers of the municipal board in that or any other matters by any other rule than a general subordination of all local interests to public interests, and an accordance with the common laws of the land. But the direction of the main sewers and outfalls of the metropolis should be intrusted to a board representing not a section but the whole. Hopes ultimately to see a board composed of men of special qualification for the task, appointed by a metropolitan council, 2956.—Would give the local body every power they could exercise in a proper manner, always arranging that the greater interest should be able to overrule the less. In paving the City of London the side streets might be left to the paving board appointed by the municipal council of the City, but a metropolitan supervision is required over our great arterial communications. Under the present divided and conflicting jurisdiction, we see them under repair, from one cause or another, all the year round, 2957.—With regard to great measures of improvement affecting the whole metropolis, would have a metropolitan board. Would give the district municipality full power to effect district improvements, but would have all local plans submitted to the metropolitan board in the first instance, so that they might be made to accord, 2958.—Does not think that the lighting need be taken from the local municipality, but would have a general understanding that its bye-laws might be overruled either by the Legislature or a municipal council for the whole metropolis, whenever they interfered with metropolitan interests. Would give to the municipal council of the City the power to elect a board of guardians, to carry out for the City the provisions of the Poor Law Amendment Act. Shows that that Act has failed in the City. Would propose to give to the new municipal corporation the consolidation of the numerous City parishes. The burden of church rates is very serious, and as long as the present system is maintained, there can be no reduction, as

HICKSON, WILLIAM EDWARD, Esq.—*continued.*

every parish, however small, must have its separate staff of officers, 2959.—There are always some connected with parochial administration who have particular reasons for proposing the building of a new church, or the repairing an old, and large sums are continually being expended upon such objects. Mentions several instances. Among the functions to be given to a new municipality should be that of conferring with the ecclesiastical authorities, and preparing for Parliament a bill for the consolidation of City parishes into fewer districts, 2960.—A measure of consolidation would affect the funds relating to both ecclesiastical and secular objects. Would also give to the municipal council of the City power to assist by a committee the new charity commissioners in their investigation, and to employ a legal officer as a public prosecutor where necessary. The next point is the subject of a municipal elective qualification. There are different kinds of constituencies for the various local boards, and is inclined to think, upon the whole, the best is that of the Poor Law Amendment Act,—the qualification of electors voting for a board of guardians, which gives a vote to all rate payers and owners of property, 2961.—This involves a system of plural voting, which is not urged as its chief recommendation, but wishes to show that resident household suffrage would not meet the case of the City, as most of its principal men are not resident there, 2962.—Would not be afraid of out-voters being brought up for these municipal elections, as in this case the out-voters would be a class of men not likely to be influenced by local jobbing. The great danger to be guarded against is, the canvassing private friends whenever patronage has to be exercised, or some profitable contract obtained. A quorum of guardians sufficient for a board is often made with difficulty; but when new appointments are to be made, or contracts for clothing or provision given, then there is a full attendance; the reason is, that parties interested have been going from guardian to guardian soliciting their attendance and votes, 2963.—The system of out-voters has a tendency to increase the expense of elections, but not, as under the Poor Law Amendment Act, to any great extent, 2964.—Under the Poor Law Act the owners of property are allowed to vote by voting papers, which materially limits the expense. Thinks it a great improvement in the mode of election, and would much like to see it extended to the Parliamentary franchise, 2965, 2966.—Believes that it has worked satisfactorily where it has been tried, and in some cases has overruled public-house influence, and rescued a parish from jobbers. The question of qualification involves another, and that is, the constitution of the London chartered companies. Hitherto no person has been allowed to vote at common hall elections without having taken up his livery in one other of those corporations. The chartered companies therefore form a part of our existing municipal constitution. In modifying that constitution, what is the constituency these companies should represent for the future, and what is to be done with the funds which they claim as their private property, and which, at the lowest estimate, are supposed to amount to 250,000*l.* per annum. Should like to see the parties clearly defined by Act of Parliament who are to hold this property, and the uses to which it is to be applied, 2967.—These funds are chiefly derived from estates, but those estates were purchased with the produce of municipal fines. Within the last forty years no person could take up his livery at a less expense than 50*l.*, 2968.—If the connexion between these companies and the City was severed the fines would cease, but the property they have produced would continue to exist, 2969.—The purposes for which these estates will be used has to be defined. The last Commission sought an explanation from the chartered companies of the nature of their property, and what they did with it, but they declined to give any information, and can only be compelled to do so by Act of Parliament. Thinks that this Commission should have its powers extended, or that a new commission of inquiry be appointed, assisted by men able to form a sound opinion of all the points at issue. Would rather divide the whole of this wealth between the masters and wardens of these companies, when, perhaps, it would be made a better use of, than that the existing system of eating and drinking should be continued. Another point is, the system of representation. It is time to lay down some consistent rule on that subject, 2970.—All elections should

Hickson, William Edward, Esq.—*continued.*
be so conducted that every elector should be able to exercise an intelligent choice, which in case of election by large batches is impossible, 2971, 2972.—Would recommend that every elector should have but one representative, 2973.—Would divide the City into ten wards. Would have ten candidates elected in each ward, but every elector in each ward should vote for only one of them. Begs to put in a paper containing the sketch of a scheme of municipal representation, which has been carried out, and works satisfactorily. Does not fully agree with the latter part of this scheme. Would not make the aldermen magistrates; and supposing the municipal council of the City to consist of 100 members, would give them power to elect from their own number 10 aldermen and a mayor, 2974.—It should be obligatory that the mayor should be chosen from the body of common council, as it is necessary that every individual elected to an important office should have had some previous training, and it is generally best that he should have passed through the inferior offices before he arrives at the higher, 2975–2977.—This system has debarred the first-class merchants from accepting the office of chief magistrate, because the sphere of usefulness open to them in the corporation was of too circumscribed a character; but give them something to do for the effectual benefit of their fellow citizens, and they would allow themselves to be put in nomination for a municipal election, 2978.

Hodge's Evidence. (*See* George's Evidence.)

Holborn. (*See* Improvements.)

Holloway House of Correction. (*See* Prisons.)

Hopwood, Mr. Samuel Weymouth. (*Analysis of his Evidence.*)—Attends this commission in the capacity of clerk to the commissioners for paving of St. Andrew's Holborn and St. George the Martyr. Is instructed to attend to object to the continuance of the street toll levied upon carts of non-freemen entering the City. The commissioners have petitioned the House of Commons, and also the common council, with a view of obtaining the abolition of this toll; but the petition, when presented to the common council, was not considered in any way, but ordered to lie on the table. The manor of Hendon is exempted from this toll by charter. The principal thoroughfare from the City traverses the united parishes, and that is Holborn. They have no toll whatever to assist them in maintaining their streets; the whole of the burden is raised by rates upon the parishioners. Holborn alone costs 700*l.* a year to keep in repair. If relieved of the City traffic that expense would of course be much reduced, 4288, 4289.—In many instances the parishioners object to the amount of the toll, particularly those engaged in the corn trade. Even a laundress's cart in coming from the eastward to the City pays a toll of 2*d.* When they hire vans, the toll is always taken into calculation, 4290.—They pay every time they go into the City, 4291.—The mode of compounding for the tolls is to purchase your freedom, 4292.—Supposes owners of carts might compound with the lessee of the toll to pay so much a month, but has never heard of an instance, 4293.—Although there are not bars at each of the entrances to the City, they have appointed toll collectors, who immediately distinguish the cart of a freeman by its bearing the City arms, which it usually does, or by some other means, from that of a non-freeman, 4294, 4295.

Hubbard, J. G., Esq. (*Analysis of his Evidence.*)—Is a governor of the Bank of England, 632.—Has been for twenty-five years a merchant in the City of London, but has never resided there, 633–636.—As a merchant, his only connexion with the corporation of the City has been on the arrival of grain ships having to apply at the Mansion House for the Lord Mayor's order to the sworn meters to measure the cargo, 637.—Does not complain of the system of the City of London with regard to the metage of corn. The order costs 5*s.* 6*d.*, 638.—Has no cause to complain, either as to their charges or the manner in which the meters perform this service, 639.—Does not consider the charge immoderate, 640.—The meters measure the cargo, 641.—Knows nothing of the constitution of the corporation, 642.—Was once invited to take an alderman's gown, but declined. States reasons, 643.—Knows very little of Liverpool or any other great town; but knowing what was required for the office, if

Hubbard, J. G., Esq.—*continued.*
accepted, in the City of London, came to the conclusion that it was impossible for him to accept it, 644.—If it could be possible to put the office of lord mayor upon a higher footing, so as to make it appear that one's duty required it to be accepted, it would then assume a totally different character; but hardly knows what would be the office of lord mayor in such a case, 645.—The amount of pageantry which now surrounds the office of lord mayor would be no inducement to a first-rate merchant to accept the office, 646.—Is not intimately acquainted with any member of the corporation, except one alderman who served the office of lord mayor, and is a member of the direction of the Bank of England, Alderman Thompson. Has not been so situated as to learn anything of their constitution, and has formed no opinion on the subject, 647, 648.—Cannot say whether any difference has taken place in the magisterial functions since the passing of the Municipal Reform Act, 649.

Humphrey, John, Esq. (*Analysis of his Evidence.*)—Has been an alderman of the City of London between 18 and 19 years, 8338, 8339.—Is a governor of the Irish Society, and has been so since 1843, 8340.—The governors are elected according to the charter; they must be aldermen of the City. They are elected in the Court of Common Council assembled in February in every year. The new members are also elected; it has been the practice for years to re-elect the governor. He is sworn in with the deputy-governor and the other new members, 8341.—It is not the practice to re-elect the deputy-governor. He is elected in the second year of his membership. The Court of Assistants go to a ballot at their last meeting in February, and whoever gets the majority of votes is recommended to the Court of Common Council to be the deputy-governor, and is generally elected, 8342.—It is the habit of the governor to take an active part personally in the management of the affairs of the society. Witness, since he has been in that office, has invariably been at the meetings, 8343.—The charter calls upon the Court of Common Council to elect five aldermen and eighteen members out of the commonalty of the City. They were formerly appointed from the twelve chief companies; but they now elect from all the companies, and also from the freemen of the City, the assistants to the governor and deputy-governor of the society, 8344.—They hold their offices for two years. The charter says half of them must go out every year, and they are not re-eligible till a year has passed. There is nothing to prevent their being then re-elected. It sometimes happens that they do not get re-elected, 8345.—There are two committees of the society, one is the Law and Parliamentary Committee; that committee is formed at the beginning of the year, of nine members, the governor and deputy-governor. If there are any solicitors they are always put upon this committee, which does not change. Then there is a sub-committee, consisting of eight members, with the governor and deputy governor, who consider every memorial and all other matters connected with the business of the society. That committee is partly changed every month, 8346.—Those committees usually sit for two or three hours once a month, and oftener if the business requires, 8347, 8348.—They take all the memorials of different parties connected with the society's estates, &c., into their consideration, and go through all applications for money, for donations, and for any improvements in buildings, &c., &c., that may be required, 8349.—There are many memorials requiring things to be done which the society cannot go into at all. With respect to the 1,500 acres, they had that subject before them for a number of days in the years 1847 and 1848. The corporation of Derry sent a memorial with a deputation to the society respecting claims which witness thought they could not receive until it was ascertained that the deputation had full power to enter into such an arrangement as might be mutually agreed upon, so that no dispute might afterwards arise on the part of the corporation of Derry. The deputation went back to Ireland and returned with the document, sealed by the corporation of Londonderry. Witness reads the document. They had a number of meetings with respect to that subject, and agreed at last to a resolution, which was signed by witness, the deputy-governor, and all the members of the Irish Society present, and also by the four gentlemen who came from Derry authorized with that document. Reads the resolution, 8350.—Considers that agreement as pledging the Irish Society to the

HUMPHREY, JOHN, Esq.—*continued.*

grant mentioned in the agreement, 8351.—Does not believe that there would be on the part of the Irish Society a moment's hesitation in paying the money. From witness's knowledge of the corporation of London, and of the 130 members elected to the Irish Society since he has been governor, can speak positively of the deep anxiety always felt to fulfil their obligations; and though this grant may be said to be, from time to time, subject to the approval of the Court of Assistants, feels quite sure that they would always feel themselves legally and equitably bound to pay the 1,200*l.*, 8352.—There is no doubt the society felt they had a claim in equity upon them. Being trustees, as they are, for the benefit of that part of Ireland, the society believed, and still believe, that there was an equitable claim upon them for the benefit of the corporation, 8353.—Formerly the corporation of Londonderry was part and parcel of the corporation of London. Their byelaws were sent up to London to be approved of by them, 8354.—Thinks the business of the 1,500 acres had partly to do with this agreement. They had been for years claiming those 1,500 acres, although it has been shown by Act of Parliament that they had no legal claim whatever. Considered that the only way of getting rid of this claim, which had been settled 150 years ago, was to endeavour to settle it amicably, 8355.—Believes that that constituted the main inducement to make this grant, and also a wish to come to a harmonious understanding with the corporation of Derry, 8356.—Have made no agreement with the town of Coleraine to devote a stipulated sum for public purposes there. When those gentlemen arrived at Londonderry, at the first town council held at Londonderry, it was moved, seconded, and resolved unanimously: "That this council think it due to the honourable the Irish Society to record, by a vote of the corporation, their great satisfaction that the disputes for some time past so unhappily existing have been terminated, and that in such a manner as to exhibit the good feeling and the liberality of the society, and to lead to the reasonable expectation of the speedy improvement and prosperity of the borough. Signed, Alexander Lindsay, mayor." This resolution was remitted, and they have not heard any complaints since. Sir Robert Ferguson told the commission that they made a claim for 5,000*l.* in the case of the waterworks. It is quite true, that claims are made for compensation before committees of the House of Commons to a much greater extent than it is anticipated the parties will ever get. The water-mill there was to be greatly injured by taking away the water. The corporation gave the tenant who held the lease 1,500*l.* for his interest in the water, and at the end of his term the society will be deprived of the greater part, if not the entire of the water of the mill. There are about 29 years of the lease to run, and they gave 510*l.* So in the case of the cemetery, they took away near 17 acres of land in the best part of Derry, producing a rental of near 50*l.* per acre, and it will produce a large revenue to the corporation of Derry, it being a public cemetery. The society asked 1,500*l.*, not the full value of it; but 1,000*l.* was accepted and paid. They immediately put that 1,000*l.* out to interest, in order to pull down all those horrible mud cottages which are filled with large families of the most wretched description, and to lay out 1,000*l.* every year to rebuild all those poor people's cottages, that the society may have model cottages throughout their estates, as an example to the county, and to give them the opportunity of living in a different style to that in which they now live. That could not be done before, because in 1843 there was owing of money borrowed about 15,000*l.* Sir Robert Ferguson has said that they borrowed it without any security, but if they did so they have been enabled to repay the same with interest. They have paid all the law expenses which were owing to the amount of nearly 20,000*l.* They only got out of debt last year; and do not now owe one shilling. They have still kept up, and considerably increased their schools and charities; and, now coming into their rental free from debt and law expenses, they will be enabled to confer greater benefits in improvements, schools, &c., &c., both at Coleraine and Londonderry. To show what they wish to do mentions a little circumstance connected with the bequest of Mrs. McGee, a lady in Dublin, who about eight years ago left 20,000*l.* to establish a Presbyterian college, for the education of young men in preparation for the Christian ministry of the Presbyterian church in Ireland. There were three trustees, who considered whether it should be at Belfast, Coleraine, or Londonderry. They could not get sufficient assistance from the inhabitants of Coleraine, therefore they then went to Derry, the inhabitants of which came forward rather liberally, and the trustees then came to the Irish Society, Sir Robert Ferguson being at the head of the deputation. It was agreed to give them 20 acres of land down by the lower part of Derry, suitable, as they said, and convenient to the town, as the town was increasing in that direction. About three or four months ago they found there was some little difficulty about the present occupiers; therefore they bought land on the opposite side of the road, of a Mr. Gilliland, giving 1,800*l.* for less than seven acres, and rent about 20*l.* per annum; and they still wanted the 20 acres of land, that they might use it for the benefit of the college. It was then suggested that as they could not give them that land, they should give the trustees 500*l.* Thought that was insufficient, and suggested that they should at once recommend to the county to give 1,000*l.*, 8358.—They went over to Mr. Gibson, and he thought they were wrong in not endeavouring to get possession of the 20 acres of land. They afterwards sent the society a letter, thanking them for the grant; and they are to receive 1,000*l.* when the building is completed, according to the plan, 8359.—The detail business of the society is done by the committee which witness speaks of. The agent in Ireland, Mr. Wm. Green, manages the house property and the farms. He receives all the rents except the fisheries rent and slob reclaimed, which are paid into the banks of Derry, Coleraine, and London, 8360.—When any small point arises with regard to the detailed management of the property, if there is anything which they require, either in Derry, Coleraine, or any part of the county, they memorialize the society, and that memorial is sent to Mr. Green, in Derry; he reports upon it, and gives his opinion in writing, and that report, when it comes to London, the committees go into and form their opinions, 8361.—Thinks he has some discretion left to him upon trifling points, but that he would not like to do anything without consulting the society, 8362.—The committees of the society are not numerous. The Law and Parliamentary Committee consists of the governor, the deputy-governor, and nine of the members; the sub-committee consists of the governor, the deputy-governor, and eight of the members, 8363.—Small points are sent to the secretary and he lays them before the committee when they meet, and they are discussed and decided on. The committee state what their opinion is to the court, and the court ratifies or not the report of the committee, 8364.—Does not know whether the London secretary has much knowledge of landed property, but he knows the condition of all the property which belongs to the society, 8365.—Is in the habit of consulting him with regard to those improvements which arise, involving the details of the management of the estates in Ireland. It was said the other day that he was elected for life; that is not so. The secretary and the general agent in Ireland, and all the other officers, are elected annually, 8366.—Thinks he (witness) has sufficient personal acquaintance with the Irish estates to be able to form a judgment upon those points, 8368.—It was very properly said here that the society are a moveable body. If a society understands the claims of the parties, and they afterwards go out in February, and new ones come in who may be prejudiced in some way against the opinions or decisions of the former members of the society, sometimes little difficulties arise in the management of the affairs. They have a surveyor in Ireland, who is annually elected; he advises with Mr. Green upon all matters relating to the estates, 8369.—Generally speaking, they follow the advice of their resident agent and surveyor with respect to small points of detail. Mr. Green is a very kind-hearted man, and sometimes he gives an opinion in favour of the tenants, more than the Irish Society think is required; they do not therefore always agree with his recommendations. Gives an instance, 8370.—Considers the prospects of the Irish Society to be very good, 8371.—They do not owe a shilling, and they hope to have a considerable surplus yearly, which it is intended to expend on the improvements of their property in the county of Derry, 8372.—Their income last year amounted to 10,000*l.*, 8373.—Formerly the expenses of management were much greater than they are now, and thinks they might still be reduced, 8374.—The expenses of management in Ireland at present are 116*l.* for general agency and petty expenses; salaries to agent, and deputy vice admiral and surveyor 840*l.* In England there are incidental

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expenses, such as the wages of a clerk and messenger, taxes, coals, gas, printing, &c., &c., 376*l.*; secretary's salary, 500*l.*; the fees to members, &c., &c., according to the standing order, must not exceed 600*l.*, 8375.—There are always expenses for law, 8376.—Thinks the law expenses for the current year might be put down at 300*l.*, 8377.—Has no doubt that 2,000*l.* appears to be a very large expenditure for the management of a trust fund of this description, but, considering the low rents and the immense extent of property under the management of the society, the case is altered, 8378.—Is not aware of any means by which they could be diminished unless they had all their establishment in one place, 8379.—Substantially the government of the society is in London; it is so provided in the charters of James and Charles, 8380.—If you have a body of gentlemen forming a society like this, they expect to receive some small remuneration for their attendance, and they are paid to a certain extent. What witness has received averages from 18*l.* to 30*l.* a year. The deputy-governor has nearly as much; the amount of line money paid last year to all the members was about 204*l.* The next point is the salaries of the officers, they seem to be the only other large amounts which could be reduced, 8381.—It would not be desirable to underpay them, as you would run the risk of their jobbing in some other way, 8382.—Does not think that it would be desirable that the property should be sold, the proceeds invested, and the interest of the money administered in the same way as the proceeds of the estates are. The property could not be sold by the society without public competition. The tenants would get different landlords than they now have, who would exact every shilling of rent from them. In the case of Mr. Babington and Mr. Moore, who have each a lease, with 41 years to come, if these farms were sold, they would not be able to get renewals upon such good terms as they could from the Irish Society, 8383.—Does not think they could be sold to produce as much money at three per cent. as would enable the society to confer all the benefits which it now does on the community, for which the society was created, 8384.—The whole of the expenses could be saved; you must put down at least one-half for the expense of management in Ireland, so that the trust might be fulfilled, 8385.—The society would be disposed to give, to persons really anxious to improve the property, as long leases as they could. It is, however, quite a different question if the tenant asks for a lease in perpetuity. Believes nearly the whole of Coleraine and a great part of Derry is at this moment leased in perpetuity, and the society think that the parties, generally speaking, have not carried out the covenants; the consequence has been that the improvement of the property has not taken place to the extent which the society could have wished to see, 8386.—With regard to waterside property at Derry, has no doubt the society would give their tenant Mr. Munns a long lease at a moderate rent, if he would pull down and rebuild in a substantial and uniform manner. The warehouse he has built as a spinning mill is one which he would not be allowed to erect on the City property in London. In Belfast there are buildings carried up in a very spirited manner. The answer is, "We in Derry have not money, and cannot do it here," 8387.—Has not seen any valuable buildings, on long leases, belonging to the society, except in the case of Mr. Moore and Mr. Babington; they have improved their farms, and put buildings on them which are creditable to them and to the whole of the county, 8388.—The society are quite willing to give Mr. Munn a sufficient term upon which he might improve his property at the waterside, if so inclined, 8389.—There was an old standing order made in 1832, and printed and published in 1847, the object of which was to improve the property as much as possible, and to prevent jobbing. Is sure that the society has been and is prepared to grant long leases, if they are assured of the improvement of the property, 8390.—Long leases have been given in the case of improving tenants. Mr. Moore's first lease was 41 years, and the society added 20 years to it, and he now wishes for a further term of 20 years, 8391.—Thinks that the rule, not to allow tenants to renew till within three years of the expiration of their lease, if constantly acted on, would be an effectual bar against all improvements in the hands of a tenant. The society is prepared now, if a man has a lease with 10 or 15 years to run, to grant him such an extension of his lease as would give him sufficient opportunity of repaying himself

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for the money which he has laid out, 8393.—Does not think that disposition of the society has been sufficiently known in Derry to induce those who may take advantage of it to do so, 8394.—It is desirable that that disposition should be generally known in Derry, and acted upon, not as a matter of favour, but as a matter of principle, 8397.—Believes the property of the society to be simply a trust property; they never look only to Derry and Coleraine, but give donations throughout the whole county for charitable purposes; they pay 430*l.* a year to the free school which has been spoken of; they keep a school at Coleraine and pay the master 65*l.* a year, the mistress 40*l.*, and other sums to the school, amounting to 250*l.* a year, 8398.—The inhabitants of Coleraine complain that they do not receive a fair share of the funds which the society have to distribute, which complaint can be justified, for nearly the whole of Coleraine is on perpetuity leases, therefore the society have no power to improve the property. With respect to the fisheries mentions that, when Sir G. Hall had them, he paid the society 1,250*l.* per annum, and he under-let and mortgaged them; they have now let them to Mr. R. Allen for 5, 7, or 10 years. He pays 2,325*l.* a year. With respect to the difficulty in dealing with fishermen, wishes to mention that the society, after paying 3,000*l.* and some hundreds to their solicitor in Dublin, for fighting the battle about the advowsons of the Bishop of Derry, received a bill from him up to 1842 for 5,762*l.* 7*s.* 4*d.* After a long dispute he at last agreed that they should pay him 3,000*l.* in discharge of this 6000*l.* bill, which they did, and he gave a receipt in full for his account up to that time, 8399.—Does not see that this property, involving all this litigation, is an unfortunate one for trustees to hold, they having been in possession for so long; does not think any one could manage the estates better than the society does, 8400.—The Irish Society have not been as cautious in avoiding litigation as a private proprietor would have been. They would have got into an expense from 8,000*l.* to 10,000*l.* more in the advowsons' suits if witness had not set his face against it, and with the support of the then society put a stop to litigation, 8401.—Nothing can be better than the condition of the society, now they are out of debt, and in a position to do all the good contemplated in the charter. If the expenses of management were reduced, the money saved would also go to the improvement of Londonderry and of Coleraine, 8402.—There is a law suit at present going on, the consequence of the decision of the majority of the court to try whether they could not obtain some benefit from the perpetuity leases being converted into fee farm rents, 8403.—At the time that part of Ireland was confiscated to the Crown, the money that the corporation of London required to erect and build the city of Derry and the town of Coleraine the companies were compelled to find, which was paid to the City of London, and the City created the city and town. After that was done, the London companies required some return for the money so advanced, and there was a distribution of the lands between the twelve companies. After apportioning their allotments of land in Londonderry, the charter gave to the corporation of London the right to the city of Derry and borough of Coleraine, with the fisheries, and certain other things which they had to manage in trust, to the benefit of those two places, 8404.—The original object was to create and improve those two towns of Derry and Coleraine, and to encourage the Protestant religion in those two places, 8405.—Generally speaking the Irish Society does not give contributions to Roman Catholic chapels and schools, 8406.—The tenants of the society are generally Protestant but not exclusively, 8407.—There is no preference given to one religion over another, 8408.—Thinks the original objects, as expressed in the charter of James, have been substantially fulfilled, 8409.—Was not a member of the society when the suit of the Skinners Company was commenced, 8410.—The circumstances which gave rise to the suit were these. The society, instead of laying out their surplus rents and profits in the improvement of Derry and Coleraine, had accumulated a sum of money which they divided among the twelve companies, about 500*l.* to each company, 8411.—The society was not in debt at that time, 8412.—The Skinners Company, finding that no further surplus was coming, brought an action, and said that the Irish Society were merely trustees for the companies, 8413.—That action was brought in consequence of the discontinuance of the practice of dividing the surplus

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among the companies. The corporation, moreover, threw open, about twenty-two years ago, the election to the society. Formerly the governor and assistants must have been members of one of the twelve companies. They found that in practice they had not a sufficient number of men belonging to the twelve companies, and threw the election open, and allowed any person to be elected who was a member of any other of the City companies, or a freeman of London. That continues to be the case up to the present day. There are some members now who do not belong to any company, but are only freemen, 8414.—That alteration was made by a resolution of the Court of Common Council, 8415.—The decision of Lord Langdale was to the effect that the Irish Society were trustees only for public purposes, 8416.—When Lord Lyndhurst had given his judgment in the House Lords, witness immediately said, "This certainly confirms my opinion that the surplus money that we have from rents and other sources in Derry and Coleraine must and ought to go to the benefit of those two towns, and it ought not to accumulate, to be given to the companies at all; because, if it does accumulate, the companies would claim the surplus, 8418.—If there are preferable objects for disposing of the society's funds in other parts of the Irish plantation, they give a portion of them to those other places, 8419.—Poor Presbyterian clergy may have come to the society and applied for a donation for building or improving a chapel. They have taken that into consideration, and at times given donations for those purposes, 8419.—Does not consider that to be beyond the fair powers entrusted to them, 8420.—According to the present practice, the whole of the annual income is distributed for the benefit of the Irish plantation, 8421.—No portion is intended to be applied to the benefit of the twelve companies, as far as the present Court of Assistants are concerned, 8422.—The present views of the governing body are that the whole of the income should be appropriated for the benefit of the county of Londonderry, 8423.—The Irish Society conceive that they are justified, as trustees, in erecting buildings on their property. That is witness's opinion. Sir Robert Ferguson says that they have no right to do so. They are going to erect farm buildings for Mr. Osborn, a tenant, of a character which will show to other parts of Ireland what the society can do. They are also going to demolish some shocking places, where there is an accumulation of filth and wretchedness beyond all idea, and to drain and lay out the district, and build model cottages for the people who live there, 8424.—It has not been the practice for the society to erect buildings or drains; the tenants get their property at rents which would enable them to do it themselves. They have their farms generally on long leases and on very moderate terms, and they ought to lay out their money according to the covenants of their leases. Mr. Moore and Mr. Babington have laid out a great deal of money for improvements in their two farms. The society has not had money, 8425, 8426.—The common council have no power of applying any portion of the rents of the Irish Society to any purpose, either relating to the corporation or any other, 8427.—No attempt has ever been made by the corporation to interfere with the disposition of the funds of the Irish Society. With respect to Mr. Alderman Alsop, a sort of idea has run through the corporation that he and some members of the twelve companies, and others, received a pretty good compensation for all these perpetuity leases; it was a sort of job that was perpetrated. A dream has run through the society that there was a quid pro quo, 8428.—Does not think the transaction was beneficial to the town of Derry, 8429.—The Irish Society have not meddled in politics in later times, 8430.—On one occasion 3,000*l.* was put down as having been spent in an election at Coleraine when Mr. Alderman Thorpe was a candidate, 8431.—Inquired as to truth, and was told less than 1,000*l.* was taken from the funds of the society and expended in Coleraine, 8432.—That was about the year 1830, 8433.—Alderman Thorpe was governor of the society at that time. Mr. Babington wishes to show that he has been very much ill-used; he has a long lease at a very moderate rent, and if he were to say to the Irish Society, "whatever the value of my farm is now, will you give me a longer lease," is sure they would renew his lease from 40 to 61 years, provided he would pay the increased value, if any, of the farm from the end of his present term; does not think the society would give him a 21 years lease at the present rent. Dr. Miller has two farms, one his

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own and one his uncle's; he wished to have the two put together. Suggested that if they were put together the society would be inclined to give him a 61 years lease; directly he thought he could get a 61 years lease he said, unless I have a 99 years lease I will not take it. When he found the society would not give him a 99 years he wished to have a 61 years lease; then the society said no, you can have 20 acres to build upon for 61 years, but the remainder you can have at the present value for 21 years. Then he considered himself aggrieved, and said he had no opportunity of improving the property, 8434.—Thinks it would be better that the management of the society should be conducted on uniform principles, but it is impossible, 8435.—The body should remain on the society at least four years or even longer, 8436.—Their number at present is too great, 8437.—In the present instance the only opinion on which you can rely are the Irish authorities, the surveyor, and the resident agent, 8430.—Knows all the tenants in Ireland pretty well, and understands their wishes and wants, and with the entire management of the property would undertake to make them happy and contented, 8439.

HUMPHREY, JOHN, Esq. (*Second Examination.*)—It is quite true that leases in perpetuity are renewed every seventh year. According to the lease one year's rent is claimed of parties holding perpetuity, leases. They pay two years' rent every seventh year, which amounts to 2,515*l.* and odd. The secretary receives three guineas fee in addition to his salary at the renewal of those leases, for which he does not account to the society, 8451, 8452.—There are about 255 leases in perpetuity, which make about 800*l.* and odd every seventh year, being an addition of about 112*l.* per annum to his salary of 500*l.*, 8453.

HUSTINGS. (*See* Courts.)

HYDE, Mr. GEORGE. (*Analysis of his Evidence.*)—Has been a citizen of London for seventeen years, 1495.—Is in trade as sealingwax maker and stationer, 1496.—Resides at 61, Fleet Street, 1497.—Is totally unconnected with the corporation, 1498.—Was compelled to take up his freedom in 1846, being frightened by a lawyer's letter, and then paid 12*l.* 10*s.*, 1499.—Has never been a common councilman, and from his knowledge of the working of the constituency of London, should not feel honoured at being asked to take the office, 1500.—Has not paid particular attention to the working of the corporation system in detail, but has as connected with the working of the constituency upon the common councilmen, aldermen, lord mayor, and chamberlain, 1501.—Has seen many defects in the constituent body in the City of London, 1502.—The wards are too large, the constituency too narrow; its composition not worthy the City of London, 1503.—There would be as little difficulty in enlarging the constituency as in equalizing the wards, 1504.—The inequality of the wards is one of the glaring defects of the corporation of London, 1505.—Would not take the liverymen as the basis for the franchise. Would take as freemen those who have a decided interest in the City, 1506.—Would select occupiers paying rates as the constituency, and would preserve the franchise of the liverymen only as occupiers, not as liverymen, which is a most defective body, and within the last 200 years has become an exclusive one, which exclusiveness has worked much evil. It has tended to corrupt the representation, and to militate against the interests of the corporation of the City, 1507–1509.—Would make the aldermen as responsible as possible, and would have them elected every three years, 1510, 1511.—Would maintain a separate court of aldermen, and keep up their magisterial powers. In Liverpool they are not a separate court, but magistrates for the time being, 1512–1514.—Would reduce the present 26 wards to twelve, 1515.—Would combine the small wards, and divide Farringdon Without, 1516.—The radical defect in the corporation of London is its constituent body. Should go back to the old custom, that every occupier of a year and a day should be able to vote for the common councilmen, lord mayor, aldermen, and every corporate officer. The liverymen should have no exclusive privileges. Gives a case, 1517.—Would retain everything useful to the corporation, and would propose that every corporate officer should be elected in common hall by the whole constituent body of the corporation, 1518, 1519.—There should be a difference between the City of London and other towns, 1520.—The principle of

Hyde, Mr. George—*continued*,

taking the parliamentary constituency as the municipal one is open to grave defects, 1521.—Would preserve the title of lord mayor, but do away with the tinsel of the mayoralty, diminish the expense and increase the utility. You could get no better magistrates than the aldermen. Would make Southwark a municipal body totally independent of the City of London. Protests against the exclusive privileges of the livery, which are only of recent date, 1522, 1523. —Would restore the law to what it was before the act of George I. The law of the country has always presumed that all occupiers are freemen by right, 1524.—The accounts of the City of London are not kept in a businesslike manner, 1525.—Knows nothing of the financial accounts, 1526.—The common council should have the command of the corporate funds, and the exclusive power of voting money. There are too many corporate officers, and the payment too large. The emoluments of the chamberlain are about 3,200*l.* a year. The contests for the office are very expensive, but as it is virtually for life, it is worth while to spend 5,000*l.* or 10,000*l.* in the election. The contests for lord mayor are also very expensive. Does not believe there is any direct payment of money out of the corporate funds for the contest, 1527–1530.—Took part in the election in which Alderman Harmer was a candidate, in which the expenses incurred were for the purposes of indirect bribery. Was not on the committee, nor a voter, 1531–1536.—Contested elections in the City are very expensive, but thinks they would be much smaller if the constituency were larger, 1537–1541.—Does not think there is much corruption in the City elections. They are better than they were, 1542, 1543.

Improvements in the City:

There is now a report before the corporation for continuing the new line of street to Earl Street, at an expense of 195,000*l.* If approved, means must be adopted for raising the money, and an Act of Parliament applied for, *Hall*, 7325.—There is an item down of 20,000*l.* for public improvements, another 19,000*l.* for building lodging-houses for the poor, 58,000*l.* for the new metropolitan cattle-market in 1852, *Elliot*, 1120. The 4*d.* duty on coals, being levied on the whole metropolis, should be applied to public improvements, but is claimed by the City. Two millions of money are required for the improvements proposed by the corporation, *Pearson*, 5594-5602.—Shows and explains a map of the improvements which have been made, not only in the City, but at the west end of the town, by the Corporation, *Key*, 5907.—Improvements are going on in Threadneedle Street, Mark Lane, Dowgate Hill, and the formation of a street from Farringdon Street to Clerkenwell, *Bunning*, 6102.—In the case of Cannon Street the claims sent in for that line amounted to 1,177,153*l.* 2*s.* 4*d.*; they were settled at about one third less; about 300,000*l.* will be obtained back again in the rents; the loss is about 500,000*l.*; and the rest is made up by the sale of the frontages, *ib.* 6103-6106.—If the proceeds of the 4*d.* duty had been sufficient, between this and the year 1862, to pay off the debts specially affected to it, the ratepayers could not have been called on for an equivalent payment, as the corporation have no power to call upon them to contribute sums for improvements, *Tyrrell*, 7248.—Supposing a general power were given to levy an improvement rate, in lieu of the coal duty, thinks there would be difficulty in getting parties to agree to such a rate, and the money would not be so immediately and readily applicable as a fund arising from a certain duty like the coal duty, *ib.* 7249.—Those now pressed upon the corporation are Holborn Hill, Earl Street, and several others, involving an expenditure of about two millions for streets only, *Hall*, 7329.

Improvements, Holborn:

Is authorized by the corporation to say, that there is now a contemplated improvement for raising the valley of Holborn; the amount required is 333,000*l.* The corporation are ready to assist all in their power to carry out these great improvements, *ib.* 7328.—The City pay 9*d.* towards metropolitan improvements beyond their own 4*d.*, *ib.* 7341.

Improvements Committee:

In 1834 caused one of Wylde's maps of London to be marked with all the improvements called for by the wishes of the inhabitants, *Dakin*, 7361.—There have been immense improvements in the City during the last 30 years, not only in the abolition of offices and so on, but in the streets, *Jones*, 7798.

Improvements Committee—*continued*.

Income:

Of the City of London about 100,000*l.* or 130,000*l.* a year, *Wallis*, 1485.—Manner in which income of the corporation is employed, *Cotton*, 1825.

Inquest Men:

Thinks the continuance of the election throughout each of the 26 wards of the City of a score, or thereabouts, of inquest men, to serve upon the inquests for the ensuing year is an annoyance, because the duties of the inquest have almost entirely passed into the hands of paid officers appointed by the corporation, *Waterlow*, 2591.—Articles of the charge of the wardmote inquest; the oath of the foreman of the inquest; the oath of the rest of the inquest, *ib.* 2599.

Irish Society:

Statement with regard to, *Acland*, 553–556.—The committee has nothing to do with the management of the property belonging to it, *Bennoch*, 2040.—Is an independent society, and keep their own accounts, *ib.* 2134. — Patronage of eighteen Irish livings, *Williams*, 2814.—Particulars with regard to the management of the Irish Society, *Finlay*, 4275–4284.—The connexion between the corporation of London and the Irish Society is not very intimate, but some of the members of the corporation form the governor and assistants of the Irish Society. Does not think any jurisdiction is exercised over the municipalities of Londonderry and some other towns, *Merewether*, 5324–5330.—Does not see the use of it in its present position, *Lord Mayor*, 7211, 7212.—The Irish Society does not manage any portion of the estates which belong to different companies; but there was an Act of Parliament, constituting a society for managing certain estates in which the City have rights, and in which different persons have particular rights, *Farebrother*, 7223.—The office of deputy governor is annual, *Dakin*, 7420.—Origin of it, *ib.* 7421.—The lands of the Irish Society are Derry and Coleraine, and fisheries of the River Bann and Lough Foyle, *ib.* 7422, 7423.—Members elected from the corporation, *ib.* 7424–7428.—Expenditure and receipts of, submitted annually to the Court of Common Council, *ib.* 7434–7454.—No jurisdiction in Derry and Coleraine except as owners of property, *ib.* 7439.—Their part of the Irish estates better managed than the London companies, *ib.* 7445–7453.—The Common Council appoint the officers, *ib.* 7460.—Action with the Skinners Company, *ib.* 7430–7433.—The companies have a resident agent and officers to manage estates, *ib.* 7465.—Members obliged to be members of the corporation, *ib.* 7466–7468.—The corporation do not interfere in the management of the property, *ib.* 7473–7479.—The corporation has a visitorial power over it, *ib.* 7473–7477.—The accounts are audited, and annually sent to the corporation of London, the twelve companies, peers and members of Parliament connected with Ireland, and inserted in newspapers published in Derry, *ib.* 7479.—Has been a member of the Irish Society. After all the obligations of the trust are performed, the companies who originally contributed the money would be entitled to any residue, and not the corporation, which was only the medium by which the money was conveyed, *ib.* 7487–7490.—The affairs of the Irish Society are well managed, *Blake*, 7489–7495.—The members appointed by the corporation. 590*l.* 15*s.* allowed for attending fifty-four meetings, and their entertainments. Much property in Derry and Coleraine manager by an agent. Byelaws of the society. Receipts and expenses, *Anderton*, 7619–7694.—No necessity for so many members to visit the estates in Ireland, *ib.* 7696.—Restricted to giving aid to the locality of Londonderry and Coleraine, *Jones*, 7755.—Perpetuity leases discontinued as detrimental to its interest, *ib.* 7766.—Formerly appointed the recorder of Derry, but now the appointment is with the Crown. The society has no patronage, *ib.* 7770–7772.—Statements respecting it, *ib.* 7742–7797.—Its duties are incessant; secretary's salary somewhat increased. Decision in case of Skinners Company is, that the twelve companies are entitled to the surplus incomes. Causes of great expenses to the society. Up to 1831 it was necessary to be a member of one of the twelve companies to be eligible as a member of the Irish Society, since then every freeman is eligible, *ib.* 7748–7758.—Byelaws of the corporation of Derry and

IRISH SOCIETY—*continued.*

Coleraine submitted to it, *Anderton*, 7774–7777.—Allow the corporation of Derry 700*l.* a year, *ib.* 7759–7770.—Secretary of, salary increased from 300*l.* to 400*l.* a year, *ib.* 7783.—Expenses of governor, deputy governor, and members limited to 600*l.* a year, *ib.* 7783.—Property under the lease system prosperous; income, 2,500*l.* a year, *Hazlett*, 8063.—Send everything to the House of Lords, *ib.* 8064.—Can never be serviceable to Derry and Coleraine as at present constituted, *ib.* 8073–8080.—Complains that they manage their property in a way inconvenient to the tenant, and very expensive as trust property, *Babington*, 8084–8091.

Rural Property. About 3,000 English acres; rental between 2,000*l.* and 3,000*l.* a year, and none laid out on the property, *ib.* 8099–8105.

Leases. Not granted in a way to encourage tenants to improve, *ib.* 8107–8113.—Draws a distinction between the property of the Irish Society and that of the City companies, *ib.* 8114.—Thinks the constitution of the society most objectionable; it throws the entire government of this plantation into the hands of the London secretary, *Colquhoun*, 8119.

Derry. Brings forward a case to prove the injurious effects of the standing order with regard to the renewal of leases upon the city of Derry, and two or three cases to show the grasping propensity of the Irish Society, *ib.* 8120.—Objectionable that the bye-laws must be submitted to the Irish Society, *ib.* 8124–8126.—Particulars concerning the payment of 1,200*l.* a year by the Irish Society to the corporation of Derry, *Franks*, 8127–8137.—If all the town property of the society were sold, it would do more good than any system of management, and have a great effect upon the prosperity of the town, *ib.* 8138, 8139.—Particulars as to the litigation between the Irish Society and the Bishop of Derry, *Ferguson*, 8143.—(Free School.) Believes the society are not only competent but bound to make a grant in perpetuity for the endowment of a school, *ib.* 8143–8147.—Their payments to the corporation of Derry ought not to be optional, *ib.* 8156.—Considers that an enormous part of the income of the Irish Society is spent in management and litigation, and that the litigation is not fairly carried on, *ib.* 8159–8166.—The relation between the Irish Society and the corporation of Derry should be defined. From the first it was considered that the corporation had a right to a fair sum for the support of the magistracy. There was a certain district called the 1,500 acres allotted to the corporation. States full particulars as to the 1,500 acres, *ib.* 8173.

Coleraine. The Irish Society do not give the same assistance to the corporation of Coleraine as they do to Derry, *M'Gonegal*, 8189.—The property of the society in Coleraine is about 3,000*l.* a year, Some account of the property. Complaints of not getting long leases, whereby the advancement of the town has been retarded, *ib.* 8190–8227. It is decidedly the general feeling of the people of Coleraine that it would be a great benefit to the town were the Irish Society got rid of altogether, *ib.* 8227–8232.—The society do not contribute to the municipal purposes of the town of Coleraine as they ought to do as trustees; they have given several donations for religious and educational purposes, *Bellas*, 8240–8244.—Thinks the best course to pursue would be to sell the property, and devote the receipts to the good of the town. The citizens mostly think that the influence of the society is not beneficial, and that their management of the property is not conducive to the general interests of the town, *ib.* 8250–8254.—Out of 3,000*l.* received yearly by the society from Coleraine, only 1,000*l.* is spent for the benefit of the town, the other 2,000*l.* is squandered in expenses of management, &c. Enters into particulars, *Knox*, 8264–8273. It is impossible for the society to act with any great liberality to their tenants, and at the same time act faithfully to their trust, *ib.* 8257.—The short leases injurious to the property, *ib.* 8280.—Would sell the property. At from twenty-eight to thirty years purchase the income would be equal to that now received, and there would be much more improvement going on, *ib.* 8277–8287.—The deputations to Ireland quite useless, *ib.* 8295–8300.—More expense and litigation in the society's estates than in any other; they have spent 33,000*l.* in litigation in twenty years, *ib.* 8304–8307.—Instances of mismanagement, illiberality, and injustice of the society, *ib.* 8308.—The quantity of leasehold property is much smaller in Coleraine than in Derry,

IRISH SOCIETY—*continued.*

Hazlett, 8335. Statement respecting, *ib.* 8333–8335; *Colquhoun*, 8336; *Stuart Wortley*, 8440.—Mr. Munns and his son have taken an active part in bringing the complaints of Derry before the commission. Believes the society have taken steps to intimidate them. States particulars, *Colquhoun*, 8336.—The governors are elected according to the charter; they must be aldermen of the City. They are elected in the Court of Common Council, assembled in February in every year. The new members are also elected; it has been the practice for years to re-elect the governor. He is sworn in with the deputy-governor and the other new members, *Humphreys*, 8341.—It is not the practice to re-elect the deputy-governor. He is elected in the second year of his membership. The Court of Assistants go to a ballot at their last meeting in February, and whoever gets the majority of votes is recommended to the Court of Common Council to be the deputy-governor, and is generally elected, *ib.* 8342.—It is the habit of the governor to take an active part personally in the management of the affairs of the society, *ib.* 8343.—Further particulars respecting the society, *ib.* 8344.

Leases. Leases in perpetuity are renewed every seventh year. According to the lease, one year's rent is claimed of parties holding perpetuity leases. They pay two years' rent every seventh year, which amounts to 2,515*l.* and odd. The secretary receives three guineas fee, in addition to his salary, at the renewal of those leases, for which he does not account to the society, *Humphrey*, 8451, 8452.—There are about 255 leases in perpetuity, which make about 800*l.* and odd every seventh year, being an addition of about 112*l.* per annum to his salary of 500*l.*, *ib.* 8453.—They have no funds to build farm houses, if they looked first to discharge the duties of their trust, *Ferguson*, 8514.—In the town of Coleraine, the ancestor of Lord Waterford wished not to take those renewable leases, but having done so, the society compelled him to continue them, *ib.* 8514.

IRISH PROPERTY:

The London companies are generally popular in the north of Ireland. They have very much improved their property, *Knox*, 8301.—Their tenants are allowed for all they spend in draining, *ib.* 8302.

JAMES, Mr. CHARLES HENRY. (*Analysis of his Evidence.*)—Is one of the harbour masters of the port of London, of which there are four, 6864, 6865.—They are of different grades, 6866.—There is a principal harbour master, 6867.—The junior receives 300*l.* a year; the next 350*l*; the next 400*l.*; and the next 500*l.* That was the case in 1852, 6868.—The duties are to enforce the due observance of the bye laws, and perform all such things ordered by the Port of London Committee; to keep the books, and attend on views or in committee when required, 6869.—Has held the situation nearly fourteen years, 6870.—The nomination rests with the lord mayor; but a harbour master cannot be appointed without having passed an examination by the Trinity House, 6871, 6872.—Does not communicate directly with the Navigation Committee, but takes instructions from the head harbour masters, though perfectly conversant with the mode of transacting business in the committee, 6873, 6874.—They regulate the navigating, mooring, unmooring all ships in the Thames, except in any docks made in pursuance of an Act of Parliament. A very large number of vessels enter the river, but the accommodation in the docks was only taken advantage of by one-fifth of the whole number of vessels, 6875.—Has to watch the state of the bed of the river from time to time, 6876.—No considerable works are required for the removal of the shoals, 6877.—A few of them should be deepened, but thinks it dangerous to meddle much with them, as Mr. Leach has shown that by the removal of Old London Bridge even the tide ebbs lower and rises higher than it did previously, and the removal of shoals would have a still greater effect, 6878.—Does not agree with Mr. Powles that the dock officers should have a voice in the Port Committee. Does not think they would attend unless when the interest of their particular dock was concerned, 6879.—Does not know of any questions between the Conservancy Committee and the Docks. Their interests are all well cared for, 6880, 6881.—The committee have considerable knowledge of their business. They are elected for four years, one fourth only going out every year. They do not sit simply as a committee, but act as a

JAMES, Mr. CHARLES HENRY—*continued.*

jury and argue the point, 6882.—There are a good many shoals, but the only obstructions to a very free navigation of the river are the Whiting shoal, the Barking shoals, the Cold Harbour shoals, and one a little below Erith, 6883.—Shoals accumulate again very slowly when once they have been deepened, 6884, 6885.—Witness's time is fully occupied, 6886.—Gives directions personally for mooring and unmooring all vessels which enter into the port of London. Takes soundings when required, 6887–6889.—There are three divisions of the harbour; one at Limehouse, one at Greenwich, and one at Gravesend; and the head master superintends the whole, 6890.—Resides at Limehouse. There are two assistants to the harbour masters, 6891.—The Admiralty has an officer to superintend the shipping near the dockyards, 6892.—They do not interfere with the mercantile shipping, 6893.—That is exclusively under the control of the Navigation Committee, 6894.

JONES, Mr. JOHN. (*Analysis of his Evidence.*)—Is a liveryman of the Turners Company. In trade, but not in the City, 1544–1546.—Is not a common councilman, 1548.—Wishes to see the companies brought into greater activity by giving more attention to the education of the apprentices of those respective trades which the companies represent, 1549, 1550.—Thinks it a great injustice to the City itself that the design of the corporation has been to throw out the companies, and that they have not elected or allowed men to buy their freedom who are not members of a company, 1551, 1522.—Would prevent any person being on the list of freemen who is not a member of one of the companies, 1553.—Would as soon allow an ignorant man to be a member of the university as let a man who has no trade have any voice in the City, 1555.—Should have no objection to people who reside in the City and carry on business there voting for common councilmen. But for aldermen and all the other higher offices, thinks the livery alone ought to be called into requisition. The reason witness makes this distinction is, that the livery is the most valuable body in the kingdom; they are the choice men of all trades; and when the livery meet together and give their opinions in common hall, does not think that the Government of the country can get a better opinion of what the respectable and intelligent public want than by hearing what the livery of London say, 1557.—The elections in common hall are only conducted in a satisfactory manner when the public interest is at stake, 1558.—Has never been applied to, to be bribed. Does not believe that there is any bribery, 1559, 1560.—With regard to the sheriffs, the liverymen do not seem to have cared about them. A man of any money, who desires to get into power, uses certain means of bringing a few supporters around him, and so obtains the show of hands. Knows this as a fact. Was at one time in Guildhall at the election of a sheriff, when a number of men came in and applied to a man there, who gave them all tickets. Witness offered one of them 5*s.* for his ticket, and then 10*s.*, but they refused, 1561.—Does not know the value of the tickets, 1562.—It was at the election of a sheriff a short time ago, Mr. Croll was the sheriff. There were barely 150, or from that to 200, liverymen there, including the ticket men, 1563–1566.—The elections of chamberlain have been conducted in a satisfactory manner, 1567.—At the election of sheriff there is a great neglect of duty on the part of the liverymen. The office of late has fallen into dishonour. Wishes to maintain the connexion between the companies and the City. The courts of the companies might exercise a very great and beneficial influence in causing apprentices in the respective trades to be well taught. The members of the courts of the different companies ought to be elected by the livery, 1568.—The companies are not closely connected with the trades they profess to represent, but thinks they might be made so, 1569.—Belongs to the Turners Company. Is a watchmaker. Does not believe that the watchmaking trade is closely connected with the corporation of turners; nor are the fishmongers closely connected with those who sell fish. This is what witness would try to alter. Wishes that all the members of the company should be carrying on the trade of which the company is nominally the head, 1570–1574.—A barrister the other day gave evidence before the Commissioners, who is a member of the spectacle makers' company, because it is a cheap company to buy into, 1575.—Would not allow this to be done, but would make the admission fee very small, so

JONES, Mr. JOHN—*continued.*

that a working man of good character could gain admission into the companies. Confesses that there are certain pecuniary advantages in the case of distress and old age that lead to the admission fee being so high, 1576.—Believes that the whole body of the citizens of London was originally a combination of trades. The companies are very ancient, 1577, 1579.

JONES, WILLIAM, Esq. (*Analysis of his Evidence.*)—Has lived in the City since 1821, and has been a member of the corporation from 1832, 7737.—Is a solicitor residing in Crosby Square, but has a country residence in North Wales, 7738, 7739.—Has been a common councilman for twenty years, 7740.—Has taken an active part, having been on the General Purposes Committee, the Bridge House Estates Committee, the Blackfriars Bridge Repairs Committee, the Markets Committee, of which was one year chairman, the City Lands Committee, the Secondary's Committee, and the Law Bills Committee; has been a member of the Irish Society, and deputy-governor. Thinks much has been said unjustly, to the prejudice of the corporation, 7741.—Was connected with the Irish Society in 1843 and 1844, 7742.—The terms of the charter do not preclude re-election after an interval to this committee; but men are ambitious to get upon the Irish Society, and do not wish to interfere with each other's turn or rota to be put on, 7743, 7744.—It is respectable and agreeable to belong to this committee, 7745, 7746.—Has unquestionably a favourable impression of the management of the society, 7747.—Its duties are incessant; not by the committee or society alone, but the officers are constantly in communication with Ireland. Nothing is done there which is not submitted to the consideration of the society here. Thinks, therefore, that though the expenses are large, and might probably be reduced, though not to any great extent, it does not bear any analogy to a gentleman's estate, 7748.—Sees that the secretary's salary has been somewhat increased. Cannot say whether he is underpaid or overpaid, 7749.—In 1831 there was a change in the constitution of the society. Up to that time it was thought that to belong to it, it was necessary to be a member of one of the twelve companies, who divided the surplus income among themselves, instead of applying it as now to public purposes, 7750.—Believes that the effect of the decision come to in the case of the Skinners Company is, that the twelve companies are entitled to it, 7751, 7752.—After the payment of the debts in which they have been involved, thinks it is possible that there might be a surplus, after the public objects which the company is bound to attend to are accomplished. The law expenses no doubt are enormous, but were indispensable to preserve the property to the society. Large sums were expended in defending their right of fishing in Lough Foyle. The same with regard to their advowsons. No doubt, had the society presented to those livings when they had the opportunity, they might have retained them, though they are now in more legitimate hands. There was also a long dispute with the Bishop of Derry about 1,500 acres of land, of which he had got possession, but it was recovered back. The expense in the suit with the Skinners Company was about 8,000*l.*, 7753.—The society is restricted to giving their aid to the locality of Londonderry and Coleraine, 7754.—It does not confine itself to the boroughs; it gives to charities and schools without the boroughs, 7755.—Does not think it necessary that all that part of Ireland called the plantation should be under the supervision of the society in the promotion of charitable objects; the plantation, except as to the City of Londonderry, and the town of Coleraine, and the fisheries and ferries, and town lands, having been divided between the twelve companies, who are so interested in the maintenance of their own proportions that they never make any claim upon the society. In fact they are expending nearly the whole of their income, acting with the greatest liberality towards their tenants, 7756.—Thinks the effect of the decision in the case of the Skinners Company is, that the surplus, if any, is divisible among the companies, 7757.—Up to 1831 members eligible for the Irish Society, it was thought, must be members of one of the twelve companies, therefore they always elected those members in the Court of Common Council; but in 1831 every member of the court who was a freeman was declared eligible. It was at that particular time, that instead of dividing the money among the twelve companies

JONES, WILLIAM, Esq.—*continued.*

of which they were members, the society took a different view of the matter, and considered that they were trustees for the benefit of the cities of Londonderry and Coleraine, and the plantation generally. From this time the annual accounts have been printed and distributed. Has no remembrance of the companies having applied for any aid from this indivisible fund towards improvements within their respective allotments. Cannot say whether it would be applicable for the purpose if required, 7758.—Formerly Londonderry had lands, houses, and a variety of property for the purpose of maintaining a corporation, but from bad management they got so involved in debt that the whole property was taken in execution, when the allowance of 700*l.* a year was given for the corporate offices, before the Irish Municipal Act, which was in 1840. There is an item in 1841, "Corporation of Derry, towards the support of the magistracy, 820*l.*," 7759–7761.—Without this allowance they would have had to levy a town rate upon the society's tenants, which would have caused complaints, 7762–7763.—Thinks Derry and Coleraine are the only boroughs in Ireland that have no town rate for this purpose. There is a sum included in that 700*l.* a year of 90*l.* 10*s.* Irish money (now 80*l.* sterling), which was always received by them as rent from the Bishop of Derry in respect of the 1,500 acres of land before alluded to, which, in consequence of a breach between the bishop and the corporation of Derry, and the disclosure of the facts by them to the Irish Society, the society recovered back. They fancied they ought to have the benefit of it, and petitioned the corporation of London to compel the Irish Society to give up the 1,500 acres of land to them, or to make them the allowance they asked for, 7764.—In consequence of the leases granted, a great part of the town of Londonderry belongs indirectly to the society, 7765.—An immense quantity of it is held on perpetuity leases, other portions on building leases, and some on ordinary leases, which used to be for forty-one years. The perpetuity leases are very prejudicial to the interests of the society, therefore have been long discontinued, the society buying in the reversion when they have the opportunity. When deputy-governor went to Ireland with a deputation, consisting of the governor, Mr. Alderman Hughes, Mr. Alderman Lawrence, Mr. Thomas Henry Hall, the chairman of the Improvements Committee, Mr. Collingwood, and the secretary. Were fully occupied there for a month, attending several days at the town hall at Londonderry to hear complaints, visited every farm on the estate, and inquired upon the spot into every subject of complaint, 7766.—Doubts Londonderry being a flourishing town, though there are many wealthy people. There are two farms held by Mr. Moore and Mr. Babington, which would be an ornament to any country. Spent the 300*l.* voted for the deputation. Had to entertain public characters, agents, and all official persons, and does not hesitate to say that each member of the deputation had to dip into his pocket to make up the deficiency, 7767, 7768.—The recorder of Derry was appointed before the Municipal Act, and the corporation refused the services of a recorder; but the society thought it a necessary officer. The appointment used formerly to be with the society, but it is now with the Crown. The society has no patronage by those payments, 7770–7772.—Cannot tell how a town rate would affect tenants holding leases in perpetuity. Is quite sure the discretion the Irish Society has used of paying those officers fairly is a wise one, 7773.—The society do not now interfere in the local politics of the borough. Formerly they used to say, "I nominate so and so, and hope you will return him." With regard to byelaws they, under the charter, are subject to the approval of the Irish Society. In or about 1730 they would not adopt them, and there was considerable difficulty about them; then, when the municipal corporation inquiry took place they attempted to get rid of that obligation, but believes, by reference to the Irish Municipal Corporation Act, it will be found it was continued in the Irish Society, and after a considerable contest. The lord lieutenant has also a veto upon those byelaws, 7774.—This power is never exercised arbitrarily, 7775, 7776.—After the passing of the Irish Municipal Corporation Act, the corporation of Derry submitted their byelaws to the Irish Society, and the society approved of them, 7777.—Does not believe there is any legal instrument by which the society are bound to pay the 700*l.* a year to the municipal officers of Derry, but thinks they are

JONES, WILLIAM, Esq.—*continued.*

legally liable to the 90*l.* 10*s.* before referred to, 7778.—Was not on the society when the allowance was granted, 7779.—Nothing of the kind is done in the town of Coleraine, because it has never applied to be incorporated under the Irish Incorporation Act, 7780.—The society's house in London was built for the purpose of keeping the muniments belonging to the society, part of which were burnt when there was a fire in the Guildhall some years ago, 7781.—The building consists of four rooms and domestic offices where the porter and his wife live, 7782.—The salary of the secretary has been increased from 300*l.* to 400*l.* a year, in consequence of the increase of his duties. The expenses of the governor, deputy governor, and the members of the society, are limited to 600*l.* a year, whatever the number of meetings may be. Besides doing all they can for the promotion of the plantation, the Irish Society seek to improve the connexion between the two countries. There is a meeting called a court meeting, which must be regularly held once a month. After the business is over the society dine together, and invite the members of Parliament and other gentlemen connected with Ireland generally, and has constantly heard them speak in the highest terms of the advantages the society had conferred upon the country. When in Ireland, upon the deputation, it was a matter of considerable difficulty to get through the business. For instance, a gentleman applied for the renewal of a lease of a farm granted 40 years before. The tenant in possession likewise made a claim, and having greatly improved the property it was a reasonable claim, but there was much difficulty in shaking off the first claim. It has been the object of the society for years to get immediate tenants instead of intermediate holders. Thinks great advantages arise from a deputation going over every two or three years, as they have an opportunity of inquiring into circumstances on the spot, but does not approve of members going by themselves, 7783.—No deputation goes twice, or scarcely ever, because no member remains more than two years on the society. Has no doubt this diminishes any advantage there might be in members going over and obtaining a personal knowledge of the estates, 7784, 7785.—There is nothing in the charter to prevent their re-election after being one year off the society, 7786.—Believes there is a greater desire to be on that committee than on any other connected with the corporation. Cannot account for it, but that there is rather a more social party, meeting Sir Robert Ferguson and other gentlemen who are pleasant to meet, 7787–7789.—There is no travelling unless there is a deputation; there used not generally to be a deputation, but latterly there have been occasionally deputations for two or three years following. When witness went was received by the authorities in Dublin. Kept the purse, and should not have paid the expenses of any individual if they had not kept together during the whole period while in Ireland, 7790–7794.—It has been said that men in a certain mercantile position in the City object to become aldermen, on the ground that it is derogatory to the character of a first-rate merchant to become one. Is of opinion that they are disinclined only because they cannot, or think they ought not to devote the time which is necessarily required for the duties of the office of an alderman. Thinks the aldermen, from their business habits and information, are better able to discharge the functions of magistrates in the City than paid magistrates. Does not agree with Mr. Cotton that they depend upon their clerks for information, except when an intricate question of law arises, and the legal knowledge of the clerk may be useful. There are some very able men as county magistrates, but thinks they are more in the hands of the clerk at petty sessions than the City aldermen. Some objection was made to Mr. Alderman Wire having sat on a case where, it was said, his partner was solicitor, and the prosecutor his client. Thinks him incapable of sitting under such circumstances to adjudicate on the case, and believes, if the case is explained, a different view will be presented, 7795.—In the counties any person who has been an attorney and wishes to retire from business must have his name struck off the rolls in order to be a magistrate, 7796.—Thinks the justices are appointed by the Privy Council. The mayor for the time being is the magistrate under the Municipal Corporation Act, and they appoint a certain number of magistrates. Whether the aldermen shall be elected for life depends upon whether they are to be magistrates or not. If magistrates, they ought not to

JONES, WILLIAM, Esq.—*continued.*
be periodically elected. If not to be magistrates there is less objection to it, 7797.

JONES, WILLIAM, Esq. (*Further Examination.*)—Omitted to mention having been a member of the Navigation and Consolidated Committees. With reference to the appointment to committees and chairman of committees, the two wards of Bishopsgate Without and Within, though under one alderman, are separate with reference to their members. Belongs to the ward of Bishopsgate within. After the election of St. Thomas's day, meet to return to the common council the names of the members proper to fill the vacancies in the different committees, being careful to select those best qualified to undertake the duties from their personal knowledge on the particular subject. Any member of the Court of Common Council may object to those members being put on committee, if they think fit. According to the 38th standing order, no member can be on more than one of the following committees: the City Lands, the Bridge House Estates, the Navigation, the Coal and Corn, and the General Purposes, except in the case of one or two wards, which only return four members. No member can be chairman of a committee who is not in his third or fourth year, that he may be perfectly acquainted with the duties before he is called upon to act as chairman. The chairman has to preside over the general meetings, the sub-committee, and to attend every Court of Common Council, when he has a report from that committee to render. He must be qualified to give the court information to their satisfaction, that they may see that the committee have arrived at a right conclusion, otherwise the report is rejected or sent back for further consideration. Was on one occasion, though only in his second year, recommended for election to the court in preference to two in their third year, as having a better knowledge on the subject. Mentions this in contradiction of a statement that the man is appointed who attends the greatest number of dinners. The selection of chairman to the Navigation Committee is always made from the most experienced persons. Generally the committees work well. Thinks Mr. Ambrose Moore entirely ignorant upon the question of the working of the corporation. He says, "If you reduce the numbers and simplify the forms of the corporation, I believe more respectable men will join it. The higher class of citizens of London will be directors of banks, of dock and other companies, and will attend fairly to the business of those associations." The directors attend because they are well paid; the members of the corporation attend because it is their duty to attend. Presumes that the higher class of citizens he alludes to are gentlemen so occupied in business that they are ever ready to make excuses for not serving any offices in connexion with the corporation, not that they have any personal objection to it. Mr. Moore states, "The system of dinners in the common council is necessary, because of the character of the men in office." The allusion to these dinners appears a mere bugbear to the public mind, for the purpose of creating a prejudice against the corporation. Some of the committees have those dinners after their monthly meetings. Thinks there is nothing objectionable in them. Many little misunderstandings which have arisen in the warmth of debate in the morning may be explained away at the festive board. They dine at five, and many members have left the table by half-past seven. The money expended on them is beneficial in giving the tradesmen occupation and advantage. The members attend as punctually upon the unpaid and undined committees as upon those which have dinners. Differs with Mr. Williams as to the expense of the mayoralty being 25,000*l.* He says the Mansion House is the great feasting place among the corporation. Has been in the corporation 20 years, and has not dined there more than 20 times. Agrees with Mr. Norris in the propriety of putting the control of the cash under the united jurisdiction of the Court of Lord Mayor, Aldermen, and Common Council, instead of the Court of Aldermen alone, but has no wish to take the office of justice of the peace from the aldermen. They discharge its duties in an efficient and exemplary manner. Mr. Norris thinks they should not be eligible till they have passed the office of lord mayor; and with the small number of aldermen, as he proposes to divide the City into 12 wards, "about half might be supposed to have passed the chair, and those who have not should be subject to periodical election." Is of opinion the number of aldermen cannot be reduced with benefit to the City if they are to act as magistrates. Nevertheless would alter the wards so that they should be more uniform in their extent and representation, depriving some of the small wards of their aldermen, and giving them to the larger wards. There are many influential commercial houses in the ward of Bishopsgate Within who are not now represented, because they have no vote for common councilmen, nor for aldermen, nor at the common hall; therefore desires the extension of the franchise. The corporation have affirmed that principle as a body, by the bill which they proposed to Parliament. Denies Mr. Norris's insinuation as to the application of the funds of the Market Committee. Was chairman during a long Parliamentary inquiry in 1845, over which Mr. Ormsby Gore presided, upon the subject of Smithfield Market. Never dined once at Bellamy's, or spent one shilling that was under the control of that committee for such purpose as Mr. Norris insinuated. There have been immense improvements in the City during the last 30 years, not only in the abolition of offices and so on, but in the streets. The land tax in the City is two shillings in the pound, whereas believes that in Marylebone it is one-eighth of a penny in the pound, 7798.—It is the ordinary land tax, 7799.—Does not complain of it; but it is a hard case upon the tenant to be subject to such inequality, 7800.—In taking a house should inquire what land tax and assessed taxes there are, and what the rate to the poor is, 7801.—The amount of the land tax arises from the City having been more populous than it is even now, therefore the tax rather increases by the decrease of the houses; in Marylebone it was assessed upon a district where there were no houses at the time, and they had only their quota to make up, 7802.—The land tax is an aggregate charge upon the City of London, obliged to be raised, and that is sub-divided among the several parishes, &c. Belongs to St. Helen's parish, where it may be said double tithes are paid. The first tithe is to the lay impropriator, who only allows the incumbent 20*l.* a year out of it, therefore a voluntary rate is levied for the clergyman, 7803.—The lay impropriator is a private individual. It was alienated in the time of Queen Elizabeth, when the tithe was let for 70*l.* a year, subject to this annual rent-charge of 20*l.* for the religious instruction of the parish. Had those tithes remained in their integrity they would now amount to 800*l.* a year; but many of them have been redeemed by their owners, and the impropriator paid the consideration, 7804.

JURY:
They are returned by the sheriffs' officers, who are paid by the City, *Pulling*, 925.—In cases at the sessions believes grand juries to be perfectly useless, *Adams*, 7230.

KEARNS, W. JOHN, Esq. (*Analysis of his Evidence.*—Is connected with the City of London, 2309.—As wharfinger, 2310.—Is not connected with the corporation, 2311.—Has no grievance to state, is aware that in matters connected with his trade certain grievances in the case of merchants and importers exist, of which the metage is one, and it is most injurious to the port of London, 2312.—A metage upon corn and fruit, viz. nuts and apples, is claimed by the City; the duty on nuts and apples is not only injurious to the public but also to the port, by preventing foreigners sending cargoes here on speculation. Unlike the Crown duties, which are not levied on goods landed if subsequently exported to another country, Spanish nuts change hands frequently at 6*d.* a bag profit, out of which metage would be 2*d.*, and porterage 2*d.*, 2313.—If landed at Southampton metage would be claimed in London, if sent here by rail or lighter, 2314.—The amount of metage would be about one half what it is now, did the City not interfere, 2315.—Only a very small portion of the goods mentioned would be measured if City meters were not employed. The necessity which now exists for the presence of the meter causes great delay. If the matter rested with the Crown there would be no difficulty, 2316.—The importer is now subject to a double inconvenience, to a payment for which he gets no equivalent, and to delay, 2317.—The joint effect is seriously detrimental to the fruit trade, 2318, 2319.—The metage does not apply to all fruit, but to apples, nuts and onions, 2320.—Does not think the City fruit meter is any protection

KEARNS, W, JOHN, Esq.—*continued.*

to the importer or purchaser, he only regulates the metage at the time of landing, 2321, 2322.—The charge for porterage ought to be reduced one half, 2323.—The City gauger is a very useful officer appointed by the City for reference by merchants with respect to wines and oils, 2324, 2325.—It requires great experience to tell the gauge of a cask. The gauger is a check against the officer who gauges for the customs, and also against his correspondent, 2326.—The charges of the City gauger are very moderate, 2327.—Thinks the gauger a very beneficial officer, 2328.—The fruit porters consist of 40 men, and as they are not equal to discharge the different fruit ships that fill the port of London, their numbers are made up by the hangers-on. Of these men, who are mostly great thieves, there are very few ships which enter the port of London, but suffer from the robberies committed by these men, 2329.—The corporation have no power over any but the fellowship porters, 2330.—Does not know who has the control. Has watched a man and been perfectly satisfied his object was plunder, and attempted to remove him from the ship, but the police refused to remove him unless given in charge, which could not be done till a robbery had been committed, and he would appeal to the fellowship and would retain his place, and the moment he had an opportunity would pocket whatever came in his way. Convicted one man last year whom he had known six or seven years working with the fellowship, and was not aware till he was in custody, that he was not a fellowship porter; he turned out to be only one of the hangers-on, who was so mixed up with them that it was impossible to know that he was not one of the fellowship, 2331.—Complains of the inefficiency of the control over the fellowship porters and their followers, 2332.—Is put to no expense individually; the merchant pays them about 50 per cent. more than he should for moving his goods, and the wharfinger is put to no expense, but runs risk of being robbed by the men forced on his premises, 2333.—He pays exactly double the amount he would under an open system, besides the inconvenience of having no control, 2334, 2335.—Thinks the whole of the experience of the navigation committee is comprised in two gentlemen, Mr. Turnley and Mr. Phillips, who are no doubt excellent men for the purpose, and practically acquainted with the subject, 2336.—Thinks the harbour master well selected and that he is a clever man, and no fault can be found with him or his deputies, and his arrangements, considering the extent of the river, are excellent. The duties of the harbour master are to enforce certain regulations and provide proper moorings and anchorage for shipping. The duties of the committee are of a higher order, and comprehend the properly preserving such lines of demarcation as shall ensure safety to the buildings on the river banks and the bridges, piers, and watercourses, which might be injured by improper alterations or encroachments. Is of opinion from the present mark of the tide at high water, that if straight lines are adopted, and stone or brick walls are allowed to take the place of old piles where the water now flows, a useful river will be converted into a rapid current, and the result be most disastrous. The river Thames is of too much importance to be intrusted to men who however respectable know nothing of its sets of tide, currents, eddies, bights, points, banks, or bottoms, who never think of the effect of a strong northerly gale or a month's rain, 2337.—Thinks it would be impossible to improve the police courts. Has been present there and always found great patience exercised by the magistrates, and a great desire to arrive at the truth, and none of the petulancy which the press have sometimes repressed in the paid magistracy. Is perfectly unacquainted with the gentlemen, never having had the honour of knowing a single alderman, but fancies they are well selected to fulfil the duties of the station they hold, and are well supported on points of law by the gentlemen who assist them, 2338.

KEELING, HENRY LEVY, Esq. (*Analysis of his Evidence.*)—Is an inhabitant of the City of London, 1581.—Is a fruit and general produce broker of the firm of Keeling and Hunt, in Monument Yard, 1582–1584.—Calls the attention of the Commissioners to the exaction levied by the City meters upon the article of fruit imported from abroad, 1585.—The meters are not applied for by the importers, but they claim the right of attending and superintending the cargoes and making their claim for payment accordingly, which amounts to a considerable sum, 1586.—The amount

KEELING, HENRY LEVY, Esq.—*continued.*

that is claimed by the City meters is so much money taken from the importer without any benefit to him, inasmuch as their services are not required either by the Crown, by the importer, or by the buyer or seller, 1587.—They invariably enforce the claim of measuring; it was resisted some eighteen months ago, but finding it was being investigated by the committee of general purposes of the City, could not interfere, but trusted to them to give them that redress to which they were entitled, 1588.—Is not aware that any decision has been come to by the committee, 1589.—The duty on oranges and lemons was levied in a different manner before the reduction by the late tariff. The customs authorities now became the meters. They attend with their own officers as meters and the charge is saved, 1590.—The articles with respect to which the City claim to have their own meters employed, or at least paid if not employed, are nuts, onions, apples, and pears. There is one sort of nut upon which they do not claim metage—the Para nut, which is imported from Brazil. If they are entitled to claim metage upon other articles which are sold by measurement, this ought not to escape, and if this is entitled to escape they cannot enforce it upon others, 1592, 1593.—The effect of the course which the City took upon the subject of oranges was, that they gave up their right to measure oranges and lemons under the new duty, but it did not weaken their claim with respect to articles which they had before been in the habit of measuring, 1594.—The clause in question emanated from the City; it was introduced into the Customs Act which of course excludes the City now from any claim upon fruits upon which the duty is levied by measurement, by an Act of the Crown. 1595.—In levying the duties, the Customs measure a small portion which serves as a sample, estimating the rest according to the amount of the sample, 1596.—The City meters superintend the measurement of all cargoes brought in bulk, and the meters interfering in behalf of the Crown take a report of their measurements. The Crown keep a check upon the landing, and when the measurements are made up they agree with the meters, and upon their return the duty is levied, 1597.—The City meters compel you to submit to actual measurement as well as to payment, 1598.—Would require that the cargoes should be measured if the metage did not exist, 1599.—The Customs would employ their own officers provided the metage did not exist. At Liverpool no metage is required, consequently the Crown have to do the work for which they are paid, 1600.—In the outports the officers of the Crown take the place of the meters. They would measure the whole cargo if it came in bulk. Gives an instance in the article of chesnuts, 1601, 1602.—If the duty were altogether abolished the City would still claim the right of measuring them, 1603.—These articles likewise paid City dues, from the 1st of October 1851 to 30th June 1852, 208*l.* 15*s.* 11*d.* without any value being received or assistance given, 1604.—183*l.* 13*s.* 5*d.* was for metage, 22*l.* 1*s.* 5*d.* for lord mayor's dues, and 3*l.* 1*s.* 3*d.* for corporation dues. If a cargo is sent to one of the outports it is exempt from charges: these are the points which witness complains of and considers require redressing, 1605.—This difference drives importations of this kind from the port of London, because if you send to Liverpool you would have 10*l.* less to pay than if you send to the port of London, 1606.—The meters appoint deputies to collect the statistical account from the Custom officers, and levy the duty without rendering any assistance to the article in question, 1607.—Does not know the amount of purchase money paid for the office of meter, but knows that the revenue which those same gentlemen have from the metage of fruit and potatoes is stated to be about 5,000*l.* per annum, 1608.—The four meters together from the taxation levied upon those particular articles, 1609–1610.—They pay their deputies out of this, but that can be but a very small proportion, 1611.—The same meters that measure fruit measure potatoes, but have nothing to do with corn, 1612.—The metage is not only inconvenient with regard to the money payment, but one is compelled on all occasions to submit to it. The goods arrive, and the Customs themselves, for their own protection would see that everything was properly delivered, and levy their duty without the interference of a second party. The goods are deposited in warehouses, and when they are sold they are all remeasured, 1613.—By the City regulations is compelled to have goods measured whether it is wished or not,

KEELING, HENRY LEVY, Esq.—*continued.*
1614–1616.—They not only make an estimate but go through the whole process of measurement. Does not think that the measurement causes delay, but the inconvenience is in the unnecessary charge, 1617–1620.—At one time they threatened resistance to the claim of the meters, and in fact withheld the payment for a time, but felt averse to take the law into their own hands, and preferred to agitate the question to get it redressed generally not individually, 1622.—With regard to the wharves, when they became private property, the proprietors took the labour of the fellowship porters into their own hands. They had to pay them to a large extent. Paid them in 9 months 2,000*l.*, whereas the same fruit brought to the legal quays would be subject to the charge the fellowship now make. It therefore becomes identified with the metage question, 1623.—Paid in nine months the sum of 1,939*l.* 4*s.* 8*d.* to fellowship porters of the City of London, 1624.—Does not think the charge exorbitant, but complains that they are not allowed to exercise their right of employing the men that they think proper, 1625.—Thinks that although they were not losers in a pecuniary point of view to any amount, that they might get the labour accomplished at a cheaper rate, 1628.—As far as the fruit trade is concerned it is well managed, and witness does not consider it to be overpaid, 1629.

KEY, Sir JOHN, Bart. (*Analysis of his Evidence.*)—Has held the office of chamberlain since June last, 5837.—There was a contest for the office, 5838.—The statement made by Mr. Rose that witness's election cost 7000*l.* is not correct. Never had any communication with Mr. Rose, 5839.—Thinks his election cost about 5000*l.*, 5840.—While the election was going on, expenses were incurred to a great extent without any very accurate knowledge on the part of witness as to what the object of them might be, 5841.—From the principal agent finds that during the course of the contest 80 cabs were kept at 1*l.* a day waiting to bring up the voters; there were 60 clerks employed. There were persons brought up from various parts of the country, some of whom had their expenses paid, others came at their own expense, 5842.—Believes the expenses of the conveyance of non-resident voters did not exceed the amount of the actual cost, 5843.—The expenses of canvassing agents were a large item, 5844.—Had several agents, from the peculiarity of the circumstances, 5845.—Thinks a very small amount was expended in refreshment for voters. The bill at the hotel where the committee always met, was not much above 100*l.* for refreshments, 5846.—Believes there are a certain number of persons, not exceeding 300, though represented by the agents to amount to 2,200, who come and vote, and have money for their loss of time for the day, 5847.—The total expenses of his election did not certainly exceed 5,000*l.*, 5848.—Has regularly discharged the duties of the office since his election. It is an office of great responsibility inasmuch as the chamberlain is responsible for the whole of the City funds. During the last year, the receipts for which he was responsible were 1,219,511*l.*; payments 1,229,242*l.*, making a gross total of money passing over the counter 2,448,753*l.* This is not altogether cash; but the amount of actual money received by the chamberlain was about 800,000*l.*, the actual revenue of the City being about, say 200,000*l.*, 5849.—He gives a very large security, and is confined by a deed into which he enters as to the mode in which those sums are to be dealt with, 5850.—The amount of security which he gives is 30,000*l.*, in responsible parties who must be approved of by the Coal, Corn, and Finance Committee and by the Court of Aldermen. Every month he is obliged to present his accounts before the committee, and if there be any sum appropriated or deposited in a manner which they do not approve of, or if there is a larger balance than they think proper, at their recommendation an alteration is made. When there is a sum of money beyond the amount which the chamberlain is authorized to have at the bankers, he must deposit it on certain securities; it is generally lent upon what is called calls, because there is less risk of loss upon any sum of money being suddenly demanded than there would be by investing it in the funds. The nature of this security being the security of the person borrowing at call, with the collateral security of either City bonds or Government security, 5851.—At the present time would obtain a larger interest if it were lent at call, than if it were invested in the funds, 5852.—The whole of the responsibility in respect to the application of the funds in the hands of the corporation at any moment is vested in the chamberlain. If any loss occurs from his mismanagement, he is the person responsible for it, 5853.—That part of his business, to a certain extent, involves the business of a banker. 5854.—In making an arrangement with respect to the employment of those funds, he principally advises with the banker, chief clerk, and probably with the broker, 5855.—Does not take any detailed instructions from the committee of the common council, but every month he lays before them his accounts, 5856.—The banking part of the business occupies a considerable portion of his time. Above a certain sum all amounts are paid by cheque; several cheques are signed in a day. Never signs a cheque without ascertaining that there is a proper warrant for it, and that the committee, by whom the cheques are warranted, have not overdrawn the amount placed to their credit. Again all small sums under 100*l.* are paid through the desk of the cashier. Feeling responsible for it, sees every night what payments have passed through his hands, and so as to all payments which have been made to him. The number of payments passing through his desk alone in the course of the year are 10,535, and receipts 9,088, total 19,623. The office occupies his attention from ten in the morning till five in the evening, and is sometimes obliged to take papers home with him afterwards, 5857.—There are other duties attached to the office but not of so responsible a nature, 5858.—Whenever an office falls vacant, the common council refer it to a committee to consider the duties, the emoluments, and so forth, to see if any change can be advantageously made. In witness's case that was done. There are a number of duties which devolve upon the chamberlain; one is to admit persons to the freedom of the City; another is to hear and decide all disputes between masters and apprentices, which frequently occur; the chamberlain has the power, when he thinks necessary, to commit an apprentice to Bridewell, 5859.—The numbers of those cases of apprentices are uncertain, 5860.—It is a jurisdiction peculiar to the City, 5861.—A justice of the peace possesses no such power under the general law, 5863—If a master does not fulfil the duties which he is bound by the indenture to fulfil, the apprentice has the power of calling him before the chamberlain. If it is his opinion that the master has neglected his duty or that the apprentice has neglected his, the chamberlain adjudicates between them. It sometimes happens that there is no chance of their ever acting together, and he discharges the parties from the bond into which they have entered, 5864.—He has the power of cancelling the bond with the consent of the parties, 5865.—Complaints by the master against the apprentice are considerably the most numerous, 5866.—The ordinary nature of the jurisdiction is to interfere in cases where the master complains against the apprentice, 5868.—A great number of the cases are decided by giving judicious advice to the apprentices, 5869.—In other cases where they are obstreporous, and those complaints have been repeated, they may be committed to the Bridewell. In nineteen cases out of twenty they never get to the Bridewell; but when they do, generally the next day a very penitential letter comes to the master to intercede for them, 5870.—Generally finds, by letting a case stand over for a fortnight, and telling the apprentice that the result will depend upon his conduct whether he goes to prison or not, he hears no more of it, 5872.—Has never had one female apprentice before him, 5873.—Believes there are not a great many female apprentices in the City, 5874—Thinks this jurisdiction is attended with beneficial results; it leads the master to act in a greater spirit of kindness towards his apprenti[illegible]; and if the master does not teach the appren[illegible] the branches of his trade, if he is disposed to make use of him as a servant, or in any way not intended when the boy was bound apprentice, it is very beneficial in calling him to a sense of his duty, 5875, 5876.—In London apprentices are apt to get into very bad associations, and sometimes a little lecture from the chamberlain, and the dread of the Bridewell, may arrest them in an evil course, 5878.—Apprentices committed by the chamberlain are kept separate from criminals who are committed to Bridewell, 5879.—Captain Williams states that the comptroller sometimes exercises the power of committing apprentices to Bridewell, that would be in case of the absence of the chamberlain

KEY, Sir JOHN, Bart.—*continued.*

from ill health, 5880.—The comptroller acts as deputy in that case, and for the admission of freemen; in no other case does he do so, 5881.—Thinks the statement made by Captain Williams that the number of apprentices committed to this prison average about ten a year is correct, 5882.—He says "confinement in the prison acts most mischievously on boys." Witness's experience has been rather the other way, 5883.—Never commits an apprentice for above ten days, 5884.—Suppose an apprentice came and complained that his master had ill treated him. If it were a case in which his master had ill treated him so far as that it amounted to an assault, should send him over to the other side of Guildhall, and he would be left to the ordinary law, 5885.—Apprehends if there was a continuance of ill usage on the part of the master, or if he neglected to teach the apprentice his business, there would be power to cancel the indenture. Has not had such a case, 5886.—Since his appointment there has been a case in which he has interfered on behalf of an apprentice, 5887.—Has told the master the duties he should perform, and he has promised to rectify the cause of complaint, and has told the apprentice that if the ground of complaint were not removed he was to come again, 5888.—Is not quite sure, in the case of a master neglecting his duty, whether he would have the power of cancelling the indenture without consent, 5889.—All the freemen of London are admitted through the chamberlain, 5890.—Has never given any directions to issue notices to those persons who do not take out their freedom. Some time ago sundry notices were sent out for the purpose of enlarging the constituency rather than with any other object, 5891.—Another duty is to receive from the town clerk the names of the several persons presented by the wardmote inquests as carrying on business within the City, and not being free; to cause such persons to be summoned before him, and to direct prosecutions in case of non-compliance; to attend the lord mayor and all common halls and common councils, and on all state occasions, and deliver over the City regalia to the lord mayor upon his being sworn, 5892.—Attends all common councils and Courts of Aldermen. If any member has any question to ask as to the financial affairs of the City, must be prepared to answer him. Does not attend the whole time, but his duty is to be present at every court. The chamberlain has to receive all rents, profits of markets, tolls, and other revenues of the corporation, with which he is annually charged by the comptroller, to make all payments on account of the corporation, and to ascertain that such payments are by warrant or order of competent authority and conformable to the various resolutions and orders of the Court of Aldermen or Common Council, and to keep accounts thereof, and to arrange the same for the purpose of affording any necessary information thereon. There are 4,000 tenants, paying 103,095*l.* annually; that includes the receipts from the prebend of Finsbury. Besides that, there are monies in the nature of coal duties and others to be received, amounting to about 700,000*l.* more, 5893.—Mr. Scott said that the profits on all the balances were brought to account, and that a sum was assigned to the chamberlain not greater than 2,500*l.* a-year, but that some years it had not amounted to that sum. That is the case; the sum is 2,500*l.* a year; is not aware whether it has always amounted to that. Formerly the chamberlain was paid in a different manner, 5894.—At present the entire emoluments of the office can never exceed that sum. Begs to call attention to the answer to Question 353. The witness says, "An overture was "made to Mr. Scott during the contest that his situa- "tion should be improved pecuniarily if he would "resign, and a threat conveyed that if he persisted "in the poll after a certain time, he would lose the "appointment, for that the new chamberlain would "appoint some one else." Distinctly swears that no such overture was ever made—nothing of the kind passed, 5895.—Has the power of dismissing any clerk in the office without any authority from the Court of Aldermen or the Common Council. The chief clerk and the cashier, when they are admitted, must be approved of by the Court of Aldermen, and also by the Coal, Corn, and Finance committee of the Common Council, 5898.—The appointments of the clerks are made by the chamberlain himself, 5899.—Swears that as far as his own knowledge goes, no overture of the nature described was made to Mr. Scott during the contest,

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5900.—Never heard from Mr. Scott that he was under the impression that such an overture had been made; the only communication from him was, that he should have been glad to have saved all further expense on the Saturday, when this inquiry was made; but his committee would not suffer him. Calls attention to Question 361. The inference from the answer to that question is, that the duties of the chamberlain, are performed by the clerk. Had Mr. Scott been elected he would have made a very good chamberlain, but he would have himself elected the same chief clerk that witness has now. He would not have performed the duties both of chamberlain and of chief clerk, which seems to be the bearing of the evidence of some of the witnesses; each of the clerks gives security, though to a smaller amount than the chamberlain; also calls attention to the answer to Question 312; there is a statement there made diametrically contrary to the fact. It is said that the first corruption with regard to elections began at the period there mentioned, and that the sum of 15,000*l.* was expended at that election; that there were then 400 men, called 'longshore men who were controlled by Alderman Lucas, who by his influence effectively secured the return of his friend Alderman Key. That is quite contrary to the fact. Supposes there never was a greater degree of popular feeling exhibited than on that occasion; it was about the period of the passing of the Reform Bill. Had taken a somewhat active course in forwarding that view, and towards the close of the first year of office, was waited upon by a deputation, to know whether he would serve a second time; the view being, that as he had previously done to a very large amount, and with great effect, he should lend any influence which he might possess to assist in forwarding that measure, with respect to which he had taken so active a part. The majority of the Court of Aldermen were at that time on the opsosite side in politics. The lord mayor is returned by the livery, but the livery must return two names to the Court of Aldermen, from which the court choose one. The persons who wished to carry out the objects of the Reform Bill being aware that the majority of the Court of Aldermen was against that measure, an arrangement was necessarily made with some alderman who had served once before, and who therefore had the power of refusing to serve again, that if he were returned with witness to the court and were chosen, he would agree not to serve. The alderman who was accordingly named, after having been returned by the livery and chosen by the aldermen, refused to serve, as previously arranged; that occurred three times, there being an eight days' poll on each occasion. Is quite convinced that the whole election did not cost 1,500*l.* instead of the expense being 15,000*l.*; and as to the assertion that Alderman Lucas returned his friend Alderman Key from his influence with the 'Longshore men, the most violent and hostile opponent he had at that time was Alderman Lucas; therefore, when a gentleman swears that Alderman Lucas returned witness by his influence, he swears that which is contrary to the fact, 5901.—Does not think the expenses of the two candidates together amounted to 1,500*l.* or 2,000*l.*, 5902.—Does not think his own came nearly to 1,000*l.*, 5903.—Desires to refer to Questions 340, 1455, and 1464. It is said, in answer to Question 340, that the aldermen at the late contest subscribed 100*l.* each, which is untrue. The imputation in the subsequent questions is that the money was subscribed out of the public funds. With respect to the 100*l.*, being agreed to be subscribed by the aldermen, says distinctly that no such agreement was ever made or contemplated, 5905, 5906.—No subscription was made either by the aldermen or by the officers of the corporation towards the expenses of witness's election; paid the whole out of his own funds. In answer to 2,815, it was implied that twelve of the City officers have the same income as twelve cabinet ministers, namely, 45,480*l.* Taking the twelve highest paid City officers, they only amount to 19,600*l.* Another witness swears that in reference to the Borough of Leeds, under the head of justice, the whole expense is 729*l.* 11*s.* 3*d.*, while the fact is that it is 5191*l.* 4*s.* 5*d.*, according to the statement which he himself gives. So as to the borough expenses of Leeds; the witness states them to be only 2439*l.* 15*s.* 6*d.* while they are in fact 6348*l.* 19*s.* 3*d.* Another witness has sworn that the corporation are adverse to all improvements. Shows a map of the improvements which have been made, not only in

KEY, Sir JOHN, Bart.—*continued.*
the City, but at the west end of the town, by the corporation. (Produces and explains the same.) Those improvements which are marked out of the City, are made out of the 8*d.* coal duty. There is already a debt of about a million upon that duty, the whole of which has been laid out upon improvements without the City, in addition to the Commissioners of parks and palaces now having the whole proceeds of the coal duty 9*d.*, for improvements entirely out of the City. This fund is also pledged to pay off the million debt contracted on that tax, for improvements made out of the City, and to which improvements the City also contributes 11,000*l.* per annum out of the City funds. Mentions this because a great outcry is raised against the City on account of the 8*d.* and 1*s.* coal duty, while Her Majesty's Commissioners of parks and palaces receive the whole of the sum of 11,000*l.* from the City funds in addition, 5907.—Further statement as to the duties of his office. A great many people have given their opinion as to the manner in which the aldermen perform their duties in their capacity of magistrates. Was an alderman for thirty years. It would be impossible to find any set of men, chosen as they are, who are more intelligent, and who attend more anxiously and closely to their duties than the magistrates of London do. In reference to a legal education being necessary, thinks that men who have lived to a certain period of life respected by their neighbours, and who have had sufficient talent to make their way in the world, are quite as capable as any other men can be of performing the duties of magistrates, a proof of which has been given before the learned judges and others, as to the numberof convictions and committals. Nine tenths of the cases which come before the magistrates are cases which do not require any legal knowledge; they are mere matters which common sense would enable them to decide; or if they do require legal knowledge, they always have a clerk of considerable legal attainments, who advises them upon those points. Apprehends that legal magistrates who are professional men, also have their clerks to assist them. Believes, from his experience, that the aldermen of London perform their duties more to the satisfaction of the citizens than any paid magistracy would do. Has also during that period attended committees of the corporation, and can testify to the anxiety always shown to conduct the duties honourably and independently, to the advantage of the corporation and the public at large. As to the sewers, has seen most of the cities on the continent, and does not hesitate to affirm that no sewers in the world are at all comparable to those of the City. There has been no jobbing during witness's experience, either in the Court of Aldermen, or in the Court of Common Council. Has seen nothing but an anxious wish to perform the duties committed to their charge. Then again the aldermen have a considerable advantage in being members of the Central Criminal Court; for though they have never interfered with the judges as to any legal point or any question which arises during the trial, they may sometimes advise as to the sentence to be pronounced. They have one great advantage in acting as magistrates there—that they have an opportunity of hearing from time to time the way in which the learned judges lay down the law on criminal subjects, 5908.

KNOX, SAMUEL WRIGHT, Esq. (*Analysis of his Evidence.*)—Is a solicitor of Coleraine; was town clerk to the late corporation, and is kept on by the present commissioners, 8256.—Quite agrees with the general statement of the previous witnesses; but thinks that it is impossible for the society to act with any great liberality to their tenants, and at the same time act faithfully to their trust, 8257.—The town commissioners complain of the waste of the public trust fund. Under the present system it cannot be avoided; some local body would be more beneficial. The society receives 3,000*l.* a year from the town and fishery, which as trustees they ought to expend on the plantation, 8258.—Derry has from 7,000*l.* to 8,000*l.* a year, and complains that Coleraine has no corresponding benefit from its rents, 8259.—If proper discretion were used, the funds from the society might be spent for the general good of Coleraine, instead of used for diminishing the rates, which are not excessive, 8260, 8261.—A deputation coming over to Coleraine for a day costs 500*l.*, an unjustifiable waste of trust funds, which will continue while the governing body remains in

KNOX, SAMUEL WRIGHT, Esq.—*continued.*
London, 8162.—Out of 3,000*l.* received yearly by the society from Coleraine, only 1,000*l.* is spent for the benefit of the town, the other 2,000*l.* is squandered in expenses of management, &c. Enters into particulars, 8264–8273.—Witness would sell the property. Thinks it would sell at from 28 to 30 years' purchase, and that the income would be equal to that at present received, 8275.—According to the accounts of the society in 1851, the septennial fines were 1,154*l.* 18*s.* 2*d.* Apprehends that that is the amount of rents under leases held in perpetuity; the rest of the 3,000*l.*, is made up of determinable holdings and rents of fishery. According to the estimate of the value of the property, secured as it would be, thinks the produce of it would yield an income fully equal to the present rents, and that it could be administered, instead of at the average cost of sixty per cent., at no greater cost than other trust funds, 8277.—Thinks the short lease system very injurious to the property, 8280.—If some such Act as has lately been passed in reference to the estates of Trinity College and the Church temporalities were extended to Coleraine, it would be an advantage both to the tenant and to the property, 8281–8283.—If the property were sold, there would be much more improvement going on in the town. If one purchased his own rent he would be much more disposed to make improvements than if he had to look up to a head landlord, who had the means of giving him annoyance, 8285.—Agrees with the statements of previous witnesses as to the general feeling of the town with respect to the Irish Society and their influence, 8286, 8287.—The society employs the agent from Derry, who appoints two days in June and two in December for transacting business, 8288.—The agent has no power or influence, 8289.—Does not complain of there being no resident agent in Coleraine, 8290.—There are 7,000 inhabitants in Coleraine. The present commissioners are elected triennially by ratepayers occupying houses rated at 5*l.* or upwards; there are about 400 of them, 8291.—The society used to interfere in political contests; at one election they charged 3,000*l.*, 8292.—They have not interfered lately; witness thinks they are too unpopular to have any influence, 8293–8294.—Thinks the deputations to Ireland are quite useless. Produces a book with an account of one expedition and its expenses, which amounted to 340*l.*, and which witness thinks, as far as any useful results arising from it are concerned, is a fair specimen of the deputations in general, 8295–8299.—The deputations never decide anything till after their return to London. Witness complains that there is not a larger fund applicable for the general improvement of Coleraine. Gives two or three instances of the society's neglect in cases of improvement, 8300.—The London companies are generally popular in the north of Ireland. They have very much improved their property, 8301.—They grant very few leases, because all their improvements are made by themselves. The tenants are allowed for all that they spend in draining, 8302.—The society are often placed in awkward positions from their double capacity of owners of property and trustees for the benefit of Coleraine. There are, perhaps, no rents more easily received in England than those of the Irish Society, 8303.—There is more expense and litigation in the society's estates than in any others. Concludes that the fact of their being trustees, and having no interest in the property, makes them reckless of expense. The society has spent 33,000*l.* in litigation in twenty years. The clothworkers' expenses do not exceed 15*l.* a year, 8304–8307.—Thinks it would be desirable that the society should hold their property discharged of trusts, if they would adopt the system of the companies; but as there seems no prospect of that at present, witness would have them relieved from the trust. Gives two or three instances of what he considers the mismanagement, illiberality, and injustice of the society, 8308.—Thinks either of the two courses which have been suggested to the Commission, namely, that of selling the property, or that of bringing it under some such Act as the "Church Temporalities Act," would be an advantage both to the trust and the community. The society have no power with regard to sanctioning byelaws; they have no influence over the governing body of Coleraine now, 8311.—The society have made a change in the fines for renewable leases since the original leases in 1767, which increases their own income at the expense of the tenants. States particulars 8312, 8313.—Thinks it an illegal proceeding. The leases

KNOX, SAMUEL WRIGHT, Esq.—*continued.*

are all prepared in London, where the society insert what covenants they please, the tenants feeling their inability of resist, 8314.—The practice is one of old standing. The conduct of the society is in direct violation to their own proposal in 1766, 8316.—If those payments were remitted, the only effect would be to make a present to the tenant of the money, 8318.—It would be to the diminution of the trust fund if those fees are included in the rents and accounted for by the society, of which witness is not aware, 8319.—The property subject to this increase of rent has changed hands very often. Thinks it most injurious to the property that no application for renewing a determinable lease will be received till within three years of its expiration; the same opinion has been expressed by the Derry deputation, 8320.—The property held by the society is in many cases under the two descriptions of tenure mixed up together; one complaint against the society is, that they have refused to renew the leases of the commons to the corporation as formerly, but have let them out to private tenants. The school mentioned by the last witness was built on that property. The public bowling green has been inclosed, 8321–8325.—Does not think the society ever gave any property to Coleraine. Believes the 500 acres belonging to the corporation were obtained from Sir Randall M'Donald, 8326.—Reads an extract from a letter to prove that the corporation never had any grants from the society in or about Coleraine, except the court house and gaol, and some wastes in the town and suburbs, with some cabins and cottages thereon, which were held by lease which was to expire in 1733, 8327.—Thinks under those circumstances the funds are very badly managed, the law expenses alone amounting to 33,000*l.* in twenty years, in illegal fees to the members of the society as trustees, and in those tavern expenses, which have amounted in 20 years to 7000*l.*; that is nominally discontinued in the lists now. Witness would have been better prepared with the case, but that the deputation was only appointed on the previous Friday, at a meeting of the town commissioners, 8328.—The meeting was as numerous as usual, and the opinion unanimous as to the necessity of appointing the deputation, 8329, 8330.—By the commissioners' desire the deputation drew up a report detailing the complaints, and showing the amount of annual rents, and the amount which they considered was properly brought to the credit of the fund, 8331.—Complains of the ungracious dealings of the society in deferring to pay their subscription of 300*l.* to the repair of the church, and so obliging the rector to raise the money on his own security in the meantime, 8332.

KNOX, SAMUEL WRIGHT, Esq. (*Second Examination.*)—In answer to a question asked yesterday with regard to the septennial fee of three guineas, states that if the three guineas fee were remitted for the future it would not diminish the trust fund, 8450.

LAMBETH:

Damage done to the dwellings of the poorer classes by the overflowing of the Thames at the spring tides, *Dalton*, 4101.

LAND TAX. (*See* Tax.)

LAW BILLS COMMITTEE. (*See* Committee.)

LAW PROCEEDINGS:

The City solicitor would consult the recorder, if it is a corporate question, or the common sergeant; if he requires further assistance, the attorney and solicitor-general are always retained as counsel for the corporation, *Merewether*, 4708, 4709.—The expenditure under this head is effectually controlled, *Wood*, 7266.

LAWRENCE, JOSEPH, Esq. (*Analysis of his Evidence.*)—Has been established above twenty years in an extensive business as stockbroker in the City of London; is obliged to have a licence from the corporation of London, 4050–4053.—The business of a stockbroker is strictly regulated by a committee of members of the Stock Exchange. They act under the most stringent regulations; each member on his admission to the Stock Exchange is obliged to find three securities, not only for pecuniary payment in case of default, but also as recommending him in point of character, 4054.—That committee is selected from the oldest members of the Stock Exchange, not necessarily stockbrokers, 4055, 4056.—That committee is

LAWRENCE, JOSEPH, Esq.—*continued.*

altogether unconnected with the corporation, except as to the claim the corporation sets up to oblige every broker to take out a licence. A stockbroker is obliged to become a sworn broker of the City of London; previously to which, they compel him to take out his freedom, and to give a bond, and subscribe to the regulations of the Court of Aldermen, 4057.—He engages that he will only carry on his business during the pleasure of the aldermen; that he will keep certain books in the form they prescribe. There are also other vexatious regulations. They require him, for instance, as is done in the case of brokers bargaining for goods, to give to both parties, the buyer and the seller, the names of the principals. This is impossible to be done in dealings on the Stock Exchange. They deal with a class of persons called jobbers, who are not the principals, and to whom the names of the principals are never given, 4058, 4059.—These regulations are perfectly in abeyance; never knew an instance of any interference of the City, except to compel the payment of the rent or penalties, 4060.—The amount of payment is indirectly very considerable. The amount of annual payment by each broker is 5*l.*; but, from the City claiming to regulate who shall be admitted as brokers, they oblige them to take up their freedom, involving considerable fees and expenses. Enters into further particulars of payments, fees, &c., 4061, 4062.—The present system affords no security to the public with respect to transactions on the Stock Exchange beyond that which is already provided by the committee and the common law, 4063.—The interference of the corporation in regard to the bond and the sureties they require, affords no protection nor security to the public at all, inasmuch as if a perfect stranger applies—a man who may the day before have been released as a fraudulent bankrupt—if he goes with the fees in his hand and presents himself with two housekeepers who may be two 10*l.* householders, to sign his bond, he is admitted by the payment of the fees, 4064.—No inquiry would be made into his previous character, 4065.—With regard to the committee of the Stock Exchange there is a searching inquiry. The party applying must, in the first place, be recommended by a certain number of members of the Stock Exchange, who attend before the committee invariably to answer any inquiries respecting him, and there must be three securities of 250*l.* each. Members of the Stock Exchange who are themselves known, 4066, 4067.—They have most unlimited power; they act, not only as a court of law or even of equity, but as a court of honour. They have the power of expulsion for misconduct, 4068.—If a broker were expelled for misconduct by the committee, he could no longer be a member of the Stock Exchange with a certificate of his respectability, but he might freely exercise his office as a broker elsewhere, 4069.—He acts outside, 4070.—The two sets of regulations do not clash, except in the points regarding the mode of carrying on trade already referred to, 4071.—The Stock Exchange regulations are superadded to the others. They are much more stringent, and they are constantly in operation; whereas witness never heard of a case, except the case of some public default or misconduct, which was investigated by the court of aldermen, 4072.—The City claims jurisdiction over stockbrokers, but there are great doubts as to the legality of that claim. Contends that the persons now exercising the office of stockbrokers do not come within the meaning of the term "broker," as clearly defined in the statute of the 6th of Anne, which is the only statute under which the City can claim those payments. Witness here enters into particulars and gives the case of Clarke *v.* Powell. There the Court of King's Bench decided under this act the broker was liable to penalties. Mr. Powell was one of the most respectable men on the Stock Exchange, he paid 1,200*l.* for penalties and law expenses; the case was decided about ten years ago, 4073, 4074.—The prosecution was instituted by the City in the name of Mr. Clarke, who was the chamberlain, on the information of an informer whom he employed for this purpose. The very Act of the 6th of Anne is stated to be brought in to put a stop to vexatious proceedings of the corporation against the citizens through common informers, 4075.—They have varied the regulations; but the City regulations on the subject of stockbrokers dates from the 6th of Anne, 4076.—The date of the institution of the committee of the Stock Exchange is about fifty years ago. The brokers used to meet before in a coffee-house. The corporation levied the fines and

LAWRENCE, JOSEPH, Esq.—*continued.*

penalties to provide a compensation to the City for abolishing the office of garbler of spices, which was rented by them at 300*l.* a year; and afterwards there was a similar compensation for the abolition of the office of gauger of liquors in the City of London, which was found to be not only useless but mischievous; yet still 150 years after the abolition of this office of garbler of spices, when the object of providing compensation must have been satisfied a century ago, the corporation continue to levy the fines and penalties, 4077.—Strictly, the object of the legislature in creating this system was not to give any protection to the public in respect to the dealings on the Stock Exchange, but to provide a compensation to the City for certain abolished offices, 4078.—From a calculation of the amount, which is now enormous, that object has long since been satisfied, 4079.—Besides the 5*l.* for admission to the office of broker by the City it is necessary to become a freeman, and there is a very heavy list of fees payable on becoming so, 4080, 4081.—They will not entertain the application of a person to be admitted as a sworn broker till he shall have made himself a freeman of the City of London, 4082.—Witness states it cost him twelve guineas to become a freeman, 4083.—At the present time, in mercantile transactions, a broker employed by one merchant to purchase goods may buy them at a public auction without the intervention of a broker. On the Stock Exchange the broker's duty is only to one party, he owes no duty to the other, 4084.—In mercantile transactions between the buyer and seller there are frequently two brokers, one for each party. Contends that if the stockbroker had only called himself a stock factor, or stock agent, the City would never have had a pretext for calling upon him to take out his freedom, 4085.—These observations apply more or less to all brokers, but the case of the stockbrokers is stronger, 4086.—Besides the doubtful legality of the authority under which this payment is levied, there is much which is utterly degrading. Men of education, intelligence, and wealth are, by the court of aldermen, subjected to a positive engagement to carry about badges with their name and numbers, and produce it to any one who asks for it, like a cabman on the stand, 4087.—Although the pleasure of the aldermen is never exercised to suspend them, and they are never called upon to produce their ticket, they are called on to sign the engagement, and many of them feel it to be a great hardship, 4088.—Formerly, the City exacted an oath which included all these regulations, but now the oath is merely that they shall perform justly the duties of their office, 4089.—If a sum of money deposited in the hands of a broker for the purpose of purchasing stock were appropriated by him to his own use, of course the bond to the City would be forfeited, 4090.—And the bond to the Stock Exchange committee, 4091.—Suppose you proceed against the sureties under the City bond, the penalty would be taken for the use of the City, 4092.—If the City had any authority to issue a warrant, it would be quite independent of any of these bonds, 4093,

LAWRENCE, Mr. WILLIAM. (*Analysis of his Evidence.*)—Is one of the twelve rulers of the fellowship of porters, 7029, 7030.—Has been a ruler about ten years, 7031.—Was elected on a vote by ballot of the whole body, 7032.—When a vacancy occurs, if there is any opposition, an election takes place by vote by ballot, 7033.—Candidates are proposed by the body of the fellowship, 7034-7036.—One of the porters nominates an individual, and another seconds him, 7037, 7038.—Blanks are put into one box, and the names of the candidates they vote for in another. There are so many candidates and as many cards. The persons whom they vote for they put in the ballot-box, and the other in the blank box, 7039.—At witness's election there were 1,600 polled; it was upon a vacancy, 7040.—There were two candidates, 7041.—The rulers have to attend on court days once a month, and oftener if summoned, and to see that the men attend to their work. One man is always on duty in Tower Street to supply the corn meters with men, and sometimes there is one at the potato work, 7042.—As a ruler receives 36*l.* a year, 7043.—That comes out of the general fund, 7044.—Is a collector, and has 60*l.* a year for doing duty at the hall, 7045.—Disputes between the men are settled, and complaints heard against them, at the monthly meetings of the rulers, 7046.—Every porter must be a freeman, and must pay 5*l.* on entrance, 7047.—Two or three pounds of it are

LAWRENCE, Mr. WILLIAM—*continued.*

given back at the death of a man, and there are several pensions which the men receive, but the funds have fallen away lately, 7048.—The governor and deputy have the power to strike a man off the fellowship if he misconducts himself, in which case he loses his 5*l.*, 7049, 7050.—The porters of the fellowship are not better paid than ordinary porters, 7051.—They are not more regularly employed, 7052.—But it is a security for them. Was better years ago. When one came to be a senior man in the corn trade it was better for him, 7054.—The employment is more regular, 7055.—The pay is not higher, 7056.—There is more corn imported into London than there used to be, but it goes into dock, and by railways; so it does the porters no good, 7057.—The importation, which gives employment to the fellowship, has been falling off for the last six years, 7058.—The fellowship have 3,500*l.* in the three per cent. consols, and 5,750*l.* in the shifter's hands, 7059.—Mr. Ruston is appointed by the corporation, 7060.—He receives four and a half per cent., and the company of fellowship three and a half per cent., 7061.—The shifter pays the corn porters every day, 7062.—He gets the money from the importer, 7063.—He suffers very few losses; if he cannot get the money the men have to repay him; if any one is bankrupt he suffers the loss, 7064.—He collects it all, because the importers live in different parts of the country, 7065.—The porters get their money more generally from him than they would from the importer, 7066.—Reads extract from Mr. Brown's evidence, 7067.—Thinks he received the sum mentioned all for himself, 7068.—The fellowship lent the shifter 7,000*l.*, for which he pays no interest, 7069.—That was in 1824, when the Act of Common Council was passed; the fund was larger then than it is now; they had more than 7,000*l.*, 7070-7072.—Before that time Mr. Ruston and his father had it on lease for a mere nominal sum, 7073.—Reads an account of the receipts of the fellowship from 1841 to 1851, 7074.—It has fallen off more than half, 7075.—The total payment last year was 1,700*l.*, and the 7,000*l.* was advanced to obtain this payment, 7076.—He does not require the whole of the 5,750*l.* now, 7077.—Thinks he ought to repay all but about 2,000*l.*, 7078, 7079.—It has been represented to the common council, 7080.—One of the potato meters receives the whole of the penny in the shilling, and pays the fellowship 130*l.* a year, 7081.—Does not think it sufficient, 7082, 7083.—The income of the fellowship is declining rapidly, 7084.—It is in consequence of the corn going by railway and into the docks, 7085, 7086.—There is great confidence placed in the body of the fellowship; a potato salesman will have a fellowship porter in preference to any body else. In consequence of the influx of potatoes they have been obliged to put on other men; one salesman, in consequence, lost eight sacks. The fellowship pay for all losses; the small jobs do not pay the fellowship, 7087.—The system of fellowship porters is decidedly acceptable to the trade, 7088.—The loss of oranges does not average above a box a year, and the same with regard to nuts and potatoes, 7089.

LEACH, Mr. STEPHEN WILLIAM. (*Analysis of his Evidence.*)—Is engineer of the Thames navigation, and of the port of London; also principal receiver of tolls, also receives the rents and fines for projections on the bed of the river, 6356.—Holds several appointments under the corporation, is paid separately for each. Witness here states salary received from each appointment. Receives from the City altogether, allowing for deductions, about 700*l.* a year, 6357-6359.—Takes instructions from the Navigation Committee entirely, 6360, 6361.—Describes how his duties are performed with regard to the river, taking the western navigation first,—that extending from Staines to London Bridge. Has the care of all the works, all the locks, weirs, towing paths, and every thing of that kind. It has been the practice of the Navigation Committee to keep a staff of skilful workmen for those repairs, 6362.—The City of London maintains all the towing paths up to Staines. The towing path commences at Putney. There are six locks between Putney and Staines. Those are maintained by the City, 6363-6366.—At times a very considerable amount of attention is required to bills brought into Parliament affecting the River Thames. Has to examine all such, and advise the committee upon them. Also has to attend every meeting of the committee, 6367.—Does very little at present, as far as engineering works are concerned, between Putney and London Bridge, 6368.—Has to

LEACH, Mr. STEPHEN WILLIAM—*continued.*

advise the City upon any engineering question between those two points, 6369.—Does not interfere in any question which does not involve engineering matters. In case of encroachments upon the river it is the duty of the water bailiff to watch them. His duties extend throughout the whole jurisdiction of the City. He is a very efficient officer, 6370–6372.—In reference to the statement that has been made as to materials having been thrown into the river at Blackfriars Bridge, the Navigation Committee referred it to the water-bailiff and to witness. Made as accurate an examination as possible, and found that the vessel which had received damage could not have touched the bottom at that place, 6373.—She must have touched the bottom higher up. Had the evidence of watermen who saw her in a sinking state before she arrived at the bridge, 6374.—She was a small iron steam boat; one of those which ply at the halfpenny fares. Witness also has to receive tolls which are taken upon the Thames navigation, 6375.—These tolls are collected at the different locks and at another place in the tideway also, 6376.—Collects them by collectors, but has the supervision of them. There is not a single barge passes, subject to toll, which does not undergo witness's own check; in most cases seven or eight times over, 6377.—Below bridge, has the general superintendence of all engineering works. Has to advise the Navigation Committee upon all projections into the river, the removal of shoals, and every other work which is proposed to be carried on, and to superintend it all, 6379.—There are several shoals in the river which impede the navigation; beginning from the neighbourhood of Erith, they extend up the river to London Bridge, 6380, 6381.—The effectual removal of them would be a work of great expense, 6382.—As they are distributed at present, the funds at the command of the Navigation Committee are not sufficient for their removal; they are confined to certain objects by Act of Parliament; if that restriction were removed thinks they would be sufficient. The operations of the Navigation Committee are at present impeded by Act of Parliament restrictions on the appropriation of their funds, 6383–6385.—Thinks the state of the river is becoming worse, materially but slowly, more particularly in the upper part of the river, 6386, 6387.—The removal of Old London Bridge has produced a serious effect upon the flow of water up and down the river, 6388.—As far as the navigation is concerned the effect has been very injurious, and it has led to the sinking of Westminster and Blackfriars Bridges, 6389.—Some effect is also produced upon the ebb and flow of the tide below bridge, 6390.—Within the last year or two the Navigation Committee have had a number of self-registering tide gauges erected for keeping an accurate record of the flow and ebb of each tide. At the same time they have had a very accurate section of the river taken, so that hereafter they can judge exactly what the effect of any dredging operations or other works upon the river may have been, 6391.—The effect of the removal of London Bridge is that the river clears its bed more completely, 6392.—It carries down a greater quantity of silt into the sea; thinks that arises more from the action of the steam boats than from the removal of London Bridge. The tide runs down with greater velocity than it did before. The water becoming more muddy through the action of the steam boats, of course a greater quantity of silt will be carried down, 6393–6396.—Thinks that in individual cases very considerable damage may have been done to the property on the bank of the Thames since the removal of London Bridge just in this way, that higher tides flow up the river now than used to do before the removal of old London Bridge, therefore they may flood the country and do mischief, 6397.—It is a generally received opinion; does not think there is any record to prove it, 6398.—It is not the duty of the City to embank the river, so as to prevent it flooding the country, 6399.—That is no part of their duty as conservators of the stream, 6400.—The main duties of the corporation as conservators of the River Thames are chiefly to prevent encroachments upon the bed or soil of the river, or to regulate them, 6401.—To see that nothing is done on the banks to impede the navigation is a very important duty in regard to the navigation of the river, 6402–6404.—Whether the conservancy has much to do with the current of the water itself depends upon the extent to which the conservators' duty is thought to go, 6405.—Thinks it very essential that the control over the soil and bed of the river should

LEACH, Mr. STEPHEN WILLIAM—*continued.*

be combined with the duties of conservancy, 6406.—Blackfriars Bridge may be said to be in a very dangerous state now; it is propped up, but there is no security against its settling further at any time, 6407, 6408.—Has no doubt it was the removal of Old London Bridge which affected it. It has been in its present insecure state about two years, 6409, 6410.—Believes the received opinion about it is, that the bridge itself in the first instance was built upon improper foundations, 6411.—Blackfriars Bridge is between eighty and ninety years old; it was built upon a kind of framework, with nothing more to secure it, 6412.—If the bridges are rebuilt apprehends the foundations will be taken down to a much lower level, in fact proper foundations put down, 6413.—That would not at all affect the ebb and flow of the river, 6414.—Does not consider the foundations of Waterloo Bridge secure, 6416.—Thinks Blackfriars Bridge is in as bad a state with regard to its foundations as Westminster Bridge, 6417.—Has never heard any complaint about Southwark Bridge; believes that to be solid, 6418, 6419.—The removal of London Bridge must have tended to prevent the freezing of the Thames, 6420.—As the question of the subsidence of those bridges has been mentioned, should state that, having that circumstance before them, has operated with the Navigation Committee to deter them from going on with the removal of those shoals, which interfere with the mooring of the tier of ships, with the rapidity that they otherwise would have done. The scouring of the river has taken place to the greatest extent towards the centre of it, and there its effect in the subsidence of those bridges has been chiefly shown, 6422.—Does not think the present powers of the City sufficient for them to exercise the duties of the conservancy and the protection of the river efficiently, 6423.—In the first instance they require funds, 6424.—Was directed by the committee two or three years ago to estimate what works were really required in the shape of deepening the river, 6425.—The present annual expenditure takes place under two or three different funds. First, the navigation fund. Secondly, another fund, of which the Navigation Committee have the management, is that of the rents and fines arising from projections and accommodations on the river. The third fund they have control over is the tonnage duty fund. That is a fund arising from tonnage on shipping entering the port of London, and is at present confined to paying expenses of maintaining moorings in the river, and paying the harbour-master and the necessary staff. That is about 17,000*l.* a year. It is in fact the principal fund that the Navigation Committee have to rely on, but its application is very limited. Witness here gives statement of the different funds, 6426–6429.—Thinks so far as the tide flows, and so far as vessels can be made to go which pay these dues, this fund ought to be applicable, 6430.—Suppose it is desirable to remove a shoal it is paid for either out of the corporation revenues or out of this little rental fund. Must either have the general funds of the corporation or go to a fund which the Government is now contesting with them. There is no fund of a secure nature which is applicable to the purposes of the removal of shoals, 6431–6434.—As far as the flow of the tide extends above London Bridge, estimates that 40,000*l.* is required for dredging, to put the river in a state that sea-going vessels would be able to make use of it; 18,000*l.* is required to deepen the moorings where the tiers now lie; and to remove the shoals generally, and deepen the channel, so that vessels could come to the tiers, would cost 180,000*l.* more, 6435.—There is a heavy expense required to put the locks and weirs in an efficient state. They were all built of timber, and they have been built 40 years, and are in fact worn out, 6436.—Their condition is of great importance to the land adjoining, and it is also of importance as affecting the back water of the Thames, 6437.—There are two of those locks which the Navigation Committee have just given orders shall be replaced by new ones. That is under an arrangement with certain water companies, which under the powers of Act of Parliament intend to derive their supply from the upper part of the river. That abstraction of water renders it necessary to rebuild two of those locks, so the rebuilding of two of them is provided for. The others are in that state that they cannot be repaired. It would be better to rebuild them; it would cost about 20,000*l.*, 6438.—In authorizing the abstraction of water, its effect upon the river has been thoroughly considered, 6439.—The general pur-

LEACH, Mr. STEPHEN WILLIAM—*continued.*

port of those recommendations is the rebuilding of those locks and the performing a very considerable amount of dredging, involving an expenditure of 30,000*l.*, 6440.—That being done, is of opinion that no injury would accrue to the river in general, 6441.—The City have no connection with any water company, nor with any water supply, 6442.—With respect to the statement of Mr. Powles in answer to question 1034, that the care of the navigation of the river is entirely intrusted to the corporation, wishes to state that the moorings of vessels in the river, and the whole conduct of the harbour service in the river, is defined by certain bye-laws. Those bye-laws have to be approved by the Trinity House, in the first instance, and by one of the chief justices afterwards. They go into the utmost possible detail as to the duties of the harbour masters, 6445.—The harbour-masters have to carry those regulations into effect, 6446.—The corporation make the bye-laws under which their officers act; but the bye-laws have to be approved by the Trinity House. The officer who carries them into effect is the City's officer. The appointment of the harbour-master rests entirely with the lord mayor. The harbour-master then has to undergo an examination at Trinity House. It only rests with the Navigation Committee to allot him his station, and to appoint who shall be superintending harbour-master, 6447, 6448.—The harbour-masters are highly efficient officers, 6449.—Thinks there are twelve aldermen who are members of the Navigation Committee, 6450.—The aldermen do not attend so often as the commoners do, 6451.—It is not the case that mercantile men are excluded from the Navigation Committee. Those who complain of the constitution of the Navigation Committee are most of them electors of the City; and it is their fault if they do not send those whom they consider proper men into the common council, 6452.—Those members of the committee who have no professional knowledge of matters connected with navigation interfere very much in the business, 6453.—Those members cannot perhaps judge of an engineering point, but they sit more as a jury to receive the evidence they can get upon points, and form the best opinion they can upon them. To judge by the results, thinks they perform their duties well, 6454.—Attaches some value to those official visits which the members of the committee pay to points on the river, 6455.—The most extensive one they make is one which by their standing orders is made in the month of May every year. At that time witness has to lay before them a detailed report, with the estimate of the works which he considers necessary to be performed in the river. They go through those items *seriatim*, and witness has to point out the spot where the works are to be done. They order them or otherwise as they think proper, and afterwards they make another visitation to see if those works have been carried into effect, 6456.—In engineering matters they must decidedly rely on witness's judgment, 6457.—To the question suggested by Mr. Powles in answer to question 1049, as to making a compound committee, partly of members of the common council, and partly of persons connected with the Trinity House and other public bodies representing the navigation, thinks the Navigation Committee, as it is constituted now is much more independent than such a body would be. If some body must be added to the Navigation Committee, possibly the Trinity House would be the least exceptional, because they are most independent; but circumstances arise which show that it is perfectly necessary that the Navigation Committee shall be as independent as possible of local interests, 6458.—Thinks, if the Navigation Committee were formed of persons interested in the trade, it would not be sufficiently independent to decide with justice, 6459.—Is of opinion that the charge made against the present Navigation Committee, of their having neither interest in nor knowledge of the question before them is not merited; but supposing it were, apprehends any difficulty of that kind might be met by having a board of reference, 6460.—The case of the Board of Directors of Railways is precisely similar to the Navigation Committee. They do not pretend to exercise judgment upon the engineering questions which are continually brought before them, 6461.—The Navigation Committee is a fluctuating body, 6462.—Thinks, by the advice of professional and skilled persons which they receive, they are competent to manage the affairs which are intrusted to them. It is always their habit, if a question of particular importance presents itself, to go to the very

LEACH, Mr. STEPHEN WILLIAM—*continued.*

highest authorities they can upon the subject, 6463.—Wishes to call attention to this one point upon which the Commission has been somewhat misinformed; that is in the evidence of Mr. Martin Pratt, the secretary to the General Steam Navigation Company, in No. 2462. By a provision in the Admiralty regulations themselves, those regulations cease as soon as a vessel comes within the bounds of the port of London, and then the regulations which the bye-laws point out begin to take effect. Those regulations as to lights have been approved by a most competent body, as far as the lights are concerned, viz., the Trinity House, 6464.—In fact there is no conflict of regulations, 6465.—If parties do not show the proper lights they do not obey the regulations. The different regulations which are spoken of do not apply to the same part of the river, 6467.

LEACH, Mr. STEPHEN WILLIAM. (*Second Examination.*)—His opinion, that the foundations of Waterloo Bridge are not quite secure, given in evidence on a former occasion, is mainly formed upon this circumstance: two or three times dredgers have been employed by private parties to remove the shoals in the neighbourhood of the bridge, and representations have been made by the Waterloo Bridge Company to the Navigation Committee that the foundations of the bridge might be injured, if they were not stopped from working. Complaints have been made of the piles which surround the bridge, and believes the company themselves are not very sanguine as to the security of the bridge. Thinks that a settlement may be apprehended from the alterations going forward from day to day in the bed of the river, 7520.

LEACH, Mr. STEPHEN WILLIAM. (*Third Examination.*)—Dredges were not employed by the Navigation Committee, as stated by Mr. Powell, but by the private parties to whom they belonged, who obtained licences from the corporation to work in the river, 7529, 7530.—To take ballast from the river, private parties must apply for licences to the lord mayor, and can only work according to the conditions set out upon it, which conditions are very precise, and there is an officer appointed to see that they are carried out, 7531, 7532.—Has no doubt it was so in the instance referred to, 7533.—Admits Mr. Powell's statement as to the danger to the bridge from these operations, and that the persons dredging acknowledged their error by putting things back into their former state, 7534.—Does not think that implies an abuse of the power given them. An excavation was made of the channel on the south side of the river, believes, with the concurrence of Sir John Rennie, one of the Directors of the Company, which it was thought would divert the strength of the current and tend to expose the bridge to less danger. Possibly a greater depth was made than was prudent, and the parties were called upon by the Waterloo Bridge Company to stop it up, which they did, 7535, 7536.—The duty of the Navigation Committee is to take care of the river, and there was no damage doing to that, 7537.

LEGAL OFFICER:

Is required to exercise supervision and control over legal proceedings, *Pearson*, 5676, 5677.

LEGH, Mr. EDWARD. (*Analysis of his Evidence.*)—Is a private gentleman living at Lewisham, 7538.—Living within the jurisdiction of the Central Criminal Court. Is of opinion that the appointment of tradesmen and practising lawyers to be magistrates, elected by a small knot of freemen, without reference to their intellectual or moral qualifications, is very pernicious. Would relieve the recorder from the incubus of the lord mayor and aldermen, whose interference has a tendency to disturb the calm deliberations that a judicial mind should invariably possess. States a case at the Mansion House, reported in the "Times" of the 6th of June 1851, in which Mr. Alderman Wire acted as judge, and was likewise solicitor to the prosecutors. Was also the gentleman to instruct counsel for further prosecution. His partner Mr. Child was the solicitor who appeared at the Mansion House to prosecute the case before the alderman, 7539.—Alderman Wire committed the prisoner, but cannot say whether he sat as the alderman on rota when the prisoner was tried.

LICENSING ACT:

Secures the privileges of the City, *Pulling*, 853.

LINE MONEY:

Formerly the committees used to be paid by "line money;" that is, every member as he came in, up to a certain time, had a line put under his name, and these were paid a certain sum for their attendance; those who came afterwards were put under the line, and were not entitled to any remuneration. This practice was objected to, and the committees were then allowed a certain sum of money, to use as they thought best, *Merewether*, 4955.

LIVERPOOL:

The corporation appear to have a large balance at a private banker's, besides an amount in the hands of the treasurer, *Scott*, 4587.

LIVERY:

Some companies compel parties to take up their livery, *Wallis*, 1406.—The livery of London should be taken as the basis of future constituency, *ib.* 1407.—Within the last 200 years, has become an exclusive body, which has corrupted the representation, and militated against the interests of the corporation of the City, *Hyde*, 1507–1509.

LIVERYMEN:

The expense of being called to be a liverymen, which in the higher companies is 1.000*l.* and sometimes more, in the smaller companies is reduced to almost nothing, they being desirous of obtaining members for the sake of the small fees which are paid, *Pulling*, 946, 947.—With bribes varying from 1*s.* to 10*l.* can buy over the 400 liverymen, *Acland*, 417.—Would only limit the residence of liverymen to England, *Wallis*, 1410.—In contested elections liverymen come and exercise their franchise, but are too respectable to require to be brought, *ib.* 1411.—Non resident voters do not increase the expense of a contested election, *ib.* 1412.—Must be members of a company, *ib.* 1422, 1423.—The most valuable body in the kingdom, *Jones*, 1557.—Case to prove they should have no exclusive privileges, *Hyde*, 1577.—Those who do not reside in the City ought to be deprived of their franchise, *Alcock*, 1760, 1761.

Common Hall. Does not think it desirable for liverymen to be electors in common hall, *ib.* 1759.—Does think it desirable that they should retain their votes for the city officers, *Bateman*, 2347.—There was a resolution of the common council, declaring that the elections should be in the liverymen. Since then the liverymen have been the representatives of the great body of citizens, who ought to meet in common hall, *Merewether*, 4980.—Long usage has reconciled the the rights of the liverymen; otherwise would say they are an encroachment upon the general rights of the commonalty of London, *ib.* 4980, 4981.—In point of practice now, only liverymen attend the common hall both for elections and other purposes, but that was not the original constitution of London, *ib.* 5351, 5352.—Would not disfranchise the liverymen, *Lord Mayor*, 7181.—There are many who exercise their trust with a sound desire for the welfare of London, who have no connexion with the City beyond belonging to the livery companies; would not allow them to retain those exclusive privileges to the exclusion of those who reside in the City, *ib.* 7182.—Sees no objection to those liverymen who are scattered over the country having votes for the City of London, *ib.* 7183.—The liverymen are an unconstitutional body for municipal purposes; they were only constituted for trade purposes; if retained at all, witness would only do so as a matter of expediency, *ib.* 7188.

LOANS:

Statement of the loans secured upon the 8*d.* coal duty from 1831 to 1853, *Hickson*, 2742. 2753.

LODGING HOUSES:

The corporation obtained a power under the "Clerkenwell Improvement Act," to purchase land and erect upon it convenient lodging-houses for the labouring classes. Proceedings of the improvement committee, *Scott*, 4502.

LONDON BRIDGE. (*See* Bridge.)

LONDON DOCKS:

These docks were opposed by the corporation, at enormous expense, because they held that the establishment of them would interfere with their receipt of

LONDON DOCKS—*continued.*

money from ships in the Pool, *Acland*, 145.—In connexion with these docks the City meters are almost nominal, *Cattley*, 1303.

LONDONDERRY:

Formerly the corporation of Londonderry was part and parcel of the corporation of London, *Humphreys*, 8354.

LONDON MUNICIPAL REFORM ASSOCIATION:

Was established in July this year, and consists of 1200 members, *Acland*, 9, 10.—The objects were, first, to secure to all rated occupiers an equal right of a free and full participation in the privileges which are now monopolised by freemen; and, secondly, to defend the members of this association against any prosecution on the part of the corporate officials, connected with the demand that they should take up their freedom. *ib.* 14.—The association resolved to give all possible aid to this commission, *ib.* 15.—The society have rather desired to expose the abuses that exist in the constitution of the corporation, and have not as yet considered what will be the best remedy, *ib.* 16.—The society has held several meetings, and has appointed a committee, who have also had several meetings, to conduct its affairs, *ib.* 17.—The complaints of the society have been only against the system, and not against individual officers, *ib.* 18.

'LONGSHORE MEN:

The statement that there were 400 'longshore men controlled by Alderman Lucas, who, by his influence, effectually secured the election of his friend, Alderman Key, *Key*, 5901.—By 'longshore men now is meant all those liverymen who are to be bought for tickets of 1*s.* or 1*s.* 6*d.*, who recognize their leaders in the self-constituted managers of elections, and who, by preconcert, go to the hall on every occasion of an election to hold up their hands, *Acland*, 313.

LORD LIEUTENANT:

Should be elected by the citizens of London for three years, *Wallis*, 1472.

LORD LIEUTENANCY OF THE CITY OF LONDON:

Appointed by the Crown, *Anderton*, 7697–7699.

THE RIGHT HON. THE LORD MAYOR. (*Analysis of his Evidence.*) Has been connected with the corporation since 1842, 7119.—Was only one year in the common council, during which took an active part in the question of municipal reform, 7120.—Was elected an alderman in September 1844, 7121.—Has perused the evidence given before the Commission, 7122.—Desires to rebut some evidence given by Mr. Acland in question 325 and 326, stating that money to the amount of 200*l.* or 300*l.* was spent in bribery at witness's election, the whole amount spent being 21*l.* 9*s.* 9*d.* Produces the bills and receipts. Contradicts another statement made by Mr. Acland, 340, that 19 aldermen agreed to find 100*l.* a piece towards turning the scale. Answers for himself, and has no hesitation in answering for the great majority of his brethren, that they neither engaged to subscribe, nor paid anything, 7123.—Flatly contradicts a statement to the effect that the corporation funds were used at an election for the purposes of corruption, as stated by Mr. Sheriff Wallis in question 1462, 7124.—The subject has been a matter of conversation among the aldermen, 7125.—Is satisfied that the rumour of this subscription is entirely groundless. Reads extracts from the evidence of Mr. Dillon, Mr. Bennoch, Mr. Thomson Hankey, and Mr. Morley, saying that the lord mayor's show is not generally popular. Witness thinks from experience that the generality of people are very much in favour of it, 7126.—The expense of the show this year amounted to 500*l.*, 7127.—Was more expensive this year, because there were various devices applicable to the present aspect of Europe, 7128.—Does not think the present show like those of former times, but does not think the interest has abated, 7130.—It used to be rather a procession of the companies than of the lord mayor, 7131.—The amount of expense depends on the lord mayor and sheriffs, 7132.—Nothing is paid out of the corporation funds, with the exception of lighting and preparing the hall, 7133.—The lord mayor has emoluments virtually belonging to his office, in lieu of certain offices surrendered to the corporation. If there was any diminution in the expense of the show it would be a saving to the lord mayor, 7135.—No speci-

LORD MAYOR—*continued.*

fic grant is made by the corporation for the expense of the show, 7136.—They have generally divided the amount into four proportions, the lord mayor paying two of those proportions, and the sheriffs one-fourth each. In this year it was different, inasmuch as one of the sheriffs declined acceding to the arrangement. The feast itself is attacked by Mr. Thomson Hankey and others, who say it is a very noisy occasion, and a feast which it is not desirable to continue. Reads an extract from the "Times" on the subject, which fully expresses witness's own views, 7137.—The average expense to the lord mayor and sheriffs for the dinner on lord mayor's day is about 2,200*l.*, 7138.—The lord mayor would pay 1,100*l.*, and the sheriffs 550*l.* each, 7139.—About 1,100 guests are usually invited, 7140.—The remembrancer is consulted, and the ancient custom as far as possible adhered to, 7141.—This is the only dinner of the kind during the year, excepting upon extraordinary occasions, such as when the allied sovereigns visited London; the other entertainments given by the lord mayor are at his own discretion, and from his own official income at the Mansion House, 7142–7144.—Does not think Mr. Alderman Humphrey was justified in his observation that he had been asked for a subscription to promote the election of Sir J. Key. Mr. Alderman Wire, of his own accord, at the Mansion House, said, "We must subscribe, if necessary;" it was not responded to by any of the aldermen, and it went no further. The observation was made with a view of palliating the indignation felt by the aldermen in the presence of Mr. Sheriff Wallis, who took his seat among them after having given such evidence upon oath. The court was cleared, and a general denial given, 7145.—Thinks there would be no moral wrong in subscribing to Sir John Key's election from private funds. With reference to the commercial standing of the corporation, will read two paragraphs from a "Gazeteer" of the year 1769. Does not think, taking the Court of Aldermen, 26 gentlemen could be found in any assemblage of public representatives who could vie with them in blameworthiness of private character or energy in the general administration of the objects they have in view. The Court of Aldermen as a body are possessed of wealth to the extent of between three and four millions sterling, 7146.—Can easily explain why there is a much greater separation between the merchants and the corporation now than there was in former days. In the first place, they could not trade in the City of London, unless they resided there; in the next, the representation of the City was confined to the aldermen; and a still greater reason is an undue desire to enrich themselves by their own respective callings, 7147.—Thinks the duties of an alderman are more strictly performed now than in the first years of the reign of George III., 7148.—The business of the City has increased, and the duties of a City magistrate have become more onerous, 7149.—Thinks the difference exists rather in the performance of the duties than in anything else, 7150.—The business can only have increased in proportion to the increase of the trade and importance of the City itself, 7151.—Does not think the business of the justices has increased, 7152.—Has no doubt a greater amount of time is given to the performance of those duties than formerly, 7153.—None of the present aldermen have anything more than a business connexion with the City. Witness gives his views upon the present position of the corporation, 7154.—There is generally a contest in the common hall, and of course with such a number of persons as assemble in common hall the expenditure is very serious, 7154 *a.*—Mr. Gibbs has held the office of bridge master for about seven years, 7155.—The salary is about 400*l.* a year, 7156.—It is generally supposed that the salary is not sufficient for the expenses of election, 7157.—Can see no reason why the common hall should elect officers of this character in public hall assembled. The election of chamberlain of London should be transferred to the common council, and that the common hall elections should be strictly confined to the election of lord mayor and sheriffs, 7158.—One municipal body would work more advantageously for the community at large than the present system, 7159.—Would have one constitutional body. The whole body should have a voice in the election of lord mayor and sheriffs. Is in favour of a constituency founded upon the ancient existing privileges of the City of London. With regard to the common council thinks the numbers are much too large at present. Would reduce the number of wards from 25 to 18. Would have the Court of

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Aldermen retained for the dispatch of the business which now comes before it, and that the aldermen should, as at present, be continued for life; they should have the power of appointing two paid magistrates for the police courts of the City. The aldermen should not have the power to draw cash, except for magisterial duties, and the scale of payment should be settled by the corporation at large. The officers of the corporation are much too numerous. Would recommend that many of the offices be consolidated, especially the offices connected with the conservancy and navigation of the Thames. Likewise the consolidation of the criminal prisons connected with the City. If the offices were consolidated, and some which are nearly useless abolished, it would be a saving of at least 14,000*l.* per annum, 7161.—In the case of the two marshals they have 1,000*l.* a year, besides perquisites. One good policeman would do the duties of both, 7162.—The comptroller died yesterday morning. Has no doubt that office will form a subject of inquiry with the common council. They refer all vacant offices to a committee to consider as to their emoluments and duties, and the propriety of filling up the vacancy, 7163.—Has been requested to call a common hall for election of a bridge master, that office being vacant by death. Believing that the subject will engage the attention of the common council at their next assembly, the office is only filled up at present pro tempore, 7164.—The bridge master is elected by the common hall. The common council have upon the last several occasions of vacancies thought it right to make regulations as to the office of chamberlain, with great advantage to the working of the office, 7165.—Is justified in the observation which he has made by the statement of Mr. Brand, the comptroller of the Bridge House Estates, who stated that the office was really unnecessary, 7166.—Is not aware that any one can call a common hall but himself, 7167.—Understands that there is no immediate obligation on him to call a common hall for the purpose of filling a vacant office, 7168.—Thinks that the courts of law in the City are too many and conflicting; the Court of Hustings, the Mayor's Court, the Sheriffs' Court, and the Secondary's Court, might with great advantage be consolidated into one court. The business of the quarter sessions held at Guildhall, together with the licensing, might be performed at one session, and the quarter sessions now held at Southwark ought to be abolished, 7169.—Believes the inhabitants of Southwark, or some considerable portion of them, have a great desire to be incorporated, and the corporation of London has been approached more than once by petition, praying that they might participate in the benefits of a municipal government; but after great inquiry the corporation have always come to the conclusion that they have no power, without a special Act of Parliament for the purpose, to embody Southwark with the City for municipal objects. Does not think there is any particular objection in the City of London to a connexion with Southwark; but does not see any great advantage that it would be either to the City themselves or to the inhabitants of Southwark, 7170.—Sees great objection to very large corporations; thinks it is a defect in the present constitution that all places which are boroughs for Parliamentary purposes are not also boroughs for municipal purposes. Conceives that the inhabitants of the whole of the metropolis, if incorporated as different corporations according to the limits of the present Parliamentary boroughs, would find great advantage in the administration of their local affairs, 7171.—The inhabitants of Southwark would be much benefited by being separate from the City and incorporated as a separate corporation. Where prosecutions have been instituted it has been with the thorough conviction that public interests were consulted and promoted by ordering them. They have been undertaken from the want which is felt by all the magistrates in not having a public prosecutor. Sees great objections to committing magistrates having the power of being prosecutors, especially where the criminal has to come before a tribunal in which they themselves may afterwards be judges. Calls attention to the charities connected with the prisons of London; they amount to upwards of 1,600*l.* a year, and are applied in the discharge of prisoners in compounding their debts with solicitors. The application of these charities is open to very serious objections, 7172.—The porters do not derive any great benefit from the fellowship; it is considered a great advantage to the great bulk of the mercantile community, even in its decrepid state;

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but the porters themselves do not find that personal benefit which as free labourers they might find. Whatever benefit arises is to the trade, not to the labourers, 7173, 7174.—Uses the expression, "in its decrepid state," because they have been annoyed very much by actions with Messrs. Combe and Company, and they have also had a great inroad made upon their means of labour by several private Acts of Parliament, which have given power to dock companies to unload vessels from their respective docks. This has greatly interfered with the privileges of the fellowship porters. It has been under the consideration of the Court of Common Council, but is so mixed up with the question of metage that the whole will require the consideration of Parliament to place it upon a permanently useful footing, 7175.—A conference has been held by several members of the corporation, and an agreement beneficial to the community at large has been come to; it will pass through Parliament, it is expected, with their sanction, 7176.—The trade generally prefer employing porters belonging to the fellowship to employing other labour irrespective of it. Makes some observations with respect to the navigation and conservancy of the river, 7177.—The Trinity Board would be the best body to be associated with the corporation in the management of the river. If the 11th of George I. and all the subsequents Acts were repealed, all fines upon freedom, all tolls abolished, great advantages would be the result, 7178.—The Act was obtained by 15 aldermen of that day against the decided opinion of the Court of Common Council and the citizens at large; in fact the whole bane of the corporate existence has been the ulterior design of certain aldermen to get into Parliament. The above Act gave a power of election to the livery companies which is not recognized in the constitution of this country. A liveryman living in Cornwall or Scotland may come and vote for a lord mayor, sheriff, or chamberlain, while a party living in London may have no voice in the election. The Reform Bill limits the power of voting for members of Parliament to liverymen living within 7 miles, 7179, 7180.—Would have the lord mayor elected by the burgesses, according to the franchise which he suggests. Would open the common hall to the residents of London, but would not disfranchise the present liverymen of London, 7181.—There are many in the livery of London who exercise their trust with a sound desire for the welfare of London, who have no connexion with the City beyond belonging to the livery companies; would not allow them to retain those exclusive privileges to the exclusion of those who reside in the City, 7182.—Sees no objection to those liverymen who are scattered over the country having votes for the City of London, 7183.—Though it has a tendency to increase the expense of elections, 7184.—Does not think it would be advisable to adopt the franchise of the General Municipal Reform Bill for the City of London; it would tend rather to diminish than to increase that constituency, which all desire to have enlarged, 7186.—Believes, previous to the 11th of George I. a register was always made up in the wardmote by the aldermen; it was a public register, and all men were commanded under a fine to attend the wardmote when held; they were required to come and take the franchise as citizens, and they became enrolled in the wardmote. Thinks, were that system to be carried out, nothing could be better, 7187.—The liverymen are an unconstitutional body for municipal purposes; they were only constituted for trade purposes; if retained at all, witness would only do so as a matter of expediency. 7188.—Recommends the municipal franchise to be the occupation of premises within the City of London for 12 months and a day, without any pecuniary qualification, and without the necessity of residence, 7189, 7190.—Thinks they should be rated at some rate, and then there would be no difficulty in making a register, 7191.—There has been much false reasoning, founded upon the fact that the City of London is small in its area compared with other parts of the metropolis. Thinks the City as much the metropolis now as ever it was, taking the commercial aspect of it. From it emanates nearly the whole of the commerce of the southern part of the kingdom. The sleeping population is not more than 126,000, but the day population may be considered as at least three times that amount, so many who transact business in it have their residences elsewhere, 7194, 7195.—Does not consider the corporation as virtually representing the entire metropolis. As the Legislature has already decided to enfranchise other portions of the metropolis as Parliamentary boroughs they ought to be enfranchised for municipal purposes also, 7196.—If only residents in London are to be voters the constituency will only represent the minor interests of publicans, fellowship porters, and police officers. If gentlemen can be found to resort for the daily franchise of business to London, from Brighton or elsewhere, they may safely be entrusted with privileges as municipal electors. Apprehends that the freedom qualification proposed by the corporation must be abolished, or the municipality of London will grow less every year, 7197.—Every man connected with the trade and commerce of London should be liable to perform all the offices of citizenship, whether he resides there or not, 7198.—Should have hesitated in originating the coal tax, but does not think it is felt to be a grievance by any class, 7199.—Would give to the aldermen the same power of appointing a magistrate in the police courts which they now have in the election of their recorder. In reducing the number of aldermen to 18 the public interests will require one or two paid magistrates, and would give to the aldermen optional power to appoint if necessary. At present the Court of Aldermen elect the recorder; the Court of Common Council elect the other judges of the Central Court and Sheriffs' Court. Would certainly retain to the aldermen the functions of magistracy which they have at present, 7200.—The City should retain the separate jurisdiction over the police now possessed by the corporation, and would add further, that a municipality is incomplete unless its corporation has entire jurisdiction over the lighting and supply of water to the district; and thinks that if powers were given to the corporation to buy up the interests of private companies, and deal with the subject as one of municipal government, great advantage would result, 7201.—Would oppose the extension of the powers of centralization in any government, but thinks that the different municipal districts might work upon one uniform principle, and have the entire management of their own affairs, 7202.—The principle of centralization is a very unsound one, both constitutionally and in practice; contrasts the cases of Paris and London, 7203.—Would not deprive the aldermen of any power which they now possess, but in arranging a new system would leave the magistrates free from anything like the imputation that they have the power of drawing money out of the chamber for any improper purpose, 7204, 7205.—The aldermen in right of their office are connected with the royal hospitals; they have also the exclusive management of Emanuel Hospital. Also a charitable trust, conducted by the lord mayor for the time being, the two senior aldermen, and the chamberlain, for lending money to poor tradesmen to set up in business, 7206.—The City estates are managed altogether by the common council, and the aldermen act only as members of that body. The separate jurisdiction of the Bridge Trust and Irish Estates ought to be abolished, and the whole centred in the corporation at large, which might be done by the repeal of an Act of Parliament, 7207–7210.—The Irish Society manages estates in connexion with the companies; does not see the use of the Society in its present position, 7211.—It is difficult to know the exact constitution of the Irish Society. No member can serve beyond two years, and it takes him one to understand fully the business, and in another year he ceases to be a member, 7212, 7213.—In the committees of the common council they gather opinions from their officers, and pay marked attention to those opinions, but the responsibility is with the committee, not with the officer, 7214–7216.—Nothing can work better than the present system of corporate committees, and only objects to such a committee as the present consolidated committee, which sits in secret, with a great deal of mystery in its proceedings, and some of its acts have militated against the credit and spirit of the corporation. The duty of that committee is to watch proceedings, take measures, appoint deputations, go with those deputations to members of the Government, without the consent of the whole body; such steps taken by a committee have the effect of committing the corporation to a course of proceeding sometimes unwise, and at all events unconstitutional, 7217, 7218.—On every question a power should be given to their committee by the body at large. In matters of negotiation the committee depute their business to a sub-committee, called a deputation committee. It negotiates with various members of the Government, pledging the whole body, which is the most objectionable system of this secret committee, 7219.—Should

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say that each officer does not feel himself the servant of his particular committee, but of the common council and corporation at large. For instance the superintendent of police does not feel that his instructions are from the Committee of Police, but from the corporation at large. No committee, except the consolidated, can act, except by reference made to them by the general court. 7220, 7221.

LORD MAYOR:

Desirable that he should be elected without reference to the Court of Aldermen, *Acland*, 370, 371.—They can frequently save 1,000*l.* or 2,000*l.* out of the funds provided for them, *ib.* 372.—It would be preferable that the Lord Mayor should hold office for more than a year, *ib.* 380.—The allowance to the Lord Mayor for public entertainments is about 10,000*l.*, *ib.* 399.—The office is an expensive one, *ib.* 402–405.—Differ very much in their expenditure, *ib.* 411.—Has considerable patronage; has from 8,000*l.* to 12,000*l.* a year to fulfil the duties of the office, *ib.* 425.—Would not abolish the office, *ib.* 478.—Practically speaking, presented by the aldermen and instituted by the livery, but believes that the livery could appoint any citizen, not necessarily an alderman, though the custom is, that none but aldermen be appointed, *Pulling*, 895–900.—There are acts of Common Council which say he must have been a sheriff, *ib.* 900.—Thinks any eminent merchant in London should be eligible for that office, though he had taken up his freedom only the day before, which would diminish the consequence of the aldermen, *ib.* 902, 903.—The office could scarcely be dispensed with, *ib.* 904.—Takes the chair at all meetings of the Common Council, *ib.* 931.—He acts as speaker of the assembly, puts questions to the vote, and decides points of order, *ib.* 932, 933.—The Lord Mayor alone costs 25,000*l.* a year, *Elliot*, 1091.—A large sum of money is sometimes expended in the case of an election of a Lord Mayor. Gives an instance, *Bennoch*, 1236.—10,000*l.* is allowed the Lord Mayor for the year, besides other things, *ib.* 1393.—The absurdities attached to the office prevent first-class men from taking it, *Wallis*, 1418.—Have been several expensive contests for the office. Knows of two, the expenses of which amounted to 15,000*l.*, *ib.* 1430, 1431.—Reasons why Lord Mayor's show should be done away with, *Hankey*, 1700–1710.—Compares the entertainments given by the Mayor of Liverpool with the Mayor of London, *ib.* 1711–1715.—Ought to be elected by the whole constituency, *Alcock*, 1774.—Should have a liberal allowance for maintaining hospitality, *Williams*, 2830.—Explains statement at page 65, under the head of Charges to the Lord Mayor, *Scott*, 4501.—Statement as to the Lord Mayor's Court, *Merewether*, 4690–4699.—Duties of, *ib.* 4833–4836.—Statement of the expense of his office, *ib.* 4837.—It would be impossible for the corporation to alter the term of tenure of office of the Lord Mayor with safety, inasmuch as the duration of the office is embodied in one of their earliest charters, *ib.* 4989.—The average cost of the entertainment on Lord Mayor's day has been 2,200*l.*, including a sum of 200*l.* paid by the corporation. The sum of 2,000*l.* is defrayed in equal moieties by the Lord Mayor and the two Sheriffs, *Tyrrell*, 5476–5482.—Is returned by the livery, but the livery must return two names to the Court of Aldermen from which the court choose one, *Key*, 5901.—The generality of people are in favour of the Lord Mayor's show. *Lord Mayor*, 7126.—The amount of expense depends on the Lord Mayor and Sheriffs, *ib.* 7132.—Nothing is paid out of the corporation funds, except lighting and preparing the hall, *ib.* 7133.—Reads an extract from the "Times" on the subject of the Lord Mayor's dinner, which expresses witness's own opinion, *ib.* 7137.—The average expense of the dinner on Lord Mayor's day to the Mayor and Sheriffs is about 2,200*l.*, *ib.* 7138.—This is the only dinner of the kind during the year, excepting upon extraordinary occasions, such as when the allied sovereigns visited London; the other entertainments given by the Lord Mayor are at his own discretion, and from his own official income at the Mansion House, *ib.* 7142–7144.—Would have the Lord Mayor elected by the burgesses, according to the franchise, which he suggests, *ib.* 7181.—Hopes the Lord Mayor's show will not be done away with, *Anderton*, 7695.—Statement respecting the Lord Mayor, *Pearson*, 8461.—Should be able to devote much time to the affairs of the corporation, *ib.* 8482.

LORD MAYOR'S COURTS. (*See* Courts.)

LOTT, THOMAS, Esq. (*Analysis of his Evidence.*)—Is a member of the common council, 8000.—Has served on the City Lands Committee, 8002.—Was chairman of the Corn, Coal, and Finance Committee. From the year 1781 to 1852 there has been 127,384*l.* 16*s.* 10*d.* voted from the City funds for charitable purposes, 8003, 8004.—It has been given mostly to City charities, 8005.—Contradicts the statement of Mr. Elliott, that the aldermen have a preponderating influence in the committees, 8006.—Would have the election of sheriffs placed in the hands of the Crown. Would object to see the aldermen discontinued as magistrates, or subjected to periodical election, having had experience of their impartiality and intelligence in the administration of justice, 8007.—The Aldermen's Court has been to a certain extent a court of conciliation. The aldermen seldom attend any but charity dinners, and they generally leave behind them liberal contributions to the charities. Thinks that the securities which the Court of Aldermen have the power of taking from brokers are too small in amount. It is not often that the clerk of the magistrate manages the case as it has been said; the aldermen prefer conducting the cases themselves. Supposing the corporation be reduced, the number attending each committee might be reduced to 12, and sub-committees altogether abolished. If the pageant on Lord Mayor's Day be found to impede the traffic in the City to any great extent, it should be confined to the procession on the water. The removal of the street orderlies was in consequence of a petition from many of the inhabitants to that effect, as it was thought that the dust which they made did great injury to the goods of the shopkeepers, 8008.

LUCEY, Mr. CHARLES. (*Analysis of his Evidence.*)—Has been a master of the Company of Watermen and Lightermen only a few weeks, but has been on the court for some years, 7273, 7274.—Is a freeman of the Waterman's Company, 7275.—Wishes to have a statement read, drawn up by the Court of the Waterman's Company to explain several things which have been said adverse to the company. Mr. Henry Humpheries, clerk to the company, reads the statement, 7276.—The number of persons on the roll of the company is near 8,000, also 1,680 apprentices, but probably not more than 5,000, or 6,000 working on the river; the remainder consisting of master lightermen, persons not following the business, others in the sea service, pensioners, &c., 7277.—No person taking his freedom of the Company of Watermen has a right to vote at elections in Common Hall, nor is he thereby enabled to obtain the freedom of the City of London. It does not stand on the footing of the trading companies, 7278, 7279.

LUNATIC ASYLUM:

The Court of Aldermen are on the look-out for some ground to build a lunatic asylum in the neighbourhood of the Holloway Prison, *Bunning*, 6040.

MACNAMARA, Mr. ARTHUR. (*Analysis of his Evidence.*)—Has sometimes assisted in elections for the City of London, principally parliamentary; assisted in the late election for chamberlain, 2882, 2883.—Has never taken an active part in any other City election, was an agent in the last election for chamberlain on Sir John Key's side, 2884–2886.—Some money was expended in that election by paying men as canvassers, flag-bearers, constables, &c., 2887, 2888.—Many voters were so paid and many who were not voters, 2889.—Has never himself paid voters more than the amount due to them for their services, for the sake of inducing them to give their votes; has heard that there were payments made to the amount of 10*s.* or 15*s.* to a man for his day's work, 2890, 2891.—Does not think there was any treating at the election. There were seven or eight days election, and the amount paid for expenses was 20*l.*, that was for the committee, 2892, 2893.—Sometime ago was employed in one or two municipal elections, 2895.—There is much less money expended in the City at municipal elections than at parliamentary elections. The livery men of London are a very respectable body of men, and very few who would take anything for their vote, 2896.—Had nothing to do with the bringing up of non-resident voters. Believes their expenses were paid, 2897, 2898.—Thinks that the necessity of bringing up distant voters adds materially to the expense of a City election, 2899.—Has several times had something to do with contested elections for the office of alderman, 2900.—A person of the name of Scales was brought forward, and his election was carried on two or three occasions. After Mr. Johnson, who succeeded Mr.

MACNAMARA, Mr. ARTHUR—*continued.*

Scales, Mr. Moon came forward, he was opposed by Mr. Salomons, and there were law proceedings which lasted for 7 or 8 months. Thinks the whole of the contest did not cost Mr. Moon more than 500*l.* or 600*l.* does not believe one man received a shilling for his vote, 2901, 2902.—The money was spent in canvassing, and evening parties or dinners, 2903.

MAGISTRATES:

Aldermen generally unfit for the office of magistrates, *Acland*, 463.—Barristers recommended, *ib.* 464.—Is in favour of a stipendiary magistracy, *Dillon*, 701.—Would relieve London of its alderman-magistracy, and have two paid police magistrates for the two offices of the City, appointed by the Crown, as the aldermen have neither time nor qualifications for their office, *Elliot*, 1079–1081.—The two police courts in the City are, by the corporation report, carried on at a cost of more than 5,000*l.* a year. The twenty-three paid police magistrates in the metropolis cost altogether but 45,000*l.* a year, *ib.* 1086.—Thinks there is a provision in the Municipal Act that stipendiary magistrates should be appointed by the Crown, and paid for by the rates; but if not, there are funds in the City, *ib.* 1091.

Stipendiary. Should be appointed, if the office of aldermen be abolished, two for the Mansion House, two for Guildhall appointed by the Crown, paid from City funds, *Wallis*, 1480–1482.—Would have paid magistrates, who are not dependent on a solicitor, *Alcock*, 1768.—Thinks the appointment of a stipendiary magistrate for the City would be of the greatest benefit, *Merewether*, 2445.—Has never heard a complaint of the decisions of the magistrates of the City; has heard the first judges of the land admire and praise the manner in which they get through their business. Thinks, therefore, that an alderman who has gone through all the various paraphernalia of office, and arrived at that high position, is a very fit person to occupy it, *Whistler*, 2631.—As a class, thinks the aldermen the best magistrates in the country, *Rogers*, 2669.—The aldermen are the best, *Wortley*, 5674, 5675.—Sees great objections to committing magistrates having the power of being prosecutors, especially where the criminal has to come before a tribunal in which they themselves may afterwards be judges, *Lord Mayor*, 7172.—An Act passed in 1839, enabling the City magistrates to appoint the commissioner of the police, *Farebrother*, 7263.—The appointment of tradesmen and practising lawyers to be magistrates, elected by a small knot of freemen, without reference to their intellectual or moral qualifications, is very pernicious, *Legh*, 7538.

MANCHESTER:

Thinks there are 36,000*l.* lying to the account of the corporation at a private banker's, *Scott*, 4587.

MANSION HOUSE:

Cost of, disputed, *Williams*, 2794.

MARINE SOCIETY:

Levy a tax of two shillings on every fishing vessel which comes up to Billingsgate, *Gibbs*, 2266.

MARKETS:

Thinks it a disgrace to the City that they have not better markets, *Whistler*, 2631.—Statement with regard to, *Williams*, 2800, 2801.—Tolls of, corporation property, *Tyrrell*, 5417–5421.—Proceeds of markets have increased, *Scott*, 4595.—The City derives a considerable revenue from their markets; they are all under the supervision of the comptroller, *Merewether*, 5188, 5191.—A dead-meat market to be placed on the site of Smithfield, in place of Newgate Market, which is quite insufficient for the trade, *Bunning*, 6095.—Under the control of the Markets Committee, *Taylor*, 7855–7858.

Billingsgate. Particulars of price of standings, *Roberts*, 42–60.—The revenue derived from Billingsgate is from small tolls paid upon all articles bought and sold in the market, like tolls elsewhere, all over the kingdom. There has been an Act of Parliament connected with Billingsgate Market lately, *Merewether*, 5189–5191.—Though a free market, not exempt from payment for stallage, *Pearson*, 5626–5628.—States, a corporate officer might be called to establish the statements made that the rental of 3,000*l.* a year on that market is quite a recent charge, *Acland*, 8503.

Copenhagen Fields. No competition for architect, *Bunning*, 6028.

MARKETS—*continued.*

Farringdon. Not available for a dead-meat market, being on an acclivity, and the approaches not good, *Taylor*, 7821–7828.

Hungerford. Was not opposed, nor was there any compensation stipulated, *Pearson*, 8491.

Metropolitan. Smithfield, Billingsgate, and Newgate Markets may be considered such, *Taylor*, 7856.

Newgate. A much greater nuisance than Smithfield, *Taylor*, 7829, 7830.

New Central Cattle. Money was spent confidentially by corporation for promoting the City's Bill for making a new Central Cattle Market. States particulars, *Scott*, 4660–4673.—The cost of the new cattle market will be about 300,000*l.*, including the cost of the ground, *Bunning*, 6130.

Smithfield. Mortgaged by the corporation for 100,000*l.* within the last few weeks, *Acland*, 532.—Thinks more than 1,000*l.* was expended in the opposition to the Smithfield Bill, *Bennoch*, 1223.—Some money must have been expended in getting up petitions against the removal of Smithfield Market, *ib.* 1234.—Removal of lavish expenditure of the corporation in the conflict with the Government, *Norris*, 4235.—Money was spent confidentially by the corporation in opposing the Government Bill for removing Smithfield Market. States particulars, *Scott*, 4660–4673.—Reported the bringing forward the Bill to the Court of Common Council, who referred to the Market's Improvement Committee, *Tyrrell*, 5388.—Had the management of expenditure incurred by the City in opposing the Bill, so far as receiving the money and paying it to Mr. Scott, who paid it over to the parties. The total amount of the outlay was 2,750*l.*, *ib.* 5389–5392.—In addition to the 2,750*l.* already named, there was a sum of 3,169*l.* 11*s.* for counsel, witnesses, and other usual legal expenses, *ib.* 5404.—With regard to the sum expended in opposing the Bill for the removal of Smithfield Market, no payment could be made by the chamberlain without a warrant, signed by seven members of the committee, *Wood*, 7263.—Thinks if the sum of 2,500*l.* was expended in opposing that Bill, there should be some means of arriving at the details, *ib.* 7265.—Some particulars respecting the proposed plan for improving the old market, 7000 electors having signed a memorial approving the retention of it. Also the plan of the new market, with the estimated cost, *Taylor*, 7809–7816.—The great objection to parting with Smithfield Market arises from the desire to retain all the trade within the City. Seven or eight millions per annum change hands in Smithfield; to take that to any other locality, is, to a certain amount, an injury to the trade of the locality from which it is taken, *ib.* 7859–7861.—The corporation have within the last half century purchased property to the extent of 20,000*l.* or 30,000*l.*, which they have pulled down to enlarge the area of Smithfield, *Pearson*, 8459.—There were clauses inserted in the Islington Market Bill to afford compensation to the City for damage to Smithfield Market, *Pearson*, 8489.

MARSHALS:

The two Marshals have 1,000*l.* a year, besides perquisites; a good policeman could do the office of both, *Lord Mayor*, 7162.

MARYLEBONE:

Has no objection to combining the three parishes of the present parliamentary borough of Marylebone into a single municipality, beyond this,—that in the arrangement of a municipality you would take from them the privileges they already enjoy and give them to the central board, *George*, 2304.—This parish is a remarkable instance of comprehensiveness in municipal matters of administration. The population is 157,696; inhabited houses 15,826; area 1,490 acres. The expense in respect to lighting is 11,711*l.*; the police commissioners 24,688*l.* The difference in respect to police as compared with the City is 20,000*l.* per annum. The expense is less by nearly one half, although the area to be watched is more than twice that in the City, *Hickson*, 2718.—Abstract of the accounts of Marylebone for the year ending 31st December 1852, *ib.* 2724.

MASTERMAN, WILLIAM STANLEY, Esq. (*Analysis of his Evidence.*)—Is a practising attorney and solicitor, 2348.—Has chambers at 15, Clifford's Inn, Fleet Street, 2349. Having understood that the lord mayor's court

MASTERMAN, WILLIAM STANLEY, Esq.—*continued.*

had been thrown open to the legal practitioners of London, went to the court office and there signed a roll as at Westminster, thinking to be at liberty to practise there by some order of the common council, but found that the privilege was enjoyed by six attorneys, and that one of them had commenced an action against a new attorney for beginning to practise. Has been told that those six attorneys paid the corporation for those offices. Thinks it unfair that the privilege should be taken away from those six without giving them compensation, 2350.—It is very difficult to get at facts, only states from report. The practice of that court is extremely mischievous, looking at the general policy and improved condition of laws of England, 2352.—Is a freeman of London; thought it right as many other gentlemen appeared to be freemen, to become so; went through the necessary ordeal, being then one of the householders in the ward of Farringdon Without. Has exercised right to vote for the common council on one occasion. On the 1st of August 1849, an Act passed the Legislature which professed to give greater privileges to freemen than they had hitherto enjoyed. It states in the preamble of the Bill that the Legislature thought it right to extend and enlarge those advantages; but by the second clause of the Act that not only are you to occupy warehouses, cellars, or shops, to the extent of 10*l.* to enable you to vote for this class of officers, but you are to be on the parliamentary list in addition. As a lawyer, could never see why parliamentary rights should be mixed up with municipal rights, and as a freeman thinks it unfair. Has an office in the City for which witness pays 30*l.* or 40*l.* a year, and thinks it hard that he cannot go to the Old Bailey and vote for whom he pleases. Lives at Croydon, which is beyond the boundary, and therefore loses the vote for municipal and parliamentary purposes. The fifth clause, which states the qualification of a common councillor, is the same: the result is that they keep a certain knot of persons filling these offices, to the exclusion of gentlemen who would feel a pleasure in endeavouring to do any amount of gratuitous good to the City, 2353.—There is an office still in being, known as the Secondary of London; there were two. On the death of Mr. James, who had been secondary some years, Mr. Porter being his colleague, who is now the remaining secondary, witness, considering himself fit for the office, and knowing Mr. Cotterill, who was one of the sheriffs, took the liberty of writing and offering himself to succeed Mr. James; afterwards saw Mr. Cotterill when he said he had received witness's letter and would appoint him if the office were in his gift; was told that the office was in the gift of the common council and not with the sheriff. Would remind the Commissioners that this is a very different state of things to that existing in the other counties and cities of England, where they take the wise precaution of pricking for sheriffs who, appoint their own under-sheriffs, and the result is that instead of the sheriffs of London and Middlesex being what they should be, the office is often made a kind of job; two or three solicitors are usually under-sheriffs, and Mr. Sheriff Wire, who is in practice as an attorney, is an alderman and a sheriff of the City of London; and Mr. Anderton, who has been under-sheriff twice before, is again under-sheriff; does not think it proper that practising solicitors should have the execution of writs in the sheriffs offices; in no other county or city can practising solicitors be either magistrates or sheriffs, 2354.—Does not know whether it was necessary before the Act passed to amend the 11th of George I. for a man to be a householder in order to qualify him to be a voter for aldermen and common councilmen, 2355.—If it were so this Act did extend the right. Thinks if a freeman had a room in the City he was permitted to vote, 2356.—If before this Act passed a person who occupied a warehouse or shop in the City but did not reside there was entitled to vote; then this Act would cut down his right, 2357.—If by the 11th of George I. in order to enable him to vote he must have been an actual householder, that Act extended his right, 2358.

MATTHEWS, JOHN, Esq. (*Analysis of his Evidence.*)—Is a solicitor, and has offices in Arthur Street West, London Bridge, 2496.—Has frequently during the last twenty years had occasion to apply to the authorities connected with the conservancy of the river on behalf of clients, either to request some privilege, or to complain of obstructions or erections in the Thames,

MATTHEWS, JOHN, Esq.—*continued.*

2497.—Most of his clients were engaged in trade as wharfingers or warehousemen, 2498, 2499.—Witness's experience of the navigation committee is, that they either want authority, or are incompetent to the proper discharge of their duty, 2500.—Has arrived at that conclusion from the practice of the conservancy, 2501.—Has had frequent personal communications with the committee, 2502.—Was in communication first with sub-committee and afterwards with the grand committee, 2503.—Thinks the sub-committee is composed of about twenty, 2504.—Witness does not think, excepting the officers, the water bailiff and the harbour masters, that there were any members of the sub-committee who had any professional knowledge of those subjects beyond what they acquired as committeemen, 2505.—Has no doubt the harbour master and water bailiff would advise the sub-committee, if required to attend, 2506.—The duties of the harbour master and water bailiff require their presence on the river to carry out the orders of the committee, 2507.—They have executive duties to perform, and are most competent to discharge them, but they require power to act, and they defer to the administrative part of the navigation committee, and thence arises all the mischief, 2508.—States the case of George Simmons, a mast and block maker of Gravesend, who brought an action against another party, to prevent them filling up and enclosing a part of the river Thames for the purpose of building houses. The plaintiff obtained his verdict, and afterwards an injunction from the Court of Chancery, restraining the defendant and all other persons from casting rubbish, or anything of the kind, into that part of the river, 2509–2512.—The City took no part in this contest, except to watch the cause, 2513.—They privately expressed an opinion that there was no custom for any person to enclose the shore of the river between high and low water mark. After the verdict, called upon the water bailiff to have the rubbish removed, but the navigation committee thought it not desirable for that officer to interfere, and the obstruction still remains, 2514.—His client has no power to remove the obstruction, the decision merely establishes the fact that he has received damage. Thinks that he might lawfully remove it, but would incur an expense of about 40*l.* or 50*l.*, 2515–2517.—Complains that the City, as conservators of the Thames, ought to remove obstructions and prevent encroachments, as they receive a large income for that purpose, but in cases of any difficulty like this, they do nothing, 2518–2522.—Complains of their inefficiency in cases where their interference would be not only useful, but just, in conformity with the legal rights of the parties, 2523.—There are other cases of the same sort with regard to bills in Parliament for erection of wharves and piers on the river Thames. Does not complain of the City requiring a clause reserving their rights as conservators, but that when these requirements have been submitted to, and a great outlay made, they do not interfere to prevent encroachments set up by way of competition to these legalized establishments. States the case of the Gravesend town pier and Greenwich pier, 2524.—When these large piers were erected, there was no agreement made with those who advanced the money; but the conservators of the river ought not to permit any erections which are not for the good of the public. The City do prevent projections in many cases; but if a person chooses to defy the City, it appears they want authority to exercise their power, or are not competent to enforce it, 2525.—The City remembrancer requires clauses to be inserted in any private bill that comes before Parliament for running a solid pier into the Thames. Upon the point of obstruction, reads an extract from a report made on January 20, 1842, 2526.—Concludes the City feel they have a defective title or really no authority to enforce the powers they claim to exercise, 2527.—Formerly the City would allow no party to encroach upon the river without a fine or rent, but latterly, supposes, for the reasons just assigned, the City has not interposed by indictment or otherwise, 2528.—The City interdict as much as possible any encroachment, but is not aware that they have ever actually removed an encroachment, 2529.—The City shows a desire to exercise its rights when parties yield, but when they are resisted, they afford no effective protection, 2530.—Does not think the corporation of London qualified to perform the duties of the conservancy of the river. The tribunal of so important a matter should consist of a permanent chairman, with legal acquirements, some parties especially connected with shipping,

MATTHEWS, JOHN, Esq.—*continued.*

and also some competent to advise what ought to be done with reference to embankments, 2531.—As the conservancy of the river does not refer to the City especially, the corporation, as exercising that right, must be looked upon as representing the whole metropolis, 2532, 2533.—Should say the corporation is not fitted to discharge the duties if the officers are excluded from the committee, 2534, 2535.—It is only with reference to the port of London that the conservancy of the Thames has anything about it of a municipal nature, 2536.—Does not agree with many gentlemen who think that the privileges of the City should be interfered with. Would purge the corporation of all anomalies and incongruities, and correct every possible abuse, but would otherwise keep the City intact. If the constitution of the City is touched with the view of removing privileges, the same must be done with all other municipalities in England and Wales, 2537.—Cannot define all the privileges, but mentions several, 2538.—Would not altogether preserve the privilege of preventing any person who is not a freeman from exercising a retail trade in the City, but would distinguish between a man who has served his time to a freeman, and one who comes into the City merely for the purposes of trading. Would require that man to pay a fine, or take up his freedom, 2539.—Does not think it right the City should retain any privileges injurious to the general commerce of the metropolis. Much good would be attained were there a public auditor of the City accounts, and there might be an appeal to the recorder, so that the public might see the expenditure, and correct any improper use of the City funds, 2540.—Anything injurious to the community in the municipal institutions of London should be put an end to, 2541.—Would have the auditor appointed by Government associated with the City auditor, to see that sums of money were not applied contrary to trusts imposed upon the City, nor for improper purposes, 2542, 2543.—Would provide an independent audit of City accounts, and an independent official connected with the conservancy of the river, 2544.—Knows nothing of the system of City brokers, 2545.

MAYOR'S COURT:

Statement of fees, *Gore*, 6946.

M'GONEGAL, DANIEL, Esq. (*Analysis of his Evidence.*)—Is a solicitor and inhabitant of Coleraine, 8186.—And secretary to the municipal commissioners of the borough, 8187.—Witness reads part of a report of a case made by the society in the House of Lords, 1839, stating that the property was granted to the society for the good of Derry and Coleraine, and that the funds have been applied to that purpose; but the people of Coleraine entirely deny that the funds have been so spent, as the society have done hardly anything for them for many years, 8188.—The society do not give the same assistance to the corporation of Coleraine as they do to Derry; they have refused several applications for aid in making improvements in the town, 8189.—The property of the society in Coleraine is about 3,000*l.* a year, 8190.—A good deal of the property is from fisheries, which they have let on short leases, and also on lives renewable for ever, 8191.—There is a good deal of house property on short tenures, 8192, 8193.—The whole of Coleraine did belong to the society, but they have granted away a great portion to parties on lives renewable for ever. The people of Coleraine think the society an illiberal body of men, and that they are seeking more than any private landlord. Gives two or three instances, 8194–8196.—From February 1846 to February 1853 the society received out of Coleraine, after allowing for their agent and poor rates, &c., 18,272*l.* 9*s.* 7*d.*, out of which they gave 4,510*l.* 12*s.* 6*d.* to charities. The expenditure in law, in deputations, and to themselves at meetings in London, amounted to 10,390*l.*, 8197.—The society are lords of the soil of the whole town, 8200.—They have a little rural property, 8201.—They have a valuable fishery connected with Coleraine, which was granted to them with Lough Foyle for the benefit of Coleraine and Derry. Gives two or three instances of the conduct of the society towards the people of Coleraine, namely, in claiming the slobs on west side the river Bann, and stopping up the passage of an ancient well, 8202–8213.—There is no corporation in Coleraine now, the property, which is about 600*l.* a year including tolls, is vested in the commissioners under the 9th George IV. c.82. for lighting, &c., 8214.—The property is in land, 8216.—The people of Coleraine complain that the society have taken the commons that belonged to them, and let them to a gentleman for private purposes; also, that they will not grant more than sixty-one years leases; several parties have in consequence refused to build, and the advancement of the town has been retarded, 8217.—Thinks every encouragement ought to be given to persons to improve, and that leases should be granted in perpetuity, 8219.—Coleraine is a flourishing town, 8221.—There is no manufacture there, 8222.—The milling trade is extending; there are now only two large mills, 8223, 8224.—Is not prepared to say that manufactures would spring up on that part of the property of which long leases are not granted, even if the tenure were altered, in the present position of the town, 8226. Decidedly that part of Coleraine under perpetuity leases is more flourishing and has more substantial buildings than that under short tenures, 8227. It is decidedly the general feeling of the people of Coleraine that it would be a great benefit to the town were the Irish Society got rid of altogether, 8227–8232.

M'GONEGAL, DANIEL, Esq.—*continued.*

MEDWAY:

Thinks our convicts might be employed by the state in embanking the Medway, *Bullock*, 2622.

MERCANTILE AND MARITIME COLLEGE:

Scheme for, *Bennoch*, 7269.—There is a committee formed to endeavour to establish such a college in London, it is generally felt to be much wanted, *ib.* 7269.

MERCHANTS:

Reasons why they do not take any part in the corporation, *Hankey*, 1692–1699.

MEREWETHER, HENRY ALWORTH, D.C.L. (*Analysis of Evidence.*)—Has held the office of town clerk for 11 years, 4679, 4680.—Before that time had occasionally been counsel for the corporation, 4681.—The duties of the town clerk are to attend to all the business of the corporation. He is at all times at the call of the lord mayor, the Court of Aldermen, the Court of Common Council, and all committees emanating from both those bodies. To give advice or assistance to the lord mayor when required to do so. To see that the minutes of the Court of Aldermen are properly entered in the books called repertories, and those of the common council duly entered, and printed for immediate circulation, and entered in the journals. Has clerks under his direction for taking minutes of all the committees. Some of these being standing committees, the minutes are afterwards fairly copied and regularly preserved. Has to attend upon and prepare precepts for the courts of conservancy; particularly attends, when necessary, the navigation committee, which is an important one, with regard to the regulation of the Thames, 4682.—These duties occupy the whole of his time and that of the clerks in his office. His chief clerk has been 52 years in the office, 4683.—The town clerk does not engage in any professional business except that connected with the City. Witness had the sanction of the corporation for concluding two or three cases he had in hand at the time of his election, 4684, 4685.—The salary proposed was 2,000*l.* a year; it has never really equalled that amount, except one year, when it exceeded it; and one year the committee of common council made good the amount expected, which was some years ago. Has now made another application to the committee on the subject, 4686.—900*l.* a year is paid out of the City cash; 50*l.* each from four or five different funds of the corporation. Is nominally registrar of the Mayor's Court, having appointed as deputy the gentleman who had long held that office. Certain fees are still reserved for the town clerk, among them a certain sum for affixing the City seal to authenticated documents, which go to the colonies and abroad generally, 4687.—This fee has fallen short of the estimate made upon entering the office till a very late period, when the fees of the court were reduced, which has had the effect of much increasing the business. Has communicated to the committee and common council that he does not consider himself entitled to the increased fees produced by that means, 4688.—Personally, it would be a great gratification to receive the 2,000*l.* a year, agreed upon in the shape of a salary, without any fees whatever. The common council have the same opinion, and have made reference to a committee on the subject, 4689.—Barristers and attorneys are not yet

MEREWETHER, HENRY A., D.C.L.—*continued.*

freely admitted to practise in the Lord Mayor's Court, but the subject is under the consideration of a committee. The counsel have most readily consented to give up their claim, upon the terms suggested to them by the committee, 4690.—There were four common pleaders, who, as far as could be traced back in the books, had had a regular retainer from the corporation. They had also the livery, and the privilege of demanding to be employed in all causes, 4691.—They were elected by the common council. There were also four attorneys of the Mayor's Court. The senior has the custody of the seal; the second attorney is clerk of the Hustings' Court; the third and fourth attend all the wardmotes, when there is an election, upon a vacancy, and make a return of that election to the Court of Aldermen. Mentions this to show they have peculiar duties as officers of the Mayor's Court, and have the exclusive practice in that court. Other attorneys wanting to practise there use them, paying them agency fees for doing so, 4692.—Those were some of the offices of the corporation which unfortunately some years ago were sold, with a power of alienation, so that, if alienated before their death, the office then went to their successors, therefore it had a tendency to go on in perpetuity. The corporation are desirous of repurchasing the places, and at present only one out of the four attorneys retains the power of alienating. His case is still under consideration, there being some misunderstanding between him and the committee as to whether the compensation offered included his giving up his practice, which he supposed to be materially interfered with by the new arrangement for admitting other attorneys into the court; but the committee had a notion that he would, though the court was opened, have as large a share of business as he had before, 4693.—It is the amount of compensation they might be fairly entitled to which has caused the delay. A general Act of Parliament was passed giving all parties a right to be admitted in courts of inferior jurisdiction. The matter was before the Court of Queen's Bench, upon a mandamus applied for by some individual to be admitted into the Mayor's Court, under the authority of that Act, but the attorneys of the Mayor's Court contended that the general words of an Act of Parliament did not over-ride the peculiar customs of the City. The Court of Queen's Bench held that the Act did apply to it, but a writ of error was applied for upon that judgment. It went to the Court of Exchequer Chamber, which did not differ decidedly from the Court of Queen's Bench; but an objection to a return of the mandamus was taken, which was proved to be fatal, and there the matter has rested, 4694.—Upon the recommendation of the recorder, the Court of Aldermen decided that the court should be thrown open, and a number of attorneys have had their names entered upon the roll; but one of the old attorneys has brought an action against one of those so admitted, though there is every reason to expect they will act under the advice of the recorder, and eventually carry out the alteration, 4695, 4696.—The difficulty in respect to the mandamus in the Queen's Bench was, that there being no roll in point of fact in the City, was argued as a proof that the clause did not apply to the City court. The Exchequer Chamber determined it upon a technical bye-point. It was described in the return as a court of law, but it was not said that it was also a court of equity, which is the fact, 4697–4699.—There were two courts having exclusive privileges of the above nature, called Sheriffs' Courts, having a judge for each court; but they are now absorbed to a certain degree in the county court for the City of London, though there are still officers existing connected with the old Sheriffs' Court, 4700.—The words inserted in the City Act, "or employed in the City," which are not in the County Court Act, were introduced to include all clerks at the Bank, and in the numerous private and public institutions in the City, 4703.—Has not heard complaints of difficulty in discovering a man's employment in the City, 4704.—Has no superintendence over the legal business of the City, but is in constant communication with the remembrancer and solicitor about matters in their different departments, 4705, 4706.—Is not responsible for their conduct, but should think it his duty to report to the Court of Aldermen or common council any proceeding in either of the departments, which might appear contrary to the interests of the corporation, 4707.—In any law proceeding in which the corporation may be engaged, the City solicitor would consult the recorder, if it is a corporate question, or the common serjeant; if he requires further assistance, the attorney and solicitor-general are always retained as counsel for the corporation, 4708, 4709.—There is no one officer now representing the corporation in matters of that kind. Imagines, that if any interference were necessary, the recorder and common serjeant would interpose. Upon matters of difficulty, where it is necessary to consult the corporation as his clients, the solicitor applies to the common council or committee, who has the matter in charge, 4710, 4711.—Has the custody of the City charters, of which there are about 120. Produces copies of them. Mr. Hardy, of the Tower, has translated all those up to the reign of Edward III. The Charter of Inspeximus, of the reign of Charles II., includes almost all the former ones, 4712–4714.—They have never been published officially by the City, but by Lufman and by Norton, and, believes, most correctly. Mr. Norton was one of the common pleaders when he published his book, which contains 49 charters. It was subsequently edited by Mr. Tyrrell, who was at that time deputy remembrancer; so that although it does not actually bear the City stamp, it is all but official, and comprises all that is essentially contained in the charters of the City, 4715–4722.—Should certainly not show the original charters to any person in litigation with the City; but is convinced that any person wishing to obtain a perfect knowledge of the City charters might obtain it at any bookstall in London. Thinks a corporation exercising a public trust perfectly justified in shutting its muniment room in case of litigation, and in acting in all such respects as a private individual, 4723–4728.—If called upon to advise any person, or even a corporation, defending a claim, should say, "Keep your charters to yourself," 4729.—As in reality the substance of these charters is published, there can be no reason for the City preventing anybody inspecting them, and no step of the kind has been taken without the impartial advice of the best lawyers of the land, 4730–4732.—Is not aware that the present state of the charters gives rise to any litigation, 4733.—Would rather not express an opinion upon the course taken by the Legislature in the Municipal Reform Bill, with regard to the charters of other corporations. Looks upon it as one of the most unconstitutional acts that ever was done in this country, 4734.—That Act repeals all charters, so far as they are inconsistent with that Act, and no further, 4735–4739.—There are 120 charters in the book before witness, which includes all from William the Conqueror to the present time, 4740, 4741.—There are in Norton's book 49 charters, which are all the substantial ones. Mr. Pulling applied to the Court of Common Council some years ago for leave to publish all the City charters; but it was decided, that if they were published, it ought to be by one of their own officers, 4742, 4743.—Witness's opinion, divested of his official character, is, that there could be no objection to their being published. There is sufficient of their contents known for any purpose except for actual proof in courts of law, 4744.—Does not think there is any charter which contains anything material of which there is not a printed copy, 4745, 4746.—Thinks it very possible some charters may have by accident got into the hands of private indiviuals, but now the common council have provided proper rooms for their safe custody, and they are properly arranged, 4747.—Believes there are charters in the Tower not in the possession of the corporation. The charters of the City are all confirmed by Act of Parliament, 4748, 4749.—Has never had occasion to see any other charter than those contained in Mr. Norton's book, 4750–4752.—There is a standing order, "That every member of the Court of Common Council has a right to inspect the books and papers belonging to the corporation, and make extracts from them. No officer of this court shall be at liberty to show them to any person not a member of the corporation without leave of this court," 4753.—Any person, not a freeman, in litigation with the City on any right contained in a charter, wishing to inspect, must memorialize the common council on the subject, 4754, 4755.—The City charters, for the most part, have directly or indirectly the force of Acts of Parliament, 4756.—In the case of the corporation against Combe and Delafield for metage dues, to which they refuse to submit without the production of the charter upon which the claim is founded, thinks Messrs. Combe and Co. might obtain the information contained in the charter at any bookstall. What is

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demanded of them has been taken in the River Thames, as far back as any trace can be made. The corporation are most anxious that every thing should be done which is equitable, as well as for the general benefit of trade; and before this inquiry began, referred this question of metage, and that of corn not wanted to be measured, to a committee, and there seems every prospect of their coming to an amicable arrangement upon the subject, 4757, 4758.—There is no governing charter with respect to the constitution of the corporation. The charters speak constantly, from the earliest times of the customs of London, and no doubt the constitution of the corporation is left to the customs which are recorded from time to time by the mouth of the recorder, 4760.—This privilege was never possessed by any other corporation. These governing charters, as they are now called, generally signify the last charter granted to them, which specifies that they shall be corporations in fact and in name; that they shall have a common seal; a mayor, so many aldermen, so many common councilmen, and other officers mentioned; appoints a succession of different persons to those offices and provides for future elections. They were not in practice before the reign of Henry VI., 4761.—The corporation of London have a particular charter, which authorizes the mayor and aldermen, with the consent of the commonalty, to alter any of their customs which may require amendment, and to make such provisions as shall be for the good of the king and the public; but the Election Act of the City of London, the 11th of George I., assumes that the right of electing was in the liverymen, therefore it was found impossible to use their power against the express words of the Act of Parliament, which could only be got rid of by an actual repeal in Parliament. The power given to the City by this charter seems to be as large as words can make it, 4762–4764.—The only real distinction between the corporation of London and the country corporations, as they existed before the Municipal Reform Act, is, that the latter have overlooked and disregarded many of their old charters, while the City of London have kept alive the recollection of their old customs, which had formed them into their present shape, and they thought if they wished to alter it, they had the power of doing so under the Charter of Edward III., 4765.—There were many other corporations resembling that of London, in not having a governing charter, 4766, 4767.—The recorder satisfies his mind as to the existence of any custom by a painful and conscientious inquiry into the information to be derived from the records of the corporation, 4768.—The charters are all in such general language that they are open to discussion; but, practically speaking, there is no difficulty in applying them, 4769.—The certificate of the recorder is absolutely conclusive as to the existence of a custom, though no doubt it is subject to the decision of courts of law upon it, 4770.—If a question arises, the recorder obtains what information he can from witness, or from the registrar of the court; he then hears both parties, and from the conflict makes up his mind, 4771.—The charters themselves do not specify the customs, but preserve them. Has besides the charters a large mass of books of great antiquity, containing byelaws, and other acts done, showing usage, 4772–4774.—The existence of any custom or rule of corporate law is a question of difficult research, and, perhaps, requiring legal knowledge, 4775, 4776.—If any legal question arose, it would be submitted to the recorder and common sergeant, the two legal advisers of the corporation—perhaps with the assistance of the judge of the Sheriffs' Court, Mr. Gurney, 4777.—A very difficult point in law is involved in the consideration how a subsequent charter repeals or interferes with the provisions of a former charter. A good deal would depend upon the intent of the parties both granting and receiving the charter, 4778.—No plan has ever been contemplated of codifying the charters and byelaws of the corporation; it would certainly require a great deal of legal acumen and labour to effect such a work, and it would probably end after all in considerable error, 4779–4782.—Is not aware that any practical inconvenience arises to the public or the City from the present state of the charters. The only cases in his recollection in which the matter has come in question is that of Combe and Co., and the question as to the right of the soil and the bed of the river, 4783.—There is no governing charter of the City of London as described above. The corporation have from time immemorial regulated the number of their aldermen and common

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councilmen according to their own arrangements. They could not make aldermanries or give a jurisdiction to a court in a given part of the City; that requires either a charter of the Crown or the interposition of Parliament. There was an instance in the reign of Richard II., when there was a special Act of Parliament separating the two wards of Farrington Within from Farringdon Without, authorizing the inhabitants of each ward to elect an alderman, 4784–4787.—The boundaries of the City consist of the City proper, that is, the City within the walls. There are also liberties without the walls, which arose from that portion of the ground outside the walls which is necessary for the protection of the walls, 4788.—The boundaries of the City have never been changed, but you cannot look with certainty to any period before Edward III. The area contained within those boundaries is one square mile, 4789–4792.—It is difficult to state at what time the metropolis began to extend beyond the boundaries of the City, because it is a matter of remote history. No doubt originally the corpus, if one may so say, of the metropolis, was the City of London. Does know, however, that as the town increased no attempt was made on the north of of the river to extend the jurisdiction of the corporation. On the south side, no doubt, from an early time, efforts have been made of that kind with respect to the borough of Southwark, 4793–4801.—Complaints were made by the citizens of London that thefts were committed in the City, and the thieves then escaped into Southwark, therefore that borough was granted to the City, 4802.—One of the most difficult subjects in English history is to know what is the effect of these charters which were generally obtained for the purpose of keeping off the exactions of the officers of the Crown, 4803.—The present connexion of the City and Southwark is very anomalous and unsatisfactory. There has been some litigation of late years as to the power of the sheriff of Surrey within the borough of Southwark. Neither the City nor Southwark know their respective rights and duties. The inhabitants of Southwark have applied to the common council from time to time to have their case considered, 4804–4809.—The corporation have failed in doing anything on the subject, from finding it totally impracticable without legislative assistance; but believes, if a desire were expressed by the real public of Southwark either to be dissevered from or to be more closely connected with the City, that the corporation would interpose no difficulty in the way of either course being adopted, 4810–4818.—The powers and jurisdiction of the corporation are for the most part limited to their own boundaries, but their powers of police have some extent beyond. Their right of metage and porterage extends to the whole of London; the conservancy of the Thames from Staines Bridge to Yantlet Creek. The tonnage dues are likewise collected in the river, and the coal tax levied beyond the limits of the City, 4819–4825.—The corporation is the only municipal body within the metropolis. Southwark has some of the characteristics of a municipal body. It has its own courts; a court of record and a court of leet, 4826, 4827.—Has never heard that the corporation considers itself as representing, for certain purposes, the entire metropolis of London; they confine themselves entirely to their own district, 4828, 4829.—With regard to the administration of their funds, the corporation contribute to charities and other establishments out of the boundary of the City. They contributed many years ago to the great improvement in the Strand, 4830–4832.—In the City Pocket Book there is an enumeration of the different sums subscribed by the corporation, distinguishing what apply to matters without the City and what within, 4833.—The duties of the lord mayor are very numerous. He is the head of the corporation, and has to attend, more or less, to all its concerns. As a magistrate he presides at the Mansion House, assisted by one of the aldermen, when his other duties prevent his sitting there. Presides over the Courts of Aldermen and Common Council, appointing their meetings, and, upon requisitions duly signed, calls the common council together whenever it is necessary. He also presides over the Court of Conservancy, two meetings of which are held in each district, under the jurisdiction of that court; that is, in Middlesex, Essex, Kent, and Surrey; and he would, if occasion required it, hold a court of conservancy within the City. His official duties engross the whole of his time, 4834, 4835.—With respect to his election and the legal qualifications required, believes the statements in the reports of the previous

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commission are quite correct, particularly that in 1834, 4836.—Obtained the following statement of the expense of the office from the chamberlain. The lord mayor receives 500*l.*, as compensation on the abolition of the metage on coals. By payments from the City cash, 5,997*l.* 8*s.* 4*d.*; from the common council for expenses of the Court of Conservancy, 300*l.*; from the same, 100*l.* for wear and tear of furniture at the Mansion House; income tax paid for his lordship, 228*l.* 7*s.* 6*d.*; 18*l.* for a gown; cocket dues, 1,000*l.*; by "Benevolence," from the Bridge House estate, 50*l.*, probably a species of contribution to the annual festivity; certain fees at the Old Bailey, 40*l.*, and others amounting to 86*l.*, making 126*l.* 2*s.* 4*d.*; total 8,319*l.* 18*s.* 2*d.*, 4837.—The lord mayor is entitled to be summoned to the first Privy Council held after the demise of the Crown, 4838.—Upon the death of the Sovereign or other branches of the Royal Family, or upon the birth of a child of the Sovereign, a communication is always sent immediately from the Home Office to the lord mayor, 4839, 4840.—Does not know whether the lord mayor receives a summons from the Privy Council Office upon the demise of the Crown, but knows that he does attend the Privy Council; and remembers, upon one occasion, that the Duke of Wellington insisted upon no steps being taken till the lord mayor arrived, 4841.—Is not aware that any one else, not being a member of the Privy Council, is admitted when the new Sovereign is proclaimed, 4842.—Such hospitality as is exercised at the Mansion House, is not unusual in the higher ranks of English society upon great occasions, 4843.—Believes the cost of the lord mayor's show to be 200*l.*, 4844.—Does not think that on those occasions of public hospitality, the lord mayor appears in the character of the first magistrate of the whole metropolis, 4847.—Foreign attachment is a thing which is almost necessary in a large commercial city. There were many provisions in the very early charters, that merchants who traded to this country should not live in the City; therefore, if a merchant wanted to buy goods here, he would not be able to obtain credit, unless there were means of obtaining payment from him, by having the power of arresting any property he might leave behind him. Reads a provision in a charter of Henry I., 4848.—That provision would apply to all persons residing without the City, whether English subjects or aliens. In many of the charters and entries in the City books, a foreigner is a person who is not admitted into the body as a freeman, but the term foreigner is likewise applied to alien merchants, and that is the case also in the statutes of the realm, 4849–4851.—There is a similar provision in Bristol, and in most of the great seats of commerce in England. Thinks it very serviceable for the sake of the merchants as well as the creditors, 4852–4854.—It applies to all the inhabitants of the City; but no right of this kind is exercised by a corporation beyond the particular limits to which its jurisdiction extends, 4855.—It would be an equally good custom for persons in other parts of the metropolis. In a great degree the same thing is effected out of the City. There is a fieri facias against the goods of any man, 4856.—The nature of foreign trade has altered since those days, but nothing appears so just and equitable as taking the property of a debtor to satisfy his debt, if found within the jurisdiction, the jurisdiction being answerable for the due execution of the law, 4857–4859.—Believes it is the same in Dublin, because the peculiar jurisdictions of Dublin were borrowed from Bristol. Is not so sure about Liverpool, 4860.—The peculiarity of the custom of foreign attachment is, that it gives a remedy against a debtor of the defendant. It enables you to seize money in the hands of a banker; that is the principal practical operation of the custom in the City. Sees no reason why it should not be a good custom for the whole country. It appears a prompt mode of making men pay their just debts, and is frequently resorted to, and found very useful in effecting the ends of justice. There is no such power in the general law, 4861–4869. Suppose the defendant absent, and there is a disputed debt, the garnishee cannot avoid the necessity of that debt being handed over to the plaintiff, without appearing and putting in substantial bail to the full amount of the sum demanded, without regard to the amount of the debt he himself owes, or of the goods he has in his hands, 4870–4872.—If the plaintiff sues for 1,000*l.*, and attaches the debt in the hands of the garnishee to the extent of 200*l.*, that attachment cannot be got rid of without putting

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in bail for 1,000*l.*, or paying the smaller sum into court, 4873.—The effect of the system of foreign attachment is, to bring into court a person not a party to the original suit, to tell him not to pay over the money. It must be indifferent to him to whom he pays it, if he has the money of A in his hands, 4874.—If there are any off-setts or disputed claims between him and the defendant, he states it to the court, if he thinks fit, 4875.—The creditor who has a just debt due to him is much aided by this prompt mode of taking possession of property, 4876.—Thinks the system of foreign attachment a good custom, 4877.—It is not more peculiarly adapted to the City than to the rest of the metropolis, except that the commercial transactions of the City are very numerous with foreigners, and persons going to our colonies, and it is a convenient mode of securing money which belongs to a debtor in case he goes away, 4878.—There is another jurisdiction peculiar to the City, which is rarely exercised,—the court of delegates of St. Martin's-le-Grand, 4879.—It is not a general complaint that the custom of foreign attachment operates badly in compelling the defendant to put in bail to the full amount of the debt claimed, 4880.—The objections made recently might be remedied by such an alteration as would regulate the amount of bail to be put in by the value of the thing attached. It can be under the charter before referred to, as the real debt can be brought into court, 4881.—Supposing every householder to be obliged to attend the wardmote, there to be sworn to his allegiance, and all the inhabitants of the ward to be included in the constituency, nothing can be less objectionable than the election of aldermen. Even as it is, believes there to be a great feeling of attachment between the alderman and his ward. He appoints his own deputy and chooses the person most approved by the ward. The ward also elect the common councilmen, 4882.—There is much inequality in the size of wards and number of voters. Puts in a return prepared by the Court of Aldermen, 4883, 4884.—In 1851 Queenhithe ward had the smallest number of voters (73), and Farringdon Without the largest (783), 4885.—The last three columns of the return show the number of municipal voters residing within seven miles, and rated above 10*l.*, 4886–4888.—With regard to the ward of Aldersgate, if the constituency were taken to be the Parliamentary voters, it would reduce the number, 4889.—The aldermen hold their office for life, without a reasonable cause can be shown for their removal, and then that removal must be effected by a proceeding in a court of law, a quo warranto, 4890, 4891.—The court of the lord mayor and aldermen, or the lord mayor and aldermen in common council assembled, would have power to disfranchise an alderman. There have been instances, 4892.—The present tenure of the office of aldermen is dated several hundred years back, in one of their early charters, 4893, 4894.—Their magisterial duties are not derived from so early a charter. First, all aldermen who have passed the chair are made magistrates. At a subsequent period in the reign of George I., all aldermen, whether they have passed the chair or not, are constituted magistrates. All those who had passed the chair were made magistrates in Southwark, by a particular charter, 4895.—There are two courts in which the aldermen sit as magistrates; at the Mansion House, when called upon by the lord mayor to assist him, and at Guildhall; which duty they take by rota, and are obliged to attend or find a substitute, 4896.—Generally speaking, there is as much duty as they can conveniently attend to, 4897.—The citizens of London wish to preserve the right of electing their own magistrates, and nothing can be more beneficial for them than to retain the aldermen as they are, 4898, 4899.—When the voters are electing an alderman, they bear in mind that he will also have the duties of a magistrate to perform. They are most desirous to have magistrates of their own selection, 4900, 4901.—There is a paid clerk in each court, who would perhaps come within the term assessor, generally chosen for his legal knowledge, 4902.—The magistrates would refer to the opinion of this clerk or assessor as to the construction of a new Act of Parliament, or the particular form on which a decision is to be made; but in the execution of justice founded upon the facts of the case, they rely on their own judgment, 4903.—The aldermen receive from their clerks the same kind of assistance that a judge occasionally does from the clerk at nisi prius, or the clerk of arraigns in a criminal court. It is generally con-

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fined to matters of mere form, 4904, 4905.—The Court of Aldermen has many duties to perform; it sits upon an average about twice a month; it is never appointed to sit during the sitting of the Old Bailey Court, as the attendance of a certain number of aldermen is necessary there, 4906–4908.—The court consists of the lord mayor and aldermen. The two sheriffs attend to give their returns with respect to the prisons, which is always the first thing read after the proceedings of the Court of Aldermen and Common Council. The recorder also attends as assessor to the lord mayor. States the way in which the court is summoned, and the sort of business they transact, 4909.—The sheriffs generally remain during the greater part of the sitting of the court, but they have no vote, unless they are aldermen, which is generally the case with one of them, 4910, 4911.—No one has a vote except the lord mayor and aldermen. The recorder only attends as adviser, 4912.—The court of aldermen in some respects act judicially. They exercise a jurisdiction in all matters connected with brokers. They decide all questions arising out of the elections in wardmotes. They consider all the presentments made by the wardmote inquest. A frequent presentment is, that there are persons carrying on business in the ward who are not freemen; another is, that of inquest men who refuse to perform their duty, 4913.—All that the Court of Aldermen have to do with the proceedings of the common council is to have the minutes of the last common council read at the bar of the court, 4914.—The courts of common council are generally, but not necessarily, held immediately after the courts of aldermen, 4915.—Three days before the meeting of the common council a summons is always prepared for them, which is laid before the lord mayor for his directions respecting it. The summons contains a statement of all the business which is to come on before the common council, 4916.—The aldermen are component parts of the common council, and as such receive a notice, 4917, 4918.—The Court of Aldermen very rarely discuss subjects which are to come before the Court of Common Council, as they keep the business of the two courts quite distinct; but if anything has taken place in the Court of Aldermen which it is necessary to communicate to the common council they usually request the lord mayor to make the communication, 4919.—Each of the courts have the power of drawing for cash upon the chamberlain, but the Court of Aldermen confines its drawing to matters connected with the magistracy, the prisons, and the conservancy. They occasionally grant pensions to decayed aldermen, or the widows or children of aldermen, 4920.—Their power in drawing upon the City cash is quite unlimited, 4921.—With regard to building a prison, that is a combined question; the Court of Aldermen are bound to find prisons in which to confine prisoners, but the mode of getting funds to build it rests entirely with the common council. Committees are appointed by both courts, who confer together, 4922.—There are many subjects which are referred to committees from the two courts, viz., the admission to the freedom, the question of conservancy, &c. &c., 4923.—The Court of Aldermen has no control over the Court of Common Council; they have each their particular duties, 4924–4926.—The Court of Aldermen have no power of legislation, except in matters under their immediate jurisdiction, 4927.—The old Acts of Parliament gave all jurisdiction to the mayor and aldermen; now the powers are given to the mayor, aldermen, and commons, in common council assembled. The common council is the representative of the freemen, and embodies the whole power of the corporation; the Court of Aldermen is a Court of Record, 4928.—Formerly the Court of Aldermen used to prepare their measure or proposal, and send it up by the recorder to the Court of Common Council; and on the other hand, if the common council wanted to suggest any alterations they would prepare a measure and send it up to the Court of Aldermen by the common sergeant; but this mode has not been practised for many years, 4929.—Does not think that the common council could assume a power over matters in which the Court of Aldermen now act. The present division of business is fixed by law, 4930, 4931.—Considers the common council as the supreme representative body of the commonalty of London, but has no power over the Court of Aldermen, which is a Court of Record, 4932, 4933.—With regard to prisons, thinks it would be found extremely inconvenient if the Court of Aldermen had not the

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jurisdiction they have at present, 4934.—Does not think that if the common council passed a resolution that all future business relating to the conservancy of the river should be transacted by themselves it would be valid, 4935.—The present division of business between the Court of Aldermen and Common Council is fixed by law or usage equivalent to law, and neither court can disturb the arrangement, 4936.—The present mode of election of common councilmen works exceedingly well, 4937.—Does not think the present number of the court too large, 4938.—Attends all the meetings of common council, 4939.—Has never known there to be any difficulty in making a quorum of the council. Forty is the assumed number of the quorum; it works very well, 4940.—The lord mayor has the power of suspending the proceedings at any moment; there was an instance of a lord mayor who did it, but the occurrence is so rare it is hardly to be considered, 4941.—The business of the common council is chiefly administrative business, but it does perform acts of legislation; it passes bills in the same form as Acts of Parliament. A bill is brought in, read a first, second, and third time, and then passed, 4942.—An act of City legislation is complete when it has passed the Court of Common Council. Produces one of their bills, relating to fellowship porters, 4943.—The Court of Common Council usually sit about twice a month; there are sometimes special courts; last year there were altogether 31, 4944, 4945.—Much of the business of the Court of Common Council is transacted by committees, but they always report to the court, 4946.—The usual method of selecting committees is to take one member from every ward; consequently the number is about 29, besides the aldermen; all the aldermen present are usually put upon the committee, 4947–4949.—There is reason to complain of the number; there is sometimes a difficulty in obtaining a quorum of a committee, which is generally seven, 4950.—The business transacted by the committee of the common council is remarkably well transacted; could not be better done, 4951.—The average number of attendance is about 15 or 16; his clerk notes the number in a book, 4952.—Reads the standing orders, limiting the power of committees with respect to the appointment to offices, 4953.—All the places in the appointment of any committee will be found in the book referred to under the entry of the members of the committee. There is another standing order, which prevents the son of any member of the court being a candidate for any office. Reads the order. Thus every channel to improper influence is stopped by the corporation, and new standing orders are made from time to time, as necessary, 4954.—With regard to the objections to the allowances made for dinners to the members of committees of the common council, it has always been the custom of the corporation of London, for a great length of time; and it is difficult to ask persons to come and sit at uncertain hours for the performance of the duties of the corporation without any remuneration. Formerly the committees used to be paid by "line money;" that is, every member as he came in, up to a certain time, had a line put under his name, and these were paid a certain sum for their attendance; those who came afterwards were put under the line, and were not entitled to any remuneration. This practice was objected to, and the committees were then allowed a certain sum of money, to use as they thought best. These amounts are included in the standing orders, and are known to all the committees, and also the freemen, 4955.—The practice tends to secure the attendance of members, and is a more social way of applying the money, than allowing them to put it in their own pockets, 4956.—There is scarcely any department in which some allowance of the kind is not made, 4257–4259.—With regard to the election of sheriffs, Mr. Scott has fully explained the subject. Does not think the present mode of election in common hall seems to answer. Regulations have been made from time to time to confine the admission into the hall entirely to liverymen, but other people get in who are not liverymen, 4960.—There is generally great difficulty in getting persons to serve the office of sheriff; it is a very onerous and an expensive one. The corporation is at present endeavouring to arrange for a more substantial allowance for the sheriffs, and also the lord mayor, 4961.—The sheriffs' duties are onerous, in requiring constant attendance at the Criminal Courts, the courts of law on some occasions (the under-sheriff

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attends the Court of Exchequer and Queen's Bench on the occasion of swearing in the jury), besides the Court of Aldermen, the Court of Common Council, and the lord mayor, whenever required, 4962, 4963.—Besides all this, the sheriffs have to give attendance to what is not strictly part of their duty, but an old practice, such as charity sermons. They also present all petitions from the common council to the House of Commons, 4964.—The amount of expenses of the office of sheriff is very great. Will lay before them the returns made by Mr. Alderman Wilson and Harmer, during their shrievalty, which may be taken as fair samples of the ordinary expenditure, 4965–4967.—The fines arising from estreated recognizances are given up to the under-sheriffs, who undertake a great part of the expenses of the office, and as a remuneration for that, an arrangement takes place between him and the sheriff. The present senior sheriff, Mr. Alderman Wire, has altered the system, 4968.—It is supposed that formerly, in Lord Mansfield's time, persons were nominated to the office of sheriff who were known to have conscientious scruples about taking the oaths, with the certainty of their being obliged to pay the fine. But such an imputation cannot rest on the corporation at present, as all fines of the sheriffs are applied to a charity fund for the orphan school for the orphans of widows. The system of using the sheriffs' fines as a means of revenue is totally abandoned, and is not likely to be revived, 4969, 4970.—The sheriffs of London constitute the sheriffs for Middlesex, 4971, 4972.—The City first obtained permission to appoint their own sheriffs in the reign of King Stephen, upon payment of a sum of money; and in the succeeding reign they were allowed to select as sheriff whom they chose, and present to his Majesty or the Exchequer. Supposes there was still some interference from the sheriff of Middlesex, as they agreed to pay a fee-farm rent of 300*l.* a year, for the grant of the shrievalty of Middlesex, which they continue to pay at the present moment. The real meaning of calling them sheriffs of London was, that they were appointed as sheriffs of London; but with respect to the universal analogy throughout the country, that there is but one sheriff for a county, the two are supposed to hold the office, 4973.—At one time there was a sheriff of Middlesex besides the sheriffs of London, 4974.—Imagines the pretensions of the sheriffs to be altogether unfounded, 4975.—The pretensions of the sheriff of the county to interfere in a borough, which was not a county, was different from the pretension to interfere in a borough which was a county; and, therefore, in subsequent times different boroughs obtained grants that they should be counties themselves. The cases are not numerous, and are all mentioned in Blackstone, and more particularly referred to by Mr. Corbet, in his book on "Elective Franchise," 4976.—Does not think there is any document to show when London became a county separate from Middlesex,. 4977.—Cannot point out any advantages resulting from the law by which the sheriffs of London execute the office of sheriff of Middlesex, except that Messrs. Burchell, who act as deputies, and in whose family it has been for many years, transact the business remarkably well; and as the duty of sheriff is much more important in Middlesex than in any other county, supposes it is their great experience which enables them to do the duties so satisfactorily, 4978.—Thinks that the present division of duties between the Court of Aldermen and common council has worked satisfactorily, 4979.—Does not imagine that the duties of the two bodies were divided by any preconceived notion of the utility of the division, but that it has sprung out of existing circumstances from time to time. At one time the Court of Aldermen was certainly the governing body in the City; but their proceedings were much embarrassed by excessive numbers coming from the wardmotes into the hall, which led to their having the liverymen and only part of the freemen attend. After a time there was a resolution of the common council, declaring that the elections should be in the liverymen. Since then, the liverymen have been the representatives of the great body of citizens, who ought to meet in common hall, 4980.—Long usage has reconciled the rights of the liverymen; otherwise would say they are an encroachment upon the general rights of the commonalty of London. The 11th Act of George I. assumes that they had an Act of Parliament, and regulates the exercise of it. Can only repeat that the division of the two courts seems rather to have arisen

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out of circumstances, than anything else; sees no reason for any alteration, 4981–4984.

MEREWETHER, HENRY ALWORTH, D. C. L. (*Further examined.*)—In his evidence, yesterday, informed the Commissioners that the quorum necessary to form a Court of Common Council was 40; but did not state that, in an experience of 12 years, has never known a difficulty in forming a court, in consequence of there not being such a number present; the number is usually decreased before the end of the meeting. The same with the committees; the quorum is seven, and does not recollect a committee failing to sit in consequence of the non-attendance of the necessary seven. Delivers in the form of summons to the Court of Aldermen, also a summons of the Court of Common Council with a notice that a common council will be held for the purpose specified in the summons. Has referred to the charter which gives to the corporation the power of altering the customs. It is referred to in Mr. Norton's book, page 470; the date is 1341. Produces a copy of part of that charter, 4985.—Under this power many material alterations have been effected from time to time, 4986.—The most recent has been an act of the common council with reference to the jurors. The juries heretofore in London used to be marked on the back of the presentment at the wardmote, and out of these were selected, by the secondary, the jury to serve. The recent Act with respect to jurors had appointed a different mode of selecting them; it was done by the secondary from other sources. It was found they did not work well together; there were different classes in one list from those in the other. This was corrected by a bill brought into the common council, in which the system adopted in what is called Sir Robert Peel's Act was directed to the general system of the City, so as to have only one list, 4987.—The number of the common council was reduced by the City authorities themselves. Does not know of any act affecting the number or position of the common council, which is the creation of the corporation, and is regulated by its provisions, standing orders, or resolutions, 4988.—It would be impossible for the corporation to alter the term of tenure of office of the lord mayor with safety, inasmuch as the duration of the office is embodied in one of their earliest charters, 4989.—According to the general words of the charter, the corporation have the entire power of making all alterations within themselves they think necessary, except that they cannot interfere with any Act of Parliament, 4990.—If it were found necessary to have more aldermen, the corporation might effect it under that charter; but inasmuch as the existence of an alderman has reference to his ward, and in the ward there is a wardmote held, they could not, by any regulation of their own, give a jurisdiction to a new ward, which they themselves might create; the experiment was tried in the borough of Southwark, but failed altogether, 4991.—Thinks that they might sever the connexion of the City with Southwark without the assistance of Parliament, 4992.—Does not think it would be interfering with the courts of justice; they are authorized to hold a court leet and a court of record for Southwark. Believes it is universally allowed that the grantees of a charter may surrender, or cease to act upon, any part of a charter that is made for their good; but if they do, a partial surrender cannot be permitted,—it must be a surrender of the whole, or none at all. With respect to Southwark, if anything is done with it, it will be done with the consent of all parties through the medium of the Legislature, 4993.—The alteration of the rights of the freemen in 1835 was under the power of the before mentioned charter, 4994.—Sees no foundation whatever for the doubts expressed as to the legal effect of that alteration; the going through the companies must have been an arrangement of the corporation itself, and so, of course, they have the power to alter it. The freemen used to be admitted in that way, and not through the livery companies. Thinks it a fit opportunity to remove an erroneous impression with respect to Southwark, in connection with the statement made yesterday. The corporation have endeavoured to make the jurisdiction in Southwark effective, but have been prevented by circumstances. It was stated that Southwark was the ward of Bridge Without. This is an error; there was an attempt to give it that character, which failed. The first charter alluded to was in the reign of Edward III., granting the City power over

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the borough of Southwark as a remedy for the felons and fugitives who escaped from the City and went there. The charter was found ineffective, and in the reign of Edward IV. a subsequent charter was granted, giving them larger jurisdiction, but again being ineffectual. In the reign of Edward VI. a very full and comprehensive charter was granted, giving them, for a valuable consideration, a considerable portion of property, and the most complete jurisdiction that a charter could give. Upon that the corporation attempted to carry it out in the manner they thought it ought to be, and they elected an alderman for what is here called Bridge Without. They attempted to elect common councilmen, but it all turned out eventually abortive. The ground upon which the name of Bridge Without was given was, that there was a sort of *tête de pont* on the other side of the other, and just the area surrounding that, might in analogy to the other wards, be called Bridge Without. It was without the line of the walls and boundaries of the City. Thinks no reliance can be placed on the statement made, on the authority of a book of Mr. Delaune's, that the common councilmen were elected, and their names given there. A list of the aldermen is given, and a list of the common councilmen in the wards, but at the end of it the name of Sir John Ayliffe is given as aldermen of the ward of Bridge Without; but there is no mention of the common councilmen, and the names contained in Delaune are those of the common councilmen for Bridge ward. Reads extract from repertory, giving account of the election of Sir John Ayliffe, in the fourth year of Edward VI. Thinks it clear, from the before-mentioned extract, that they could not have appointed a wardmote, nor has any wardmote ever been held for that ward, 4996.—Should say that all those 120 charters are now in force; they have been seized by the Crown at various times; they were seized by the celebrated quo warrantoin the reign of Charles II., butwere restored by Act of Parliament in the beginning of the reign of William III., 4998, 4999.—Does not knowan instance in which the charters were only to be in force during the reign of the kings by whom they were issued. There are some which are not properly municipal charters. The second charter they have is a grant to a private individual, 5000.—Believes that the whole number of 120 are in force, 5001.—The City possesses considerable property in Southwark, 5002.—Does not think the acquisition of that by the City was connected with Southwark purposes. There was a beneficial grant to the corporation for a money consideration, 5003.—Gives the origin of their acquisition of that property from the Inspeximus, 5004.—No doubt the citizens of London applied to the Crown, and paid the money consideration, in order to have the grant of Edward VI. carried out more effectually, 5005.—The gift of the property was coincident with the grant of the larger jurisdiction; they are both in the same charter, 5006.—In the event of the severance of Southwark from London, the citizens of Southwark would have no claim to this property for their benefit as a corporation, 5007,—Thinks no distinction can be drawn between this property and that which the City possesses in other places. The first charter granted to the City of London is that of William the Conqueror, which will be found accurately translated in Mr. Newton's book; the words are somewhat peculiar, and require a little explanation. Reads the charter. Shows that the pre-existing rights of the City of London before the reign of William are recognised by him as having existed in the reign of King Edward, 5008.—This charter creates no corporation; it merely declares that all citizens of London shall be of free condition, 5009.—The king promises them protection. It is the earliest recognition in the charters of the rights of the citizens of London. No words of incorporation are in any charter relating to any borough before the reign of Henry VI., when a charter was first granted to Kingston-upon-Hull, the record of which is in the Tower. The next charter is one of Henry I., drawn up in the following form:—"Henry, by the Grace of God,"—and so on, "Know ye that I have granted to my citizens of London to hold Middlesex to farm for three hundred pounds." The king, of course, had all the counties as well as boroughs in his hands, at least his officers accounted to him for the property. A portion of the profit would go through the hands of the sheriff, a portion through the escheater, and a portion through the hands of the coroner. All these would belong to the king; but it was the custom by many of them to grant to parties

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those districts, and all the profits resulting from them, the grantee paying to the Crown a sum in consequence. That sum has been paid to the corporation ever since the reign of Henry I., and is paid at the present day; it is accounted for by the sheriff to the Crown. Proceeds to read and explain extracts from the charters of Henry II. and Richard I., 5010, 5011.—The charter in the eighth of Richard I. proves that weirs had been erected in the Thames by the king's officer, 5012.—The charter gives them the power of removing the weirs, they having been erected by the keeper of the Tower, as the king's officer, by usurpation, 5013–5015.—Proves that it was by usurpation, because it says, "No keeper of the said Tower at any time hereafter shall enact anything of any one," in respect of those weirs, 5016.—Thinks this is a direction, that if the weirs shall be removed the king's officer shall not interfere, he having made previous exactions from the parties in respect of them, 5017.—There is nothing beyond the charter to show that the right previously was not in the Crown, 5018.—Does not think it was a voluntary abandonment of the rights of the Crown. In all the succeeding charters there are declarations that the customs of the City of London are to be upheld and maintained. There is another charter relating to the weirs, and as the citizens of London are conservators of the river Thames, they could remove the weirs as a nuisance with reference to the navigation, 5019, 5020.—Thinks it was a direction to them to disencumber their property of the weirs which existed, 5021.—The grant of the conservancy was prior to the statute of Richard I., 5022.—The charters generally run in the form of—"We grant for us, our heirs and successors," 5023.—It is not an early charter which contains the grant of the conservancy, 5024.—There is nothing to show that the City were conservators at the time of Richard I., 5025.—The persons who vote in common hall are freemen, with the superadded qualification of being liverymen. The liverymen are those who have permission to wear the livery. There are a variety of sumptuary laws, prohibiting people from giving liveries to their servants, but there is an exemption of all corporations and guilds, under which they had the power of appointing liverymen. Many companies have had the power for a long time under their charter; others have had it granted by the Court of Aldermen. Has a list of those granted by the Court of Aldermen, and with whom they interfere. Has a list of admissions of companies to liveries, and the increases which have been made in them by the orders of the Court of Aldermen, from 1725 to 1820. Enumerates the companies, 5026.—There are some companies in which the corporation interfere in the formation of a livery. Gives conditions on which the felt makers received permission to have a livery. The others are in substance the same, 5027.—In order to vote in common hall, it is necessary for a man to be a member of a livery company and a freeman of the City, 5028.—In the ward elections it is sufficient that a person should be a freeman and a resident in the ward. As far as the franchise is concerned, freedom alone is necessary, 5029.—There never was a time when the whole constituent body of the City were members of the livery companies, which are in fact private companies existing under their own charters, and for their own particular purposes, having nothing, in point of fact, to do with the municipal government. 5030.—Sees no evil or difficulty which could occur if there were but one single franchise for the municipal purposes of the City of London. The corporation have been anxious to effect that object. The bill brought in in 1849 was with that view. Such alterations were made in the House of Lords as prevented it from having the effect intended. When it came to be carried out, it was found that the voters were lessened by it instead of increased, 5031.—There are certain officers elected in common hall, others by the Court of Common Council, and others by the Court of Aldermen, 5032.—Knows no ground upon which the distinction is made. The election in common hall of the mayor, the chamberlain, the sheriffs, the bridgemasters, the auditors, and the ale conners, are all directed by a particular charter. The election of the recorder is with the aldermen. Supposes it is because the aldermen originally exercised all the powers of the corporation, particularly those connected with the administration of the law. The other officers are elected by the common councilmen, as representatives of the citizens, 5033.—The duration of the poll for seven

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days is done under the authority of the Act of the 11th of George I., which was passed for the express purpose of shortening the elections. The clause says that the election shall not last more than seven days, and it has been construed to mean it must last seven days. That was in consequence of a decision in a committee with respect to the election at Rochester. A similar case occurred at Bristol. Supposes the secondaries of the City of London thought it was dangerous to adopt any mode of giving notice after the decision in those two cases, so they let it go on for seven days, 5035.—The corporation and the secondaries could close the poll without a bill passed by the common council, whenever there was a reasonable ground for assuming that the other votes were not forthcoming, taking care to give reasonable notice of the day and hour, 5036, 5037.—An act of the common council would be an additional justification, 5038.—Thinks it desirable that those polls should not last the time they do at present. The corporation intends shortening them, 5039.—Corrupt practices have prevailed to a considerable extent at some of the City elections, owing to a prevalent opinion that the same laws do not apply to them as to the Parliamentary elections. Thinks receiving a bribe with reference to an election for any public purpose must be within the reach of the common law, 5040.—Does not recollect any one being convicted at common law for such an offence, 5041.—Is not aware of any case of corrupt practice ever having been brought before any court of justice. There have recently been cases of personation brought before the courts. The person acquiesced in the judgment, and upon their expressing their contrition they were let off, 5042.—It would not be an expensive process to bring actions for corrupt practices against many individuals in reference to City elections, because nearly all the witnesses would be in the City. Does not think the expense would stand in the way, because the Court of Aldermen and the Court of Common Council have ordered proceedings to be taken by their solicitors against parties so offending, 5043.—There have been instances of personation and bribery. A reward was offered to any one who would come forward and state cases of bribery. Both courts in the City did the best in their power to direct that the matter should be inquired into. The difficulty of proving the cases has been the ground of abstinence from prosecutions, and not from any reluctance to apply funds in that manner, 5044.—Assures the Commissioners that the strongest possible declarations and denunciations have been uttered by both courts against these proceedings, they feeling themselves injuriously affected by them, 5045.—A protracted poll increases the expense but checks bribery, 5047. —No doubt a portion of the electors who are disposed to receive bribes hang back to the last, and then attempt to sell their votes at a high price, 5048. —If there was one list for municipal purposes, and that list were carefully revised, it would diminish the personation, 5049.—By vigilance and perseverance, and its being distinctly understood that persons committing the offence would be punished, the evil would be mitigated, 5050.—Under an Act of Parliament referred to, there is a provision for making a municipal list. Reads provision of 12 & 13 Victoria, Bribery and personation are very rare at the wardmote elections. Thinks that would be the case if the qualification were the same for voting at common hall. The greatest difficulty at common hall is, the liverymen are not known to the corporate officers, 5051.—There are no lists of the liverymen with the corporation. Thinks there are lists in all well-regulated companies, 5052.—There is no authentic list to which the poll-clerk can refer to see whether a man is intitled to vote, 5053.—Has no doubt that the circumstance of electors living at a distance has a tendency to increase the expense and the possibility of personation, 5054.—For a great length of time committees of different descriptions had been appointed in the corporation of London with respect to the promotion of the bill in 1851; but before this bill was presented to Parliament, there was another committee appointed. Eventually they agreed in the adoption of a certain number of propositions which are embodied in this bill. Thinks it was with the assistance of a committee of aldermen. The bill was laid before the common council, and presented to Parliament with the sanction of the common council, 5056–5058.—No doubt, when the bill was brought into Parliament it was the decision of the majority of the body, 5059.—

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States the leading provisions of the bill. The preamble recites the 11th of George I., which is the stumbling-block which has always stood in the way. It recites that other Act of Parliament, the 12th & 13th Victoria. States preamble. The first provision is for the repeal of the 11th of George I. The second is as to the right of voting at elections. States preamble, 5060.—If that Act had passed, there would have been but one constituent body for all civic purposes, 5061.—Thinks that electoral franchise is not the same as the one adopted by Parliament for the boroughs of England; generally it is rather more extensive, 5062.—It would include more people. It fixes a limit of 10*l.* An occupation of 10*l.* in the City of London is, in fact, no restraint whatever; the commonest room in a house would let for 10*l.* a year, 5063, 5064.—It requires that the constituency shall be rated to the police rate. It was found practically that 10*l.* was the lowest sum that would ever be rated to the police rate. The object is to give some ready test whether a man was a proper person to be admitted, 5065.—Except for that purpose the mention of 10*l.* would be mere surplusage; it is surplusage in effect, 5066.—The clause introduced into this bill was preferred to the clause in the general Municipal Reform Act, because it extended the franchise more widely, 5067.—It was considered by a committee, after due deliberation, that the clause in the general Act hardly applied to the description of persons which they were desirous to include in the franchise, namely, those who hold a single room for the purpose of an office or a counting-house; and this clause is rather drawn with reference to that state of things in the City of London, 5068.—Residence is not at all mentioned in any of those enactments with reference to the distance at which voters may reside, 5069.—The principle upon which the bill is constructed is, that voters shall be at liberty to reside where they will. As nearly everybody in the City of London reside in the suburbs, this clause was drawn with reference to that particular distinction. The object was to increase the constituency, 5070.—Does not think it has been ascertained what the number of the constituency would have been if the bill had passed. The list of voters and householders which he gave in yesterday was made under the Act of Parliament 12th & 13th Victoria, 5071.—The other provisions in the bill may be regarded as subsidiary enactments, 5072.—The cause of its being lost was the active opposition of several of the livery companies. Was present all the time, and thought the preamble was proved beyond all possible controversy, but to the astonishment of everybody it was declared not proved. The result was that the bill was referred to a select committee at the House of Commons, and that committee found that the preamble was not proved. That was in the session of 1852, 5073–5075.—The corporation were no doubt extremely sorry that this bill did not pass. The constituency was so gradually being reduced that they felt they were bound to take some steps to increase it. The course which had been adopted before had been that of obliging people to take up their freedom, and they therefore fell back upon the transactions which had been taken with respect to that measure. Two from each ward were selected; and the selection was made with extreme caution, in order to avoid all poor persons to whom the payment of the small sum now necessary for obtaining freedom might be inconvenient, 5077.—The effect of the bill would have been to deprive the livery companies of their monopoly of the elections at common hall, 5078, 5079.—Supposing a liveryman resided away from the City, and had no occupation within the City, he would under the new franchise have lost his vote; but thinks that would not signify, as it would be exceedingly difficult for a non-resident liveryman to support his right to vote at all, 5080, 5081.—There were only a few persons proceeded against, for the purpose of obliging them to take up their freedom. A witness spoke of the proceedings against them, but it was in fact nothing but a summons from the chamberlain for them to come forward and show why they did not take up their freedom, 5082.—There were a great many notices of this kind issued; hints they were intended to be, but not threats. It must always be remembered that persons who are not freemen are, to a certain extent, carrying on their trade to the disparagement of those who are, 5083–5085. —Cannot say how many notices were issued. The whole case was put in a course of inquiry, in what may be called an amicable suit with Mr. Sturt. The Court of Aldermen and the Court of Common Council had

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previously directed the chamberlain to abstain from summoning them; but when the bill was lost the ordinary course of proceeding was adopted, 5086.—These notices were issued without any distinction being made between rich and poor; but when the committee met together, they had to select some persons to be proceeded against. A common councilman of each ward, who knew them, was placed on the committee, and those whom he stated to be poor were passed over, 5087.—The duty of judging whether a man can afford to pay or not, was necessarily cast upon the committee, but it was never done in a single instance in which it was not charitably and beneficially intended, 5088.—The object of proceeding against persons to compel them to take up their freedom was not with a view to raise money but to increase the constituency, 5089.—That would not effect the object that the Act was intended to effect, because it would not bring into the constituency a vast number of persons who merely occupied shops, but were not resident, 5090.—Being a freeman, the probability is that he would be resident, 5091.—If the bill had passed into a law, it would have done away with the necessity of any man taking up his freedom for the purpose of the franchise, and that was the intention, 5092.—That bill would have disfranchised a considerable number of liverymen, who are not occupiers under the description of that bill, 5095.—It would have had a double operation upon the livery with respect to the franchise; it would have admitted freemen, not liverymen, to vote at common hall elections, and it would have disfranchised liverymen who were not occupiers, 5096.—Believes the Act of 12th and 13th Victoria makes the parliamentary registration necessary; this bill did not do so, 5097.—At present the liverymen vote for Members of Parliament, under certain circumstances, 5098.—It would be a different class of persons, in some few instances, who would vote on the parliamentary register, from those who would vote on the municipal register, 5099.—The disfranchisement of the liverymen for municipal purposes would not at all affect the parliamentary register, 5101.—The two are quite distinct, except that the Act of 12th and 13th Victoria made the parliamentary qualification a portion of the municipal qualification. It was necessary that the occupiers specified should be also upon the parliamentary register. That was introduced, and was thought a great disparagement of the Act, 5102.—Thinks there is no instance in which the parliamentary qualification depends upon the municipal qualification. The parliamentary register does operate upon the municipal register, 5103.—No alteration of the municipal franchise would affect the parliamentary franchise, 5104.—If this bill had been passed instead of the previous Act, the necessity of being upon the parliamentary register would have been put an end to, 5105.—It would affect the relation of the parliamentary register to the municipal franchise, but not the converse, 5106.—It would have conferred the franchise upon persons who were occupiers in London, but not freemen, 5107.—There is another clause in the bill which would have exempted persons, who were carrying on business in London, but were not freemen, from being liable to be sued under the byelaws for so doing. One of the objects of the bill was to put an end to those byelaws. States preamble, 5108.—The bill would have destroyed the necessity of parties becoming freemen altogether. Since this has occured, a vexatious proceeding upon another portion of those byelaws, which required that persons should not employ servants who were not freemen, has taken place. The Court of Common Council immediately interposed, and referred it to a committee. That committee met and reported, and the byelaws, as far as that part of it is concerned, will be put an end to by an act of the common council, the bill having been ordered to be prepared, 5109.—Is referring to the case in which some complaint was made to the Commissioners by the butchers. The cause which led to that complaint will be put an end to by the passing of this bill, 5111.—When that bill is passed, it will be competent to the butchers, or any other tradesmen, to employ under them any one they think fit, even if he is not a freeman, 5112.—Cannot say whether then there will remain any power in any company to restrict a tradesman living in the City of London from employing any person he may think fit. It depends upon the charters of different companies, and byelaws applicable to them. The corporation have done all they can to remove any cause of complaint, 5113.—The rights of the City with respect to

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metage and porterage will be found properly described in the charter of James I., and it is subsequently repeated in the charter of Charles, and after that it was confirmed by Parliament. Calls attention to the Coal Act, as the right was stated most distinctly in that Act. There is this clause: It should be distinctly understood that the duty which is paid on coals was heretofore a fee, paid to the corporation of London in consequence of their having the right of measuring all articles within this port, 5114.—It was a sum originally paid for the measuring of coals, and was in the nature of a commutation under this Act. The Act provides that there shall be a new market, and it puts an end to the old market. Quotes Act, 5115, 5116.—The effect of that Act is to impose a duty upon coals and culm, for the purpose of establishing that market. That market has been established, and the City, upon a recent occasion, abandoned their claim to that penny. The expenses of the market had not been quite paid off, but they were in such a situation that the corporation felt themselves justified in abandoning that penny. The government thought it was expedient to continue the duty, and they now receive it for the purpose of applying it to public improvements. Reads 60th clause, 5117.—It appears to be quite clear that King James recognised the existence of the right of measuring those different articles as a prescriptive right, and that this Act of Parliament confirms both, 5118.—To a certain extent, the dues charged for metage are reasonable. The matter is now under the consideration of the corn trade, on the one hand, and the corporation on the other, whether some arrangement may not be made which would have the effect at least of making them more conveniently collected and more simply imposed than they are at present, 5119.—It is not quite a true view to suppose that the metage dues are charged as a tax upon all goods that come within the port of London, whether they are measured or not. This matter is under the consideration of the corporation, and the corn trade, and all other persons interested, have been or will be consulted upon the subject, 5120.—The amount of the dues has been fixed by usage, 5121.—In some degree it has been regulated by acts of the common council. The dues have varied upon different articles. There are as many as fifteen different modes of charge, which have arisen from the new cargoes which have been brought in, and the new arrangement of the dues. The object at present is to bring it to one plain charge to be made upon all articles, and to have it paid by the seller; in truth, the object is to put it upon such a footing as that it will be agreeable to the trade, and moderately remunerative to the corporation, 5122.—Has no doubt that the grant was made to the City for convenience to the public, by providing a class of meters whose honesty and accuracy could be relied on, but that a reasonable remuneration was given to the City for their trouble in executing the duty, 5123, 5124.—Reconciles with that view the claim which the City make to compel persons to submit to the measurement; because such a measurement was essential to the interests of the Crown; in the first instance, there being certain duties to be paid; and next, because in all those matters general rules are laid down which do not except particular cases, 5125.—States that the question as to when goods are imported from another part of the kingdom, and are not subject therefore to duty, and the owner is aware of the quantity of those goods from his own measurement, and does not wish that they should be re-measured, is a case to which the general rule ought to apply, is a question of law which is now pending, 5126.—That question has been raised by the City itself. The City has demanded the toll under such circumstances. Believes that mode of carrying on trade is, comparatively speaking, of a modern date; almost all corn and grain, and articles which came into the port, were those which did either, with respect to the duty payable to the Crown, or with respect to the interest of buyer and seller, require to be measured; of late years persons have made their own arrangements for the facility of their own trade. They have, for instance, either raised their own corn in the country, or bought it in the country, or partly manufactured it into malt, instead of leaving it in its natural state, and they have brought it up to London for their own consumption. It is a case of that kind which has led to the question between the City and Messrs. Combe and Co., 5127.—That case has led to very long and expensive litigation, 5128.—If the practical utility of numbers of those

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exclusive trade privileges were considered upon the mere question of expediency, a vast number of rights would be put in peril, 5129.—If the law decides that the corporation of London do not possess those exclusive trade privileges there is an end of the question. If, on the other hand, a remonstrance is made to them, such as is made at present by the trade upon this subject, feels confident the corporation will entertain the consideration, and will do willingly of themselves that which equity and justice may require, 5130.—Holding the office he does, and representing to a certain degree the rights of the City, he cannot admit that there is any right whatsoever to take away this privilege from the corporation without making ample compensation, 5131.—He can see no distinction between the pecuniary right of a corporation to emoluments derived from the exercise of a function of this description, which was given to that corporation for the benefit of trade and their right to any estate which they might possess, 5132.—Cannot consider these privileges in the nature of public trusts, 5133.—States the extent of the right of metage according to the construction which has been put upon the grant of James, 5134–5136.—Believes that the practice in the City goes to the full extent, this matter having been inquired into by the fruit meters, and the persons engaged in that trade and in the corn trade. They are desirous there should be sworn meters. At the railroads out of the City of London, where the jurisdiction does not extend, they have voluntarily sent themselves, and desired that the City meters should go and measure the corn. The same observation is applied also to the porterage, 5137.—If it were optional to the public to employ meters without its being compulsory upon them, the probability is that you would hardly be able to keep up such a staff of persons as would have the power to execute it. It should be at all events compulsory upon all foreign corn imported into this country; but as in the case of Combe and Co., where they desire their corn to be carried to their own granaries, it should be optional, 5138.—There is a negociation now going on between the corporation and the trade, upon this subject, 5139.—Applications having been made to the common council upon the subject, the matter was referred to a committee, who took evidence on 34 days; 67 witnesses from all branches of the trade were examined. In the meantime there were two meetings of the corn trade. They met and came to certain resolutions, which were communicated to that committee. Mr. Hales was in a great degree the organ of the trade; the lord mayor being the governor of the fellowship porters, and one of the deputies of the common council being the deputy governor. They met at the Mansion House. The resolutions which were made by that committee were read to the corn trade. They sanctioned many of the resolutions and added others of their own. Thinks it will result in an agreement that a bill should be brought into Parliament, with the consent of all parties, and which therefore will be an unopposed bill, 5140.—It is proposed that the charge for metage should be one and simple; that there should be no expense in collection, but that it should be paid by one person, namely, by the seller; and that, as far as the granaries go, the metage should be optional, 5141.—It is held out by some persons that if these alterations were made the increase of the metage would be very great, 5142.—The duty of metage is one which affects the health most considerably. The meters are subject to particular disorders, especially asthma, which render them in a short time unfit for work. Metage requires a good deal of personal exertion, and is a work of considerable difficulty, therefore a superannuation fund is essentially necessary, that the public may be supplied with efficient meters. They have established a fund of that kind themselves, and put into it occasionally certain sums of money; the result of all this is, that their remuneration at present is hardly sufficient for their support. Witness thinks some increase of their pay would be necessary. Does not think that even when it is put under this new arrangement there will be any surplus fund which would be more than sufficient to pay the meters' establishment, and give to the corporation a portion of that remuneration to which they conceive themselves strictly entitled, 5143.—The lord mayor, the chairman of the general purposes committee, and the gentlemen of that committee have taken an active part in this negociation, 5144.—Mr. Perkins is the chairman of the general purposes committee. Mr. Alderman Muggeridge has taken an active part in this matter, as well as Mr. Rathbone, who is in the trade. Mr. Muggeridge gave in to the committee a statement of the alterations he would suggest, 5145.—The right of porterage is a prescriptive right; it is traced back as far as their documents will go. The notion has arisen that it was particularly sanctioned at some late period. That is not so; it was pre-existing, and those are only new regulations made with respect to it, 5146.—Believes it has been made the subject of acts of the common council, which from time to time have passed, and which have made minute regulations on the subject, 5147.—Unless it is mentioned in some of the charters it is a prescription proved by usage, 5148.—The prescriptive right would be defined in all its parts by the usage upon it, 5149.—Upon the river their duties extend beyond the City proper, and that is one of the difficulties they have to contend with; because as they are obliged to be ready at all times,—the meters to do the meterage, and the porters to give their assistance,—they are sometimes called to a great distance from the City, 5150.—The right of porterage is held to be coextensive with the right of meterage, 5151.—The metage appears to be defined by the grant of James I., 5152.—There is no mention of porterage in that grant, 5153.—The ground upon which the right of porterage has been held to be coextensive with the right of metage, and to reach from Yantlett Creek to Staines, is because it has been so exercised within those limits, and because it is found in the entries of the corporation to go as far back as the entries themselves, 5154.—Witness here states the peculiarity in the port of London with respect to the position of the porters, 5155.—If you leave it to the option of the captain to employ other persons, then arises the difficulty that you will not have this body of men ready to discharge the duty, 5157.—It is supposed that the establishment of porters at present is rather expensive. At present there is a great evil existing, which is contrary to the regulations that have been made for the discharge of the duty by the corporation, that there are a great number of persons who do not live in London, and never discharge any part of the duty. The consequence is that there is an application made by the trade that a larger number of porters should be provided, 5158.—There are members of the fellowship who vote upon particular occasions and represent themselves as porters, but do not contribute to the available labour of the port, 5159.—Knows nothing of Liverpool. The result of witness's inquiries is, that there is no analogy which can be adopted usefully between the other ports of England and the ports of London, 5160.—Refers to page 525 in Mr. Norton's book, in which there is an allusion to a charter of the 16th of Charles I., 5161, 5162.—There are two or three classes of porters. The clause in the charter refers to the tackle or ticket porters. It is necessary that the Commissioners should understand the manner in which the metage is performed. Witness here enters into particulars concerning the manner in which the metage is performed. It would therefore appear that there is a natural sort of affinity and union of the two bodies that is not to be wondered at; that there is a provision that no meter shall employ any but a fellowship porter, 5163.—The fellowship porters are a distinct body. They are incorporated, and have a certain number of rulers and assistants and officers for the discharge of their duties, and the collection of their funds, 5164.—Does not consider the porterage as a City right. When they have any difficulty they come to the common council to legislate for them, and they have sometimes done so. The alderman for the ward of Billingsgate is *virtute officii* governor of that society, and the deputy of the ward the deputy-governor, 5165.—Imagines that if the privilege of the fellowship porters were abolished there would be a very precarious supply of persons to discharge the duty in the river, and those persons would not be under oath. Every porter is amenable to the Court of Rulers for his conduct. Complaints may be made against them. One of the rulers sits every day to receive the complaints. These restraints operate upon the men, 1566.—The City does not derive any revenue from the fellowship porters, 5167.—There are two bills pending; the porters applied to the corporation, and the corporation agreed to make them parties to one of the bills with reference to porterage; and the other is a bill in equity, solely with reference to metage, 5168.

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—The charges of the fellowship porters have been reduced lately by their own body, 5169.—They complain bitterly, and describe themselves as persons in a starving condition. Believes this to be very much the case, 5170.—There is a fund belonging to the fellowship porters, created amongst themselves by voluntary subscription. It is with a view to superannuation. Believes there is a considerable amount in their hands. There is some dissatisfaction among them as to the administration of it. They form a sort of benefit society, 5172–5174.—The rules now followed by the corporation with respect to preventing persons exercising a retail trade in the City who are not freemen are bye laws; one passed in the reign of James I., and the other in the reign of Queen Anne, 5175.—They are to this effect, that no person shall carry on trade within the City unless he is free, 5176.—It means trade generally. The distinction between wholesale and retail trade was with reference to merchandise. Formerly a merchant who came in was obliged to sell all his cargo without breaking bulk; such a person was not bound to become free, nor was he allowed to become free; he was not allowed to reside more than forty days in the City, and was obliged to be at a hostel, express provisions being made against his selling any of his articles in the inns, 5178.—Does not think that a merchant carrying on a wholesale trade in the City would come within the byelaw. The laws prohibiting his residence are absolute; but, according to the general law of the City, he would be compelled to be enrolled as a freeman, 5179.—The present practice is, that a great number of the bankers in Lombard Street and those places, and a number of professional men in Doctors' Commons, are not proceeded against, 5180.—The City do not enforce their byelaw against them, inasmuch as their proceedings would seem to come still less than wholesale dealers within the byelaw. The corporation have never tried to carry it out against them, not because they are powerful and rich. Is confident that if the other circumstances made it necessary for the corporation to proceed against any gentleman, they would as soon proceed against the first merchant in the City as against the humblest individual, 5181, 5182.—The feeling has been, that their time, engaged as they are in such extensive concerns, is too valuable for them to give up their services to the public, 5183.—They are afraid, by becoming freemen they may be made officers of the corporation, as, for instance, sheriffs. Witness thought it an extraordinary thing that persons of large property, making large fortunes in the City, should live there, make those fortunes there, go to Temple Bar, shake the dust off their feet, and have no more to do with the City. Witness called upon several of the bankers, put the case before them, and the invariable answer he received was, "You know how badly the corporation have behaved, by making gentlemen sheriffs in order to get their fines out of them." Told them it would never be attempted again; it was the intention of the corporation that the byelaws of the corporation should be enforced. At that time a committee was appointed to inquire into those byelaws. The bankers said, "They would be pleased to take up their freedom." Witness felt that he had no right to go any further to any gentleman, and point out to them that the corporation were intending to enforce them, and there the matter dropped, 5184.—The son of an alien (British born) can become a freeman of the City, with assent of the common council, 5185.—There are aliens all over London carrying on their trade. Aliens are allowed to exercise a retail trade in the City, 5186, 5187.—The City derives a considerable revenue from their markets, 5188.—The revenue derived from Billingsgate is from small tolls paid upon all articles bought and sold in the market, like tolls elsewhere, all over the kingdom, 5189.—There has been an Act of Parliament connected with Billingsgate market lately. All the markets are under the supervision of the comptroller, who can give the Commissioners authentic information upon the subject. Great additions have been made to that market, and the accommodation to the public wonderfully increased; that has been done by the application of the City cash, to be repaid by the tolls, without interest, 5191–5193.—Believes it is a free and open market. There is no provision that it should be, in the sense of its being exempt from the ordinary market tolls, 5194, 5195.—The jurisdiction of the City over sworn brokers has been another of the immemorial

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enjoyments of the City. It is chiefly the admission of the brokers, and the superintendence over them after they are admitted, which forms the connexion of the City of London with them, 5196.—The fee was fixed by an Act passed about the middle of the last century, 5198.—Having taken a bond of them, and sureties for their good behaviour, the Court of Aldermen are open to petitions from any person who is injured by the proceedings of a broker. States the proceedings of the Court of Aldermen when a petition of that kind is presented to them, 5200.—Such cases are not of frequent occurrence; since witness has been in office there have been 20 or 30 instances, 5201.—One or two a year; but for the last few years they have been more numerous, in consequence of the court taking considerable pains upon the subject of brokers. The times of speculation produced a class of persons whom it was necessary to keep in order. The court, and officers connected with brokers, have taken great pains to prevent misconduct, 5202.—The jurisdiction which the Court of Aldermen exercise over brokers is very beneficial, and it is of great importance that there should be in the Court of Aldermen gentlemen connected with the business of brokers in London. Has seen practical benefits result from it, 5203.—The court has the power of admission and rejection; they can strike a pension off the roll of brokers. They keep a roll of brokers, which is stuck up on the outside of Guildhall, so that if any person not admitted as a broker acts as such, anybody may ascertain whether he is a broker or not, 5204, 5205.—In case of a complaint against a sworn broker, it is referred to the solicitor to put the bond in force against him and his sureties, 5206.—Great pains is taken that the sureties should be responsible persons. The bond is ordinarily effective. The common crier is specially entrusted with the duty of making inquiries into the sufficiency of the sureties, 5207.—Any person who is a freeman, and can satisfy the court of his respectability, is admitted. Gives the form of admission. The expense of admission is about 18*l.*, including the freedom; he then pays a rent of 5*l.* a year, 5209, 5210.—The amount of the bond of the broker himself is 1,000*l.*, the sureties 250*l.* each, and a further bond in the sum of 50*l.* to ensure the annual payment; believes it is the same in all cases, 5211.—Thinks the supervision effective to a considerable extent. The court have from time to time considered the subject very much, and the present lord mayor is determined that the matter shall be further inquired into; alterations will, no doubt, be made. The bonds of both the principal and the sureties may be made more stringent or more explanatory than they are, 5212.—Thinks it would be desirable to perpetuate the jurisdiction. Thinks that some payment is necessary for the purpose of ensuring the respectability of the party applying, 5213.—The corporation have expressed their willingness to give up the tolls which are taken upon carts upon their entrance into the City. Those tolls have been mortgaged heretofore for public improvements; one was connected with the continuation of Farringdon Street. That money is either paid off, or it very soon will be; before any inquiry of this kind was suggested, it was the wish and intention of the corporation to get rid of it. The freemen of the places in which the toll is demanded are generally exempted from it; and that is the case in London. Strangers coming in are subject to it, 5215.—The average amount of the toll is about 5,000*l.* a year, 5216.—The case of London is different from other towns, where the jurisdiction embraces the whole town. A man coming from Hackney to Covent Garden cannot come through the City without paying. It is the consideration of these circumstances which has induced the corporation to think that they ought to give it up, 5217, 5218.—The case of Cambridge underwent a long investigation, 5219.—The ordinary case of tolls taken by boroughs is, that they are taken upon vehicles entering the town, 5220.—The City being only a small portion of the metropolis, the tolls are taken at the limits of the City, London Wall, Aldersgate Street, and other places of the same description. Farringdon-market used to be held in the middle of the public street; it was removed from thence, leaving the wide street unoccupied, and money was raised under the City seal, and charged upon the street tolls, 5221.—The connexion between the Watermen's Company and the corporation is this: The master and warden are sworn before the Court of Aldermen, and the

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Court have the approval of the byelaws under which they act. Hands in a return with respect to the accounts of the sheriff, 5222.

MEREWETHER, HENRY ALSWORTH, D.C.L. (*Resumed Examination.*)—On a former day spoke of the number of the charters, now delivers in an accurate list of the whole of them, 5223.—All the charters are not in the custody of the City; some are in the Tower, but this list is a complete one. Reads an account of the sums which were paid for each of the charters. Upon the subject of sewers, lays before the Commissioners a plan of the sewers of London, showing that there is no person in London who may not know where he can get immediate access to a drain, 5224, 5225.—This plan was made in 1841. The sewers are from time to time lengthened, and in 1847 a fresh plan was completed. Produces the report of Mr. Walker, Mr. W. Cubitt, and Mr. Brunel, on the subject of sewers. Reads a passage from a report by the engineer of the Commissioners, page 17. In the year 1844 a very elaborate inquiry was made into the entries in the corporation books with reference to freedom. Draws the attention of the Commissioners to page 74 of this document, where a minute account is given of the fees which were then payable, contrasted with the reduced fees which are now payable. At the close of this report there are suggestions for proceedings, which led to some of the proceedings which were enumerated the other day, 5226.—The report to which witness has alluded is that of a committee to the common council. Holds in his hand a report which was drawn up in the year 1842, made by Mr. Walker, the engineer employed by the Government in different works, by Captain Bullock, he also having been lately employed by the admiralty and the officers of the corporation, the water bailiff, the engineer of the navigation committee, and other subordinate officers. This report goes at great length into the question of the management of the stream of the river, and to describe it generally. It is quite obvious that all the projecting banks, or wharves, or irregular projections of any kind on the side of the river must have a strong tendency to interfere with the operation of the stream. The scour is materially interfered with by those projections, and the force of the stream is lessened. It would be impossible, from the greatness of the expense, to carry out a plan of the uniform embankment of the sides of the river. To do the whole at one time would be absolutely impracticable; but to bring it about by degrees, by getting a certain frontage wherever any alteration was wanted to be made, and by maintaining that frontage inexorable from time to time, thereby gradually increasing the bank of the river, which would be properly embanked, would be a feasible plan, and Mr. Walker recommended it should be done, 5227.—Mr. Walker's plan went up to the first lock upon the Thames, at Teddington, and from thence down below Gravesend. The line laid down by Mr. Walker in these plans is denoted by a blue line, 5228.—Mr. Walker speaks of the expense of embanking the river as so large that it is quite impossible to be contemplated. He did not go very accurately into the details of the estimate, because the engineer arrived at the conclusion that it could not be done as one act, but might be done by degrees, by persevering in the line. That line the navigation committee have endeavoured to enforce, never allowing, where they could avoid it, anything either to be within or without the line laid down by Mr. Walker. In carrying out that plan the committee were too glad to adopt any opportunity which occurred of having as long a space of embankment made by any person as they could, and therefore they have granted to Mr. Parke to make a considerable embankment just above Battersea. They have granted to Mr. Cubitt, down by the Isle of Dogs, a license to make an embankment for nearly a mile. All those embankments are required to be made either upon piles or of solid materials, so that there shall be no washing away of the banks. The corporation made a grant to the Atlas Insurance Company for an embankment. Those grants having been made, then began the proceedings against the corporation. The disposition to put the matter into a course of legal investigation arose, to a certain degree, out of a Bill which was pending in Parliament for a pier at Greenwich. The Hospital was much interested in that pier, and it has been the practice of the navigation committee not to take any payment with respect to any Government or any public works. The Greenwich Pier Bill was brought in in the year 1837. A clause was introduced by the Crown, reciting the right to the soil of the river. That clause was objected to, and eventually struck out; at last the bill was agreed on. There was a letter from Mr. Pemberton to Mr. Tyrrell, and the answer of Mr. E. Tyrrell to it as to the alterations. Eventually it became a matter of arrangement, but this, coupled with the grants alluded to, seems to have made an impression upon the Government, and they consequently filed an information in the Court of Chancery for the purpose of having the matter decided. Mr. Pemberton's evidence certainly had a tendency to cast censure upon the conduct of the corporation in the case. The corporation feel most strongly that they have grounds of complaint as to the manner in which that suit was commenced. Of course there would be a disinclination to go much into that matter, it being before the court to be decided. The course which was adopted was one of entire novelty; it was novel in some respects from necessity, because the jurisdiction of the Court of Exchequer having been superseded, the proceedings, instead of being in the Exchequer, were transferred into the Court of Chancery. It was contended by the corporation that this proceeding was very unusual, inasmuch as it tried to cast upon them the vindication of their title, instead of the question being raised as to the title of the Crown. Nevertheless, the information began with the positive allegation of the general title of the Crown to all the sea shores. Reads extract from the information. This is a strong and startling proposition, which involves and claims the right to actual property, at the lowest computation in about 700,000 acres of land. It was measured as well as it could be from the ordnance maps, taking care always to make the calculation rather under than over the mark, 5230.—Thinks it would be difficult to set up the right of prescription; no doubt a grant might be set up, 5231.—If the assertion in the information of the general right of the Crown be correct, then of course it would be upon the corporation, who claim the right of the soil between high and low watermark in the Thames, to show by what title they have it. Presumes that was the object. The information sets out with the assumption that the title was in the Crown. If that is conceded, of course anybody who claims the above must show it to be in him, 5232, 5233.—The corporation contest that maxim of law, that the soil between high and low watermark is in the Crown. In the abundant stores of historical and legal information which there are in this country, there is no trace whatever in any of the early records of a right so extensive, and so pervading the whole kingdom, as this which is here claimed, 5234.—The City maintain that this proposition cannot be supported by the Crown, if it seeks to take the river out of the possession of the City, which they clearly have, by acts of possession, exercised for years upon it. They say it must be done in the ordinary course, by a process of intrusion. The Crown would then have to establish its right, instead of beginning with an assumption of the title of the Crown, and calling upon the City to show that it is out of the Crown, 5235.—Possession has been exercised by the City over and over again. Acts of ownership and of interference with the soil have been done. It is impossible for anything to be more distinct than the claim of jurisdiction, which would give them jurisdiction as conservators, and any act done interfering with the soil. Acts interfering with the soil must be attributed to the ownership of the soil; an act of conservancy would be attributable to the jurisdiction which is given. Looks upon that as a mere abstract proposition, which cannot at all be tenable when the facts as to the ownership be looked into, 5236.—The City place and regulate the steps for the use of the river in all parts of it. They had an altercation with the Crown in the reign of Henry VIII., when a grant was made of a particular spot by the Crown. It was resisted by the City, and abandoned by the Crown. They established the waterworks at London Bridge for the supply of London with water, 5237.—The machinery was placed upon the soil, 5238.—There was no Act of Parliament authorizing them to make the waterworks; but a grant was made by the City to a particular individual that he should erect his machinery there, and he did it. As far as witness can judge, there are most distinct acts of ownership to be shown. Looking to the record of Doomsday Book, which is a record giving all the property in the country in minute detail, beginning

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always with property which belongs to the King, there is no trace throughout Doomsday Book of any terra regis of this kind on the sea shore; but on the contrary there is an instance of a mill at Dover on the seashore which belongs to the Bishop of Bayeux, 5239.—Thinks it would be specifically mentioned in Doomsday Book, if the Crown was the owner of the soil of the Thames between high and low-water mark. There are properties of the kind mentioned in Doomsday Book, Refers to one particularly, the salt pans all round the kingdom, 5240.—The City has no charter or grant affecting the origin of the right to the soil of the river, 5241.—Could suggest what the City consider to be the origin of their right, but would rather not, because he would be affecting those rights pendente lite, 5242.—Imagines it can only be a matter of legislation, subject to the ordinary rules of compensation, to those who are in possession, 5243.—That previous condition always being performed by compensation, thinks it would be wrong to contend that a public river of such extreme importance as the Thames could not be the subject of legislative enactment, because it has been so, and may be so again; but that is altogether distinct from the question of property in the soil and bed of it, 5244.—Considers that in legislation Parliament would proceed upon the ordinary ground of giving compensation to any persons who may be affected by the proceedings in question, but of course the right to that compensation should be tried by the ordinary courts, 5245.—Thinks an inquiry by the Commissioners as to the mode of supporting the title in those ordinary courts might prejudice the case of the corporation, 5246.—This is not the first time the question has been raised in reference to the right of property to particular spots in the river, but it is the first time this general allegation has been introduced. Believes the claim to the soil between high and low watermark to be new, 5247.—There is no doubt there are cases in which the soil between high and low water may belong to a particular individual, independently of such a general claim as this on the part of the Crown, 5249.—Supposing the spot in question was between high and low watermark, if the suit were decided in favour of the Crown, is quite prepared to contend that it was a wrong decision. Tracing through the statutes, through the cases, and through the year books, and the immense mass of information which is to be obtained upon that description of rights, there is no mention whatever of a general right of this description, 5251.—The soil and the bed of the Thames the City claim to hold by prescription, indicated by successive acts of ownership from a very early period, 5252.—Attention has been called to complaints of the conduct of the City in the character of conservators of the river, with regard to obstructions, made by Mr. Matthews. The Master of the Rolls directed that the navigation committee of London and the corporation should do no act at all interfering with the river, without sending notice of it to the Woods and Forests. That notice has ever since been sent. Many hundred embankments and accommodations have been granted upon the river, and no complaint whatever has been made to the Master of the Rolls with respect to any one of those grants, 5253.—Is perfectly acquainted with the case of Mr. Matthews. If parties have a complaint to make which they can substantiate, they would go to the jury of the conservancy and they would present it to the Court. Does not believe in this case there was any presentment of the kind. There was a complaint to the committee, but after due inquiry they thought they could not with propriety interfere, 5254.—Is confident that the statement of Mr. Matthews is not correct. He says in this particular case the City do not deny the obstruction is improper and ought to be removed, but they will not remove it. With respect to the revenue, which it is said the corporation receives, they derive no benefit from it; it is applied for the benefit of the river, 5255, 5256.—Whether the corporation receive any revenue in respect of the ownership which they claim in the soil of the river would involve a question whether the acts are attributable to the ownership or the conservancy. They do not receive any revenue from the relation which they sustain to the river, 5257, 5258.—In case it was thought fit to deprive them of that relation, any question of compensation that could arise would be in reference to the soil; they keep a separate account of the funds which they receive, and apply them to the improvement of the river, 5259.

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—With respect to the right of the soil, there are some rents which they receive, in fact; however, they are all carried to an account for the benefit of the river; the amount is very small, 5260.—Thinks 1,000*l.* a year was the statement of it, 5261.—It is a question of jurisdiction, not of property, 5262.—The complaint which has been made against the City in this respect is, that they are inert, and do not really exercise their jurisdiction to the extent which would be desirable for the public interests. Does not believe they are at all liable to that charge, 5266.—Assures the Commision that the corporation do act with vigour, and wherever they think they are justified in doing it they do it, and abide all the consequence, 5264.—Should say that the bulk of members of the navigation committee have a certain degree of knowledge of matters concerning which they have to determine, connected with the state of the river or harbour, and some of them most intimately acquainted with it, 5266.—Believes the harbour master is universally acknowledged to be a very competent person. Mr. Saunders is the water bailiff; Mr. Leach is the engineer, a most skilful person, who receives constantly the approbation of the committee, 5268.—Thinks those visits of inspection which the committee occasionally make to places upon the river is more than the performance of a mere nominal duty; that the investigations so made are practically useful, 5269.—States the kind of points investigated, 5270.—Has no doubt the object of the corporation in going on such visits is that they should not be altogether under the control of their officers. Throughout the corporation there is a strong, not misplaced, but reasonable jealousy of all their officers, and they choose to judge for themselves, 5271.—Believes that the powers of conservancy are exercised by the corporation in an efficient manner, and in a manner to give satisfaction to the public, 5272.—It was not thought to be expedient, till the corporation was relieved from imputation, to make any suggestions for the future; but if there are any suggestions made, expects it will be from the corporation generally as a body, either from the committee which at present represents the corporation, or from the common council themselves, 5273, 5274.—The Admiralty has no claim whatever with regard to the river, which comes into collision with the claim of the City. The question was settled years ago, 5275.—The only claim which the Crown has in reference to the river is represented by the Woods and Forests, 5276.—With respect to ballast, there is a sort of jurisdiction claimed by the Admiralty. That more particularly refers to the Trinity House, 5277.—The Admiralty is the general conservator of tidal harbours in this country as far as jurisdiction goes, 5278.—The Admiralty does not claim any jurisdiction on the Thames in that respect; there the conservancy of the City would override the Admiralty authority, 5279.—At present the Admiralty are calling for some returns with respect to the river, 5280.—The conservancy of the river is beyond all dispute in the corporation. In the reign of James I. there was a question pending, and the attorney-general for the Crown admitted that the corporation of London were the conservators of the river by prescription, 5281.—The property in the bed and soil of the River Thames is claimed by the Crown by virtue of the general proposition that the Crown is entitled to the soil in all ports and harbours between high and low watermark, 5282.—The City have nothing whatever to do with Westminster Bridge. They have to do with Blackfriars; in fact they built it, 5283.—London Bridge was built out of the revenues of the Bridge House estates and some other properties, in one way or other, by money raised by the City, as well for the purpose of building the bridge as making the approaches to it, 5284.—One abutment of Southwark Bridge is in the City Proper, the other is in Southwark. That bridge was built by a private company, 5285.—When the scheme for the establishment of a police was adopted, it became a question whether the police established by Sir R. Peel should extend over the whole of London or not. The citizens of London thought themselves justified in requiring a separate police; they made a strenuous opposition to being included in the general measure, and succeeded in obtaining an Act of Parliament to give them a separate police. Nothing can work better than the police does within the City of London; it is well carried out with respect to economy. Believes the rate is the same, 7*d.* in the pound, in both cases. It is an out-and-out 7*d.* in the City, but believes it is clogged with some other

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matters in the metropolis, 5286.—Believes in the county at large the Government pay a portion of the expense. It was stipulated in the City of London that the City should pay a considerable portion, and they do so, very much to the relief of the inhabitants, 5287.—The proportion which is paid out of the corporation funds in the City is the same as that which the Government subsidy bears to the money levied by rate in the rest of the metropolis, 5288.—The City obtains no portion of he Government grant. There are so many individuals in the City who do not contribute to the corporate funds, that the corporate funds are charged in a larger proportion for some of the items than any county fund would be. For instance, for prisons and the administration of justice the money all comes out of the corporate funds, and not out of the pockets of the general inhabitants. Till a county rate becomes necessary, the persons who reside in the City and make their fortunes there, have all the advantage of a lower charge upon them than those in the country at large, 5289.—Estimating the expenses of a police upon the footing of a charge upon property, the City is as cheaply watched as the rest of the metropolis, and with greater probability of a reduction than in any other case, 5290.—In point of area it would be different, because the proportion of valuable property upon any given spot in the City is so much larger than it is likely to be out of London, that they have, in point of fact, a larger number of policemen to take care of those properties than they have in the country, 5291.—It has been stated that the banks of the river between high and low watermark are not watched by either the City police, the Thames police, or the metropolitan police, and becomes in consequence the resort of thieves and vagabonds. Witness does not think the complaint can have assumed any very tangible shape, 5292.—When the land is covered with water it is under one jurisdiction, when it is uncovered it is under another, 5293.—The last witness was speaking of a particular case near Blackfriars. Thinks the omission to watch it really turned upon other circumstances. Believes it was private ground, and the police did not think themselves justified in entering it. In point of fact, the City watch the shore between high and low watermark so far as it is accessible, 5294.—As far back as history goes, the care and custody of the police of the City has always been in the hands of the citizens, either through the medium of the train bands, through the watch and ward, or otherwise, 5295.—In the rest of the metropolis it had usually been in the hands of the parishes, but when the general system was established for the rest of the metropolis under the control of the commissioners appointed by the Crown, the City thought they could do it better themselves, 5296, 5297.—Experience has confirmed that anticipation. There is a police committee under the presidency of one of the most practical men in the corporation, Mr. Alderman Lawrence. Nothing could be carried on more satisfactorily. There has been in one or two wards a little dispute about the rates; it has been referred to the surveyors, and in every instance settled to the satisfaction of all parties, 5298.—The Temple pays its police rate in the aggregate sum; it is not taken upon each set of chambers, 5299.—Before the City Police Act was passed the City was watched by the ward watchmen; there was a particular rate in each ward for the purpose, 5300.—There was both a day and night watch, 5301.—The Temple watched for themselves; they were not, practically speaking, included in any ward, 5302.—By the City Police Act the rate is made upon all the houses in the City, and among them upon all the chambers in the Temple, 5303, 5304.—They now pay a large sum. They choose to preserve their watchmen. The City police are ready to go into the Temple, but they do not, 5305.—Does not know what the police of the Temple cost. There are many parishes in London which still keep up their own watchmen, 5306.—States that they do not derive any benefit from the police rate, but they might if they pleased. It is by a special clause in the Act that the Temple is included within the Police Act, 5307.—St. Bartholomew's closes its gates, and so keeps the police out, 5308.—Thinks in that case it would be just, in estimating the cost of the City police, to add the expense of the Temple police to the charge, 5309.—Thinks the Temple tried to insert a clause exempting them from the charge of the City police, but were unsuccessful, 5310.—The remembrancer had the conduct of the Bill, 5311.—There was the same ground for having a separate commission for sewers as

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for a separate police; they thought they could do the business better for themselves. Their sewers' rate is low, and a further reduction is thought of. They believe their sewerage almost as perfect as possible; they are trying to bring it to perfection at as small a rate as possible, 5312.—The sewers are managed by a commission appointed yearly under seal of the common council, the Act requiring that a certain class of the corporation should be commissioners, the deputies of the different wards, for instance, 5313, 5314.—The police is managed by a committee sanctioned by an Act of Parliament, 5315.—The police and sewers are so governed that the accounts are kept distinct from those of the corporation, 5316.—The breaking up the business of the City into various departments has grown up as usage and the result of experience, and is of opinion that it is desirable that it should continue so, 5317, 5318.—Thinks it will be shown that the burden of tax is lower in the City than in other parts of the metropolis, 5319.—When an occasion arises in which the City think they ought to institute a prosecution it is done by the Court of Aldermen; it is very rarely, 5320, 5321.—The cases are, when the injured parties are so poor, or where the enormity of the offence is such that they think it ought to be done, or where it is a particular case of fraud that they think likely to spread and become general; it is always watched with great jealousy; they are disinclined to appear where they could not be perfectly justified, 5322.—They have powers with regard to some of the municipalities in the north of Ireland, 5323.—The connexion between the corporation of London and the Irish Society is not very intimate, but some of the members of the corporation form the governor and assistants of the Irish Society, 5324.—Does not think any jurisdiction is exercised over the municipalities of Londonderry and some other towns. There was a petition from some parties in Londonderry to the Court of Common Council, 5325.—The petition referred to seemed to imply a doubt whether the City of London had not jurisdiction with respect to it. In this instance the jurisdiction was not exercised. Does not recollect whether it was because they had not the power, or because they did not think the occasion justified the interpretation, 5327.—It was a very long petition. Thinks there was a particular party at Londonderry who wanted their interposition for some purpose of their own, 5328.—Has never directed his attention to the powers and privileges of the corporation with reference to those other corporations in Ireland, 5329.—Will lay before the Commission a complete statement of the charters, and of what has been done in respect to the Irish Society. Has a book containing Lord Lyndhurst's judgment upon the case which was before the House of Lords, and the accounts delivered by the Irish Society to the corporation, 5330.—The nature of Sir Thomas Gresham's will is to give the property mentioned between the corporation and the Mercers' Company; they both appoint committees, who act sometimes together and sometimes separately; they each have their particular departments. Under their care the Royal Exchange was rebuilt after the fire of London, and again after its destruction by fire in 1835. The City's moiety of the last rebuilding to the 31st December, 1846, was 84,267*l.* 3*s.* There has been an elaborate report with respect to the building of that establishment; the corporation have also published several reports. There are a certain number of professors appointed under this will, who give their lectures at Gresham College. The lectures used to be given at the old Exchange, but it was thought better to keep the college detached from the place of business. It was therefore rebuilt at the corner of Basinghall-street. This was done during the years 1842-3-4, at a cost to the City for their moiety of 6,955*l.* 15*s.*, 5331.—There are four professors elected by the Gresham committee of the corporation, and three elected by the Mercers' Company, 5332.—The lectures, with one or two exceptions, are not well attended, 5333.—They are gratuitous, and chiefly given in the morning, which the professors think is the cause of their being so badly attended, people being otherwise engaged, 5334, 5335.—The City spent more money in building the Exchange and making the approaches to it than they have received from the Gresham estate, so there is a considerable debt; but the fund has been well managed, and the City has not hesitated to advance money, 5336, 5337.—States that there is great difference of opinion as to whether legal and valid customs of the City can be

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repealed by the general words of an Act of Parliament. That has been and is still a point of dispute, 5338.—The opinion of the Queen's Bench when the matter was brought before them was, that the general words of an Act of Parliament could defeat the customs of the City, 5339.—Believes the point has never been decided by the highest courts, 5340.—Thinks that the view of the Courts on the matter would very much depend on the wording of the particular Act, and on the nature of the particular custom, 5341, 5342.—That each case would be open to argument as it arose, 5343.—Has never been able to satisfy himself whether the companies may be said to be a part or an adjunct of the corporation. With very few exceptions they act almost wholly independently of the corporation, 5344.—The companies, with the exception of the Goldsmiths', Stationers', Apothecaries', and Vintners' have no connection with the trades whose names they bear, though witness thinks it would be an easy and desirable thing for them to interfere with their trades, 5345.—If all the companies were dissolved, the elections under 11th George I. could not take place, 5346.—Supposing the livery were removed, the operations of the Act of the 11th of George I. would be limited; but witness thinks there might be a common hall, consisting of freemen, 5348, 5349.—They would not have the power of election, that right being regulated by that statute of George I., 5350.—In point of practice now, only liverymen attend the common hall both for elections and other purposes, but that was not the original constitution of London, 5351, 5352.—Knows of nothing but that Act of Parliament to exclude a man who is not a liveryman, but a freeman of the City and of a company from attending a common hall called by the lord mayor, were he to insist on doing so, 5353.—It is a fact, that taking the practice and the byelaws which had been made before the 11th George I. and that Act of Parliament together, there could be no elections in common hall if there were no companies, 5354.—Thinks it an anomaly that only that class of freemen should be allowed to act who are selected by other people not connected with the corporation, 5355.—That very circumstance brings those companies into connection with the corporation, as far as those elections go, 5356.—With respect to the 40 feet way, upon which evidence was taken at some length. After the fire of London there was a clause introduced into an Act of Parliament which required that a passage of 40 feet should be continued from the Temple to London Bridge. There was a complaint made against the corporation that they had not maintained that 40 feet way. Some persons in the City were very desirous that that way should be kept open, which alarmed Mr. Calvert, whose extensive brewery is upon the line, and he applied to Parliament for a Bill to repeal that clause in the Act. The City of London, though not called on to keep this 40 feet way clear, thought it was not quite justifiable to repeal that clause in the Act of Charles II., and accordingly they opposed as strongly as they could the Bill of Mr. Calvert. Reads statement which the remembrancer made to the court on 22d February, 1821. The City opposed the Bill with their utmost strength, but were not successful, therefore no blame can be attached to the corporation for submitting to that which the Legislature thought proper to enact. There is a meeting, attended by the clerk of the magistrates, every Saturday, for the purpose of taking cab cases, omnibus cases, and cases more or less connected with the police, and the weights and measures, 5357-8.—Generally only one magistrate attends, but if the case requires two, two attend. The number of police cases heard by the City magistrates sitting at the Guildhall on Saturday of each week has been 2,553 per annum on the average of the last five years, or 49 cases at each sitting, 5359.—They are all advised by the same legal officer, 5360.

MEREWETHER, HENRY ALWORTH, D. C. L. (*Examination resumed*)—Produces the letter which Mr. Recorder read in his statement the other day, from the banker, Mr. Williams. In 1801 Mr. Williams retired. In 1805 Sir William Curtis, Sir Richard Carr Glynn, Sir Charles Price, and Sir John Perring, continued in the Court of Aldermen, as appears by the repertory of that date. Was interrogated upon the subject of Sir Thomas Gresham's will (lays the will before the Commissioners), 6727.—The land which was the site of Sir Thomas Gresham's house was sold a good many years ago to the Government; it was then converted into the excise office,

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6728.—The same land was again sold by the Government the other day, 6729, 6730.—The purchase was originally made under an Act of Parliament, and it remained vested in trustees for some time, till they were removed to the Royal Exchange, 6731.—A person from the town clerk's office is expected to attend all the meetings of the joint committee at the Mercers' hall, and is also called upon to keep a copy of the minutes in the office, 6732.—Does not know that there is any clause in the bill to the effect, that if the intentions of the testator are not strictly carried out, the property is to be forfeited by the corporation. Believes there is a general residuary clause, 6733.—The manner in which the Gresham Estate has always been superintended by the City, and their desire to augment rather than to lessen the funds would be a guarantee that at that time the best sum that could be obtained for it was obtained, particularly as they were dealing with the Government, 6734, 6735.—The increase of value of property within the City of London, from the circumstance of their building houses higher than they used to do, and their being used as warehouses, and particularly from so many streets being widened, would produce a very large difference, 6736.—In 1767 it appears to have been worth only 500*l.* a year, whereas in 1852 it was also worth a sum of 108,000*l.* Thinks the value of land in the City would have increased to that extent, 6737.—It is the same ground, but the circumstances are not altogether the same. It is said that the City sold this property, and made an improvident bargain; so bad a bargain, that in 1852 it being sold again by the Government, it is to be assumed that the corporation have mismanaged this estate. The conclusion, that the value of the property has increased to that extent, is a more reasonable supposition than that the other facts should have existed, 6739.—Calls attention to a report which was made in 1838 with respect to the lectures. The lectures were taken under the consideration of the committee for the management of the trust. A portion of the lectures being selected by the Mercers' Company and the other portion by the City, there was some little difficulty about moving the place where the lectures were to be given. A case was submitted for the opinion of Sir William Follett and Mr. Griffith Richards, and under their sanction they were removed, and are now given in the college, Basinghall Street. Witness reads the rules with respect to the lectures. The lectures are not largely attended, except those on music and astronomy; the lecturers are persons of known character and reputation. Lays before the Commissioners a statement of the City's moiety of the expense of building Gresham college, and the purchase of the freehold, 6740.—The lectures are given first in Latin, and then in English, 6741.—The Latin lecture is not given unless there are five persons present, which is very rarely the case. In answer to a former question states, that a part of the city of Westminster, viz., the liberty of St. Martin's-le-Grand, has been added to the City of London under the operation of the Post Office Act, 6742.—This Act was passed in 1815, upon which a sum of 240,000*l.* was advanced from the revenue of the Post Office, to be paid into the chamber of London, and the lord mayor, aldermen, and the commons in common council assembled were to have the administration of that fund, and the following clause makes them liable for any misapplication of it. The chamberlain was directed to keep accounts of the disbursements, and those accounts were to be laid before Parliament, 6743.—Does not think any portion of the county of Middlesex laying outside the boundary of the City has been annexed to it; if so, only a small portion near Portsoken. Refers to a subject on which he was examined before with respect to metage. Refers to a report to the House of Lords by certain commissioners sent to Ireland for the purpose of enquiring into the fairs and markets of Ireland, recommending that meters should be established in Dublin. Applications for similar constitutions are likewise made by Liverpool and Bristol. The letter of the secretary for Ireland is dated September 27th, 1852, 6744, 6745.—It is recommended that the meters should be appointed by the owners of the markets, 6746.—As far as Dublin is concerned the corporation are the owners of the market, but an immense number of markets are named all over Ireland, 6747.—They seem to contemplate the appointment of meters for dealings in the market, 6748.—It has been suggested that the amount of dues and metage paid in the outports was much less than in the Thames. Upon a

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reference to an elaborate report obtained by the General Purposes Committee it will be found that no direct comparison can be made. In the port of London the crews do not assist in the metage or delivery of goods, and believes it will be found that the dues in London are as low, if not lower, than in any of the outports. Captain Williams complains of a clause in the Act of Parliament which gives to the Court of Aldermen the power of dealing with the City prisons, instead of the magistrates in sessions, though he states that nothing can be more vigilant or effective than their supervision of them. Most of the proceedings of the Court of Aldermen are in public; but they have the power of deliberating in private when they think proper, to which Captain Williams objects, as it enables them to make grants of larger superannuations and payments to the officers of Newgate than he appears to think necessary. The expense of the management of prisons and the criminal jurisdiction is paid out of the corporate funds, and not levied upon persons living in the City, 6749.—The police fund is an entirely new fund, created under a new Act of Parliament, 6750.—Does not think the funds of the corporation of London were ever thought to be applicable to the police. The persons who live within the City, and carry on their business there, are exempted to a very great extent, by the application of the corporate funds, from payments to which persons living in other cities are subject, 6751.—The corporation does supply one-fourth of the amount required for the maintenance of the police. The prisons are under the direction of the corporation, 6752.—The sheriffs are bound with the custody of the prisoners committed to their charge, and as ancillary to that power the corporation look after the prisons within their jurisdiction, 6753.—The superintendent of police is appointed by the corporation under the Act of Parliament, 6754.—The collection of the rate and the expenditure of the money is under a committee of the common council, 6755.—Originally the citizens of London were compelled to do watch and ward, which amounted to the police of that day. Subsequently a police has been established, and a rate levied, which falls upon the inhabitants generally, who would otherwise have been obliged to perform those duties, 6756.—The corporation has only a limited control over the police. When the question of police was considered all over the country it became a question whether there should be a separate police for the City, or whether it should be included in the general metropolitan police, and it was decided by the legislature that it should be separate. Refers at length to Captain Williams' evidence with respect to the prisons, 6757.—The chamberlain's jurisdiction with respect to apprentices acts most beneficially. The chamberlain is always there to hear complaints; he decides them upon principles of equity, and it is only in the ultimate result that he commits to prison. In the Prison Act there is a clause which directs that any gaol built for any county, city, or town, out of the boundaries thereof, shall be deemed to be part and portion of the county, city, or town, to which it belongs. Produces a return of the salaries and incomes of the different officers of the corporation, 6758.—This return includes the emoluments of all kinds, and the sources from which they are derived, 6759.—Some of the offices continue to be saleable in this manner:—They were originally sold, with a power of alienation, while the holders were alive; with that exception there are none, and the corporation have not only ceased to sell any offices, but they are doing all in their power to bring up into their own hands those offices which heretofore were saleable, 6760.—The clerk of arraigns is appointed by the court itself, 6763.—Lays before the commissioners a list of the present office-holders under the corporation, who purchased their offices, with the sums which they gave for them. Likewise produces a list of the different committees, and describes the number of attendances in the course of the year, and the business done there, showing how, by the division of labour, different subjects are sent to different committees. The following is a summary of sums given by the corporation of London to public improvements or charitable purposes:—For improvements for 25 years, commencing in 1827, 560,064*l.* 16*s.* 10*d.*; donations for charitable purposes for the same time, 65,023*l.* 11*s.* 10*d.*; expended for public purposes for the like period, 25,869*l.* 7*s.* 10*d.*; new prison at Holloway, 91,547*l.* 10*s.*; total, 742,505*l.* 6*s.* 6*d.* The corporation have taken great care of education in the City; the City of London school has been of late years founded upon the munificence of a former town clerk,

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and also other funds which have been collected together, 6764, 6765.—Some of the schools are endowed under bequests, and others are supported out of the funds of the City of London, 6766.—The corporation act as self-created trustees, as far as their own funds go, and strictly trustees as far as the separate bequests go, 6767.—The schools in the City are Christ's Hospital, St. Paul's school, Merchant Tailors' school, and the school before named, 6768.—The connexion between the City and Christ's Hospital is very considerable. In the reign of Edward VI. funds were provided by the Crown, for the purpose of establishing Christ's Hospital, which were committed to the mayor, aldermen, and commons of London. At subsequent periods large sums have been subscribed by private individuals, and they form another body in the hospital. From time to time that body has gained more influence, and at last quarrels and disputes arose. An Act of Parliament was passed for the purpose of settling those disputes, and what is the construction of that Act is a question which for some time was agitated. All the aldermen are governors, also a limited number of common councilmen appointed by that Act, and they ought to meet and concur in matters connected with the hospital, 6769.—All persons paying a certain amount are governors, 6770.—Is not prepared to say that practically the superintendence of the hospital is in the hands of the corporation; Alderman Thompson is president. The lord mayor for the time being is usually appointed president, whenever a vacancy occurs, in that as in the other hospitals, 6771.—Those who become governors by subscribing towards the funds do not take an active part in the direction of its concerns. There is a body called the almoners, who have a considerable influence over the affairs of the institution, 6772.—The London almshouses were originally built for a particular purpose; that purpose ceased, and the subscribers withdrew their money to the extent of 843*l.* 15*s.*; but there are outstanding accounts for building, repairing, &c., amounting to 4,367*l.* 2*s.* 4*d.* It has been represented that there was a society for the municipal reform of the corporation. Only 1,200 have entered this society out of 125,000 returned by the Commissioners of Police as the population of the City, 6773.—The number of householders in the City in 1844 was 13,958. Thinks it right to state the fact that since these examinations have been going on, stating all the complaints that can be made against the City, and of the misconduct of the corporation, the annual ward-mote elections have taken place. There have been some changes by death or resignation, but there were not above two changes in the election of those common councilmen who formed the corporation last year. In those two cases it was a mere question as to the one individual being more active than the other. Of the 57 banking establishments in the metropolis, 44 are within the City, and 13 west of Temple Bar, 6774.—Is told there is a branch of the London and Westminster Bank east of the City, in Whitechapel, 6775.

MEREWETHER, HENRY ALWORTH, D.C.L., (*Examination resumed*)—Gives in a return of the thirty offices of the corporation which have been sold. One of the three fruit meters died in 1846, when they did not again sell the office, but placed a person in it who discharged its duties in a manner highly satisfactory to those connected with that trade, 7569.—These offices have been purchased by their present possessors, or their predecessors, who had the right of alienation. All the oyster meters and Mr. Ashley, one of the attorneys of the Mayor's Court, still possess this power, but an arrangement is about to be made with Mr. Ashley for his right of alienation, with a view of re-adjusting the Mayor's Court, 7570.—The same subject with regard to the oyster meters is now under the consideration of a committee of the common council, who have for many years been anxious to put an end to this system of sale and alienation, 7571.—Gives in the returns of Mr. Alderman Challis and Mr. Sheriff Croll, which were not ready when the other returns were delivered; also that of the conveyancing clerk to the comptroller. With respect to the offices in the corporation, they have been in the habit, whenever a vacancy occurs, of inquiring into the nature of the office, the amount of salary, and all the circumstances connected with it. Gives statement of all those inquired into since 1829, many of them more than once, as fresh vacancies have occurred, making altogether 87 reports, 7572.—There is a

MEREWETHER, HENRY A., D.C.L.—*continued.*

large public library containing about 20,000 volumes belonging to the City in the Guildhall, free to the citizens generally, at least with the form only of applying for an order from any member of the common council. The present librarian is perfectly competent to his office, and gives every facility to persons going there, 7573–7578.—Wishes to prove to the Commissioners that the statement in Mr. Bennoch's evidence is totally unfounded, "That in consequence of the negligence of the corporation and the Mercers Company, and through collusion with the Government, which in 1768 purchased the land and property of Gresham College for an annual rental of 500*l.*, the citizens or merchants of London have had alienated from them an amount of money equal to 108,000*l.*, for which this very plot of ground has been sold this year, which should have been appropriated to the purposes for which it was left by Sir Thomas Gresham," 7578.—The 500*l.* a year is paid by the Government to the Mercers Company and to the corporation, in equal moieties, and is charged upon the inland revenue of the country, therefore the 108,000*l.* is irrespective of the 500*l.* a year, 7579.—Believes the 108,000*l.* fairly represents the increased value of the property since the date of the former bargain, from the progress of time, the buildings put upon the property, and some addition which has been made to the area, 7880–7883.—It was no doubt valuable property 70 years ago, but at that very time a considerable quantity of land in Broad Street was let on building lease at 2*s.* and 2*s.* 6*d.* a foot frontage, 7584.—There is a small piece of property now vacant in Threadneedle Street, for which 30,000*l.* is demanded. A small house there was let 16 years ago at a rack rent of 110*l.* a year. It has been pulled down, the lessee having been compensated, and he has to rebuild and pay a ground rent of 268*l.* a year, with a few additional feet of frontage; so that an additional value, to the extent mentioned, may be clearly made out, and is informed that the bargain recently made is worse than that made in 1768, 7585.—There has been no calculation made as to what gross sum of money, instead of an annuity, the ground in question would have fetched in 1768, beyond that just stated, that land in the neighbourhood was at that time let at 2*s.* a foot frontage, 7586.—Gives in a statement of facts connected with the transaction respecting the college, extracted from the "Minutes of the Joint Committee of Gresham Affairs, City and Mercers Company," both bodies being trustees under Sir Thomas Gresham's will, and the Journals of both Houses of Parliament. Wishes to draw the attention of the Commissioners to the statute setting aside the "Judgment given in the Court of King's Bench in the 35th year of the reign of Charles II., upon an information in the nature of a *quo warranto*, that the liberty, privilege, and franchise of the mayor, commonalty, and citizens of London, being a body politic and corporate, should be seized into the King's hands as forfeited. And for as much as the said judgment is illegal, and for that the restoring of the said mayor, commonalty and citizens, to their ancient liberties, of which they had been deprived, tends very much to the peace and good settlement of this kingdom," it goes on to declare them a body politic and corporate, and they ought to "peaceably have and enjoy all their rights, gifts, charters, grants, liberties, privileges, franchises, customs, usages, constitutions, prescriptions, markets, duties, tolls, lands, tenements, estates, and hereditaments whatsoever, which they lawfully had, or had lawful right, title, or interest of, in or to, at the time of giving the said judgment." Therefore setting aside the judgment upon the *quo warranto*, it goes on with clauses which confirm everything belonging to the corporation of London, which restore all their officers, give validity to all that had been done by them, and entirely sweep out all trace of the former proceeding, 7588.

METAGE DUTIES:

Statements as to, *Acland*, 527.—(Of Corn.) Does not complain of the system of the City of London with regard to it, either as to the charges or the manner in which the duty is performed, *Hubbard*, 639.—The extent of these privileges is now in dispute, *Pulling*, 813.—The power over metage was derived from the grant of the Crown, and extends much beyond the limits of the City, *ib.* 838.—Not claimed upon the Para nut imported from Bengal, *Keeling*, 1592.—Statements with regard to metage, *ib.* 1585–1623.—Memorial presented to the Lord Mayor on the subject of metage on corn, *Hales*, 1634–1636.—Twenty-five different

METAGE DUTIES—*continued.*

modes of charge of metage, *ib.* 1638.—Corporation property, *Tyrrell*, 5428.—Statement of charges, *Hales*, 1648.—Right claimed by the City. Report of a committee appointed by House of Commons, *ib.* 1658, 1659.—Charge of metage at Liverpool, *ib.* 1663.—Opinion as to best way of doing the work, *ib.* 1667, 1668.—Of foreign corn, *ib.* 1677–1680.—Mr. Alderman Muggeridge has given much information on the matter of metage, *ib.* 1685.—It is a nominal measurement, of no service at all. The measurement is done by fellowship porters appointed by the deputy meters, *Alston*, 2251.—The corporation claim their title to metage by Act of Parliament in the reign of Richard II., *Pearson*, 5677.

METAGE AND PORTERAGE:

Statement respecting the claim of the City against Combe and Delafield, *Delafield*, *Fisher*, 601–631.—Is disadvantageous to trade in the City, as it renders commerce more expensive there than in other towns, *Elliot*, 1122.—The right of the corporation for metage and porterage extends to the whole of London, *Merewether*, 4819.—The rights of the City with respect to metage and porterage will be found properly described in the charter of James I., and it is subsequently repeated in the charter of Charles, and after that it was confirmed by Parliament, *ib.* 5114–5145.

METAGE AND FILLAGE:

Dues, prejudicial effects of over the shipowners, *Cherry*, 1984,

METAGE AND PORTERAGE SUIT. (*See* Combe and Delafield.)

METERAGE:

An unhealthy occupation. In consequence of this a fund has been established, which is paid out of the earnings of the working men, who only earn upon the average just sufficient to keep themselves respectable. The meter's office, from the origin, has been a self-supporting place, *Harris*, 7995.

METERS:

They form a fellowship which is not incorporated, *Pulling*, 828.—The City claim their privilege as meters sometimes where an importer does not wish his goods measured, *Cattley*, 1310.—Claim to attend and superintend cargoes, and make their claim for payment accordingly, *Keeling*, 1586.—Enforced the claim of measuring, *ib.* 1588.—The Customs authorities now attend with their own officers as meters, and save the charge, *ib.* 1590.—Not compulsory to employ City meters for corn out of granary, *Hales*, 1672.—The trade would prefer public meters, though the charge were higher than it ought to be. Letter from Mr. Stead, *ib.* 1676.—Appointed by the Corn, Coal, and Finance Committee. His duties, and how paid, *Harris*, 7978–7999.—The City meters superintend the measurement of all cargoes brought in bulk; Crown meters keep a check, and agree together on the duty to be levied, *Keeling*, 1597.—Receive about 5,000*l.* a year from the metage of fruit and potatoes, *ib.* 1608.—The City meters get three farthings for work done, the City three farthings for doing nothing, as dues, *Hales*, 1651, 1652.

METERS, OYSTERS:

The office purchased, long account of, *Pearson*, 5677–5684.

METROPOLIS:

Plan for municipal government of the whole of the metropolis, *Cotton*, 1834.—Does not consider the corporation as virtually representing the entire metropolis. As the legislature has already decided to enfranchise other portions of the metropolis as Parliamentary boroughs they ought to be enfranchised for municipal purposes also, *Lord Mayor*, 7196.

METROPOLITAN IMPROVEMENTS:

By proper management of the affairs of the City, enormous amounts might be saved for metropolitan improvements, *Elliot*, 1095.

MIDDLESEX SESSIONS:

Number of cases tried at, *Cotton*, 1861.—Thinks the effect of the restoration of the jurisdiction to the Middlesex Sessions has been very beneficial. Gives particulars of the sessions of 1853. The cost of a trial does not exceed 30*s.*, *Adams*, 7227.

MILLS, JOHN REMINGTON, Esq. (*Analysis of his Evidence*)—Has been a freeman and a liveryman since 1822. Has resided for the last five years at Englefield Green in Surrey, 984, 985.—Lived a few months in the City, and carried on business in Milk Street, Cheapside, for 21 years, as silk manufacturer, 986, 987.—Wishes to call attention to the manner in which the corporation of London abuses the privileges of electing the sheriffs of London and Middlesex by the livery, 988.—States opinion, that by the practice of the Privy Council in the case of sheriffs no gentleman, even if he is qualified by property, is required to serve the office of sheriff in a county in which he is not resident, 989.—Proceeds to state how in June 1848 he (witness), and also Mr. C. P. Bousfield, citizen and weaver, were elected sheriffs, (the aldermen having been first chosen, and excused, on account of their recent election to the office of aldermen,) without any previous information, and much against their wishes. By an act of common council the aldermen are required to be put up first, 990.—Mr. C. P. Bousfield and self paid the fine. The act of the common council, 1748, says, "That every alderman of the City who shall not have actually served the same office," that is, the office of sheriff, "shall, according to his seniority in the said Court of Lord Mayor and Aldermen, and before any commoner of this City, be publicly put in nomination for the said office." That shows that the intention was that the aldermen should be first put in nomination, 991.—Nomination certainly is one thing, and election another. It does not require that the livery should elect an alderman; but it says that an alderman shall always be put up first, evidently with the intention that he shall serve if elected. This being the case, it was not competent to those aldermen to refuse to to serve, 992.—The aldermen ought not to have applied to be excused, because they were elected aldermen under this act of the common council in force placing them in that position, and requiring them to be nominated first to the livery; but wishes particularly to call attention to this, that after Mr. Bousfield and witness had refused to give bond to serve the office, the parties who actually served were Alderman Finnis (who was on the list before witness, and ought to have been elected instead of him) and Mr. Goodhart, so that if Alderman Finnis had been elected at first witness would have escaped the fine. The report in the "Times" newspaper showed that there must have been some contrivance used to induce the livery to pass by that gentleman and elect witness, 993.—States opinion, that if there were no fines laid upon those who refused to serve the office of sheriff competent persons would readily be found, 994.—Thinks there are other motives besides the fear of the fine which induce competent persons to serve the office of sheriff, for the introduction to civic offices in London is in many instances by means of the shrievalty, 995.—Believes that the cause which induces persons to pay the fine rather than serve the office of sheriff is the disturbance to their domestic comfort, and the nuisances connected with it, 996.—But the great reason is to get rid of all connexion with the City, and not because of the expense attendant upon the office, 997.—Cannot say whether the fine paid for non-service of the office is less than the ordinary expense of the office, 998.—Never made any inquiry as to what the probable expense would be, 999.—There has been a practice of making appointments of sheriffs, not with the bonâ fide intention of their serving, but for the purpose of inducing the persons so elected to pay the fine. A return which the House of Commons ordered, proves that distinctly, 1,000.—It has not recently been the practice, which has diminished in the 20 years previous to 1848, but has been revived again to some extent lately, 1001, 1002.—There has been no opportunity of late years of putting forward persons to serve, because those who were willing to serve have made every effort to induce a sufficient number of the livery to vote in their favour, 1003.—Thinks that before the persons who were willing to serve were nominated half a dozen others might have been nominated who were not willing to serve, in order to induce them to pay the fines; but the persons who wanted to be sheriffs employed corrupt means to secure the election. Witness here describes the means, 1004.—If there was an intention on the part of the City now to use the election of sheriffs for extortionate purposes it might be done, as they have always two or three aldermen in reserve, whom they can require to serve when they find it difficult to fill up the office from the list of persons nominated; 1005.—The practice of having mala fide elections of sheriffs, for the purpose of extorting fines, was disused up to 1848; but since then Mr. Peto, the Member for Norwich, was nominated, and actually elected, without his concurrence, and other gentlemen also, 1006.—He pleaded the privilege of Parliament, and they were obliged to forego the fine, 1007.—The date of that election was 1849 or 1850.—Witness here describes the way in which undersheriffs play into their own hands, and also states that parties serving the shrievalty, after persons have paid the fine, receive 100*l.* out of that fine; so Alderman Finnis received 100*l.* out of witness's fine to pay his own expenses, 1008.—That 100*l.* does not appear in the return, because he did not receive it till Michaelmas, 1849, and the return stops in 1848, 1009.—This return shows the gross sums paid, and the deductions also. The gross sum is 66,000*l.* in half a century, or 64,000*l.* in 30 years, to 1829 inclusive, 1010.—Parties who pay the fine immediately after they are nominated are charged only 400*l.*, but if they are elected it is 600*l.*, 1011.—Witness now only wishes to call the attention of the Commissioners to the fact, that in the return as made to the House of Commons they were required to insert the residences of the parties who were so nominated and elected, and that though the chamberlain's office did not contain the addresses of the parties, yet they must be in some one of the offices of the City, and of course in making the return they could have supplied that part of the order if they had chosen, 1012.—If a gentleman resident in Northumberland were elected, the town crier would go down and inform him of the fact, 1013.—Supposes the object for sending the town crier in person to deliver the notice is preparatory to an action against the parties if they refused to pay the fine, or in order to be able to prove personal service. Wishes also to call attention to the appropriation of the fines. Witness here enters into particulars, 1014, 1015.—Believes that a fund, such as is directed in ordinance of the common council, has been subsequently created, and that these funds were transferred to a separate account for the establishment of a proposed school for the maintenance of education of necessitous orphans of freemen of London, and that they have now established such school at Brixton, 1016.—Some of the fines have not been carried immediately to the funds. Gives an instance. Hopes that if the livery are to continue to exercise their franchise as to electing sheriffs there will be some appeal established, by which parties who have a right to relief may obtain it on appeal to one of the chiefs of the law courts, so that by an appeal to them the parties might have the same relief which they would have before the Privy Council. If a person is to lose his Parliamentary elective franchise by removing seven miles from the City of London, he ought to be exempted from the disagreeable duties in which he might otherwise be involved, and they ought to be restricted to persons who live within a certain distance of London, seven miles, for instance, 1019, 1020.—A liveryman who resides more than seven miles from the City of London has no voice in the affairs of the City; that is, in the Parliamentary elections. The only municipal elections are, the lord mayor and the sheriffs, and the chamberlain. All charges and obligations, whatever they are, should go hand in hand with the privileges, 1021–1024.—Prior to the Reform Act, it was necessary that a liveryman, in order to vote for members of Parliament for the City, should be resident within a certain distance of the City. The Reform Act operated to cut down the right of the liverymen in that respect, leaving the municipal elections and the burthen of the offices as they were before, 1025–1028.

MOORE, AMBROSE, Esq. (*Analysis of his Evidence.*)—Was a silk manufacturer resident in the City of London for about forty years. Retired from business about six years ago, but is still connected with the City. The workpeople lived in Spitalfields. The warehouse was within the City. Is a freeman of the City, and a liveryman, and is connected with one or two companies, 4296, 4297.—Thinks it would be wrong to abolish the corporation of London, or to unite it with the metropolitan districts. Whatever may be done witness sees no reason why the old City of London should be deprived of any of those privileges which are applicable to the present time, and are not injurious to the citizens, 4298.—Would be unwilling to see the City deprived of municipal institutions, 4299.—Is of opinion that to have one corporation or confederation of corporations in the metropolis would be inexpedient. This is the seat of Government. Thinks if the par-

MOORE, AMBROSE, Esq.—*continued.*

liamentary boroughs had corporations, and they were to co-operate, it would be inconvenient to the Government itself. Does not know any advantage that the borough of Marylebone would have by being incorporated in the same way that municipal towns in the country are. Thinks it would be inconvenient that the Government police should be under the control of local corporations, 4300.—The corporations would be dissatisfied if they had not the same control over their local police that country corporations have, 4301.—As to the City of London, no doubt it has the control of its own police; and as it is an ancient corporation, which has enjoyed immunities for so many ages, it would be very unfair to deprive it of them, unless it has abused its power. Apprehends the police of the City is well managed, and there is no reason why it should not be continued. With respect to the City appointing its own magistrates, the appointment of magistrates by the people is an anomaly, but in the case of the City it is an ancient privilege which they have never abused. As a citizen of London, believes he speaks the general impression that justice has been well administered in the City. If the City of London has to elect its own magistrates, those magistrates should certainly be elected for life, 4302.—Thinks it very desirable that the aldermen should hold their offices for life, 4303.—If they are to be magistrates, they ought to be independent; but in all cases in the City of London would have the aldermen, whether they are magistrates or not, elected for life, 4304.—If the constituency were changed, and the wards were more equalized, witness would approve of the present ward elections for aldermen, 4305.—Cannot see any reason why the same constituency, which Parliament might think the proper constituency for the election of members of Parliament, should not elect municipal officers, 4306.—Thinks whatever is the Parliamentary franchise, for simplicity's sake, it would be better to have it in London, for both purposes, 4307.—Cannot see any advantage in the privileges which the City now exercises upon trade, such as metage, and other things of that kind. They are not adapted to the circumstances of the present time, 4308.—Would abolish the City tolls. Would abolish the freemen altogether, so far as any advantage of trade is concerned, 4309, 4310.—Was never a member of the corporation, 4311.—Would endeavour to make the wards more equal. In some instances would unite two small wards, and in others divide a large one, so as not to disturb the ward boundaries, 4312.—Would retain the present number of aldermen, 4313.—Sees no advantage in reducing the number of aldermen in London, as the business of London is much larger than in other places. Would still retain the Court of Aldermen as a separate court. There should be one alderman to each ward, and three, four, or five common councilmen, according to the size of the ward, the average being four. By thus reducing the present number a superior class of men would take office. The lord mayor should be chosen by the common hall from the aldermen who have served the office of sheriff, as, before taking the office of lord mayor, he should be well acquainted with the duties of the municipality, but would retain the right of the approval of the Crown to the selection. The sheriffs of Middlesex should not be chosen by the citizens of London; the right to appoint should be restored to the Crown; but the sheriffs of London should be chosen by the common hall, as at present. Does not see how you can be sure of persons to accept the office of sheriff, unless they are liable to a fine for refusal, 4314.—Believes that men have been chosen who it was known would not serve, for the sake of obtaining the fine. This is unfair, but a regulation might be made to keep up the fines for refusal, excluding the unfairness. The nomination should be the act of the Court of Aldermen, who, as men of independent character, would not make an improper nomination; but the electors in common hall should not be confined to choose from those so put in nomination. It should be in the power of other parties to propose fit persons for the office; and thence comes the opportunity of proposing persons unwilling to serve, for the sake of getting them fined; But if the corporation were well constituted, they would not take money from an unsuitable candidate, 4315, 4316.—There should be only one constituent body for municipal purposes in the City of London, the franchise being the same as in the election of members of Parliament. In the country the corporation elects its mayor and officers; but, in the City of

MOORE, AMBROSE, Esq.—*continued.*

London, thinks some deference should be paid to custom, and that the lord mayor and sheriffs should be elected in common hall. Would suggest that the chamberlain and bridgemaster should be elected by the Court of Common Council, by which would be avoided the corruption that has hitherto been connected with the election of chamberlain, on account of the value of the office. Would abolish ale conners, flesh-lasters, and such officers as are not applicable to the present times. The aldermen should still form a separate court. They are, generally speaking, an independent and respectable body. Their last two appointments to the office of recorder have given great satisfaction. They should continue their right of election, but subject to the approval of the Crown. Approves of retaining the magistracy in the aldermen, but they should have the power, if the court should think fit, of appointing one or two of their own body, or persons professionally well qualified, to be police magistrates within the City, with the approval of the Secretary of State, 4317–4319.—The effect would be, that an alderman need not act as a magistrate in the City unless he so thought fit. He would be in the same position as a municipal magistrate in a borough, when there was a stipendiary magistrate appointed under the powers of the Municipal Corporation Act. This might induce some of the higher class of merchants to accept office, 4320–4323.—The aldermen attend the courts of justice according to rota, no doubt consulting the convenience of each other. Would retain the lord mayor and aldermen in the commission at the Old Bailey, that being an ancient honour to the City, and no injury to the public interest, 4324, 4325.—Believes they are qualified, in point of law, to take an active part in the proceedings, but they never do interfere, unless to give an opinion as to punishment when consulted by the recorder or common serjeant presiding. There are quarter sessions held, of which the aldermen are members, 4326.—They have the charge of the City prisons. Believes they have a great desire to do its duties well, and that they are fairly done. They would be useful in regulating the traffic in the street, had they sufficient power to do so. The ordinary London police have not sufficient power in respect to the traffic, 4327–4329.—If there is to be any authority exercising control over brokers, thinks it should be the Court of Aldermen. Does not imply that the regulations respecting brokers are as good as they might be, but there is an important safeguard to the citizens derived from the control exercised by the corporation, 4330, 4331.—In cases of fraudulent brokers, there is every disposition to prosecute, but has observed that those men generally abscond. The City take sureties, which are as available as in the case of a bank clerk. Has no doubt the corporation do enforce the provisions of the bond, so as to afford security to the public, 4332–4334.—There are many reasons why the more respectable and wealthy classes in the City of London will not become members of the corporation; but if the numbers were reduced, and the forms simplified, has no doubt that many would be willing to join it, 4335.—Would not abolish the lord mayor's show, but thinks that if men of intelligence took the office it would be conducted in better taste. Would continue the dinner; in fact, would have the day continued as a day of ceremony and rejoicing, but in moderation and good taste, 4336–4339.—If the present low class of men continue in office, it is necessary to have the system of dinners in common council to induce them to attend; but if the corporation were composed of the right sort of men the dinners would not be so numerous, they would do their business in the daytime. As to the conservancy of the river, thinks it might be transferred to the Crown, or a body of commissioners. The corporation are not qualified to exercise the functions, 4340–4343.—The City derives great benefit from its present municipal institutions, but they require great reform. Would improve but not revolutionize, 4344, 4345.—The principle of self-government is of value in the City, and would retain the municipal institutions, because the habits and feelings of the inhabitants are connected with them, but would not establish them in parts of the metropolis where they do not exist, 4346–4350.—Thinks it positively beneficial to the citizens of London to have justice administered by a magistrate chosen by themselves, 4351.—Would propose that the two police courts in the City should be filled by stipendiary magistrates, who might be

Moore, Ambrose, Esq.—*continued.*
members of the Court of Aldermen, 4352.—Cannot state all the advantages which the City derive from the municipal institutions, 4353.—Does not think it desirable that the City police should be distinct from the metropolitan police, but would not take their privileges away from the City, as they are consistent with the public good, 4354, 4355.—The privilege is not above fifteen years old, and is a substitute for the old constables, who were appointed by the wards, and partly under authority of the corporation, 4356–4360.—Some of the police officers were appointed by the corporation. Does not know what they were called. They have now two marshalmen, 4361.—Does not think it desirable that the City should have a separate commission of sewers, except for the reason already given, that it should be allowed to govern itself in matters in which it has been accustomed to do so, 4362.—Knows that abroad the lord mayor and the corporation are the presumed representatives of the whole metropolis, but they are not in England. They have nothing to do beyond the City boundaries, 4363–4366.—Does not think that the present corporation represents the general commercial interests of London, because the body is not composed of such men as it might be under the system proposed, 4367, 4368.—Would sever the connexion between Southwark and London, 4369.—Would propose that the sheriffs of London should cease to be sheriff of Middlesex. There are separate under-sheriffs for the county, 4370, 4371.—Is not in favour of the *4d.* coal duty. Does not see why the City of London should have the administration of affairs beyond its own boundaries, nor why a large district should be taxed for local purposes, 4372, 4373.—Does not doubt that the corporation do their part of the business properly. In conclusion repeats, that if the number of the corporation were reduced, and the forms simplified, more respectable men would join it, 4374.

Morley, Samuel, Esq. (*Analysis of his Evidence.*)—Carries on business in the City of London; resides out of town, 2136.—Is a wholesale warehouseman. Attends to support the opinion that extensive alterations in the corporation are demanded, 2137.—Believes that the present institutions in the City exclude a large class of men, whose co-operation would be very valuable, 2138.—Has never been connected with the corporation, has been many times invited to join the common council; but it would take up too much time, and the duties were distasteful, 2139, 2140.—Thinks that the habit of connecting dinners and other entertainments with the business duties of a common councilman deters many fit persons from taking the office. Believes that many merchants and large traders would be willing to unite with the corporation under an altered system, 2141–2143.—The union of the magisterial functions with those of the alderman prevents the class referred to from taking part in the corporation. The office of sheriff, in its present form, is also unpleasant to the same class; but they are liable to have it imposed upon them, by bringing the longshore men into common hall, 2144.—The office of sheriff is an expensive one. It is unreasonable to expect a man to pay 600*l.* or 800*l.* towards dinners at Guildhall and the Old Bailey. Should be paid from some other fund, 2145.—The lord mayor's show is looked at with repugnance by the citizens; is a great inconvenience to the tradesmen living in the line of procession, 2146, 2147.—On one occasion of election of sheriffs, the longshore men were bribed by both parties, 2148.—By reference to the chamberlain's account there are offices which are purchased, 2149.—In the late election of chamberlain bribery was resorted to. Was on the committee, 2150, 2151.—Would object to the aldermen being elected for life, and would unite that court with the Court of Common Council in one body, 2152, 2153.—Would wish to see the general provisions of the Municipal Reform Bill applied to the City of London 2154—The suggestions of Mr. Acland for an improved, system of municipal government have met with favour in the City, 2155.—Does not think it desirable to abolish municipal institutions in the City; but thinks the metropolitan boroughs might have such institutions accorded to them, 2156.—Would maintain the municipal institutions within the present limits of the City; but would provide for joint actions upon those subjects in which the whole metropolis has a common interest, 2157, 2158.—Thinks it would be quite in accordance with strict justice that these should be the

Morley, Samuel, Esq.—*continued.*
means of imposing a tax upon the whole metropolis for purposes in which the whole town has a common interest; but at present there is no power of imposing such a tax except by special legislation, 2159, 2160.—Is of opinion that the constituency should merely be householders, and that the men who have paid money to become free should have it paid back to them, 2161.—Can give no opinion with regard to the wards, 2162.—Thinks that a chamber of commerce would be very desirable; but that it should not be established out of the funds of the city, 2163.—The corporation have large estates and property besides the rates they levy, 2164.—Thinks that if the higher class of tradesmen were to join, they could promote the objects of trade, without application to the funds of the corporation, and would be willing to bear a share in the expense of carrying on an efficient chamber of commerce. With regard to the corporate funds greater attention should be paid to the sanitary arrangements and to comforts in the dwellings of the poor, 2165.—Thinks a uniform rate upon householders a preferable mode of raising money to the present duty upon coals, which is a most objectionable tax, 2166, 2167.—As a merchant, has never been annoyed by any City tolls, which many complain of, 2168.—Thinks it most unjust that none but freemen are allowed to carry on retail trade in the City, 2169.—Would sweep away all trade privileges, 2170.—Has no intention to cast any reflection upon the members of the corporation, who are better than their system. Thinks of late years there has been greater care in appointing proper persons to office, 2171, 2173.

Mortimer, G. F. W., D.D. (*Analysis of his Evidence.*)—Is head master of the City of London school; has held that office for nearly fourteen years, 6776, 6777.—It is a large school, mainly intended for the citizens of London; that is to say, the Act of Parliament recognizes the right of all liverymen and freemen to send their children there, and gives permission likewise to the Court of Common Council, in Guildhall assembled, to make such alterations as are necessary from time to time, 6778.—Those who attend the schools are day scholars, but the masters who please may take boarders. Two of the masters do so; there may be twenty boarders, perhaps, 6779, 6780.—The school is available in the first instance to freemen and liverymen, and also allows other persons to send their children as vacancies occur, 6781.—The City schools closed the last half year with 568 boys; the present number is about 580, 6782.—The school is partly endowed and partly self-supporting. John Carpenter, a former town clerk of the City of London, left some closes of land for the support and education of four boys. These closes of land have been built over, and the income is now fixed under Act of Parliament at 900*l.* a year. The corporation have built a school and charged the permanent maintenance of the structure upon their own funds; besides that, each boy pays during the year 8*l.* 5*s.*, 6783. The 900*l.* a year is the only endowment, except for scholarships. There are a considerable number of scholarships. Four boys were to be educated under John Carpenter's bequest. That number has been increased to eight, 6784.—The school is capable of accommodating about 600 boys at the utmost. It is now nearly full, 6785, 6786.—Every class of persons connected with the City, from the highest to the lowest, make use of the school. The intention is that it should be purely a republic of letters, and that all who pay for their education shall be admitted, 6787.—There is no distinction made in the payments between the children of liverymen and others. The only privilege is, that the first vacancies are taken by liverymen, 6788.—States the general system of education, 6789, 6790.—When a youth has gone through this education he is fit to enter at the universities. The bulk of the boys go into business in the City, but some go to the universities, 6791, 6792.—Does not think any connection could be established between the City school and the Gresham college, 6793, 6794.—The school occupies the site of what was Honey Lane Market. There are now about seventeen scholarships, gifts of various freemen and liverymen of the City of London, 6795, 6796.—In the City they look on the school as their own. It is answering well, and they are doing all they can for it. Its management is vested in a ward committee, 6797.—Boys are admissible to this school without distinction of religious persuasion, 6798.—Under the Act of Parliament the authorized version of the Scrip-

MORTIMER, G. F. W., D.D.—*continued.*

tures is to be read and taught every day. The school is opened and closed with a form of prayer, which is abridged from the liturgy of the Church of England. Has given the Act of Parliament a most liberal interpretation, with the entire sanction of the Court of Common Council. Irish Roman Catholics and Jewish lads are allowed to come in after prayers and leave before prayers. They attend during the reading of the Scriptures in the classes. Have great numbers of English and foreign Roman Catholics, but they never made any objection to attend during prayers. There are Dissenters of all denominations, as many as Church people, 6799, 6800.—Any master may take a boarder who pleases. The only other large school which is directly in connection with the corporation is one now being formed for the orphans of freemen and liverymen, which is something on the model of Christ's Hospital. At that school they are all to be boarded, 6801.—It is rather in the nature of a charity, it is exclusively for the orphans of liverymen and freemen, 6802, 6803.—Has nothing to do with it further than that he was one of the three referees to select the candidates, 6804.—The funds which arise from payments for taking out freedoms are applied to the maintenance of this school. Nothing can work better than the committee always has done, 6805.—After a certain time the boys separate, either to take rather more to the commercial or to go on with a strictly classical or mathematical education. In the Latin class book-keeping is much attended to; nearly all the boys learn German. If they pass into the Greek and strictly mathematical class, they go on with pure mathematics, 6806.—Nearly all, if they remain long enough, receive the classical education, 6807.—The 8*l.* 5*s.* a year which is required from a boy includes everything taught in the school except chemistry and drawing. These are self-supporting classes. The corporation has nothing to do with the government of Christ's Hospital. It is governed by a Court of Almoners, which is selected from the governors, and they are a self-elected body, filling their own vacancies. Believes the number of the court to be forty, 6808, 6809.—Now there are only two aldermen upon the Court of Almoners; they are taken from those governors who pay the most attention to Christ's Hospital, 6810.—The Court of Governors is a very fluctuating body. The Court of Almoners really govern Christ's Hospital, and fill up vacancies by their own vote. Delivers in a prospectus of the school which contains its rules and a statement of its scholarships and prizes, 6811.

MUNICIPALITIES:

Divisions of, *Hankey*, 1723, 1724.—It would be desirable that Marylebone, St. Pancras, and Paddington should form separate municipalities, *D'Iffanger*, 2289.

Municipal Act.—Having relieved the corporation of those important functions which ought to belong to the imperial authority only, submits that, for all the rest, the City of London should be brought under the jurisdiction of the Municipal Act, *Elliot*, 1090.—Is not prepared to extend the Municipal Act to Finsbury, Southwark, &c. till the practical result of an improved municipality has been seen in the City, *ib.* 1126.

Expenditure.—The expenditure for 1852 for municipal purposes amounted to a tax of 5*s.* in the pound, *ib.* 1095.—Of the money so expended, about 146,000*l.* was derived from the City rents, tolls, &c., and about 120,000*l.* was raised by rates, *ib.* 1096.

Electors.—Half the number of the parliamentary, and annually decreasing, *Anderton*, 7617.

Government.—Gives outline of new scheme for the City, *Acland*, 585.—Statement of the best system for the City of London, *Hankey*, 1718.

Institutions.—Does not think it desirable to abolish all. Would certainly abolish the present corporation, *Bateman*, 2345.

Franchise.—Believes, previous to the 11th of George I. a register was always made up in the wardmote by the aldermen; it was a public register, and all men were commanded under a fine to attend the wardmote when held; they were required to come and take the franchise as citizens, and they become enrolled in the wardmote. Thinks, were that system to be carried out, nothing could be better, *Lord Mayor*, 7187.—Recommends the municipal franchise to be,

MUNICIPALITIES—*continued.*

the occupation of premises within the City of London for 12 months and a day, without any pecuniary qualification, and without the necessity of residence, *ib.* 7189, 7190.—Thinks they should be rated at some rate, *ib.* 7191.—Thinks if a person is to lose his parliamentry elective franchise, by removing seven miles from the City of London, he ought to be exempted from the disagreeable duties of such citizenship, *Mills*, 1020.

Reform Act.—Cannot say whether any difference has taken place in the magisterial functions since the passing of it, *Hubbard*, 649.—Thinks to apply this Act to the City of London would be absurd, but sees no objection to its being applied with certain alterations, *Bennoch*, 1181.

Reform Bill.—Would wish to see the general provisions of the Bill applied to the City of London. The suggestions of Mr. Acland for an improved system of municipal government have met with favour in the City, *Morley*, 2155.—Looks upon it as one of the most unconstitutional acts that ever was done in this country, *Merewether*, 4734.

Reform of the Corporation.—It has been represented that there was a society for the municipal reform of the corporation. Only 1,200 have entered this society out of 125,000 returned as the population of the City, *ib.* 6773.—The number of householders in 1844 was 13,958, *ib.* 6774.

MUNNS. (*See* Irish Society.)

NAVIGATION COMMITTEE. (*See* Committee.)

NAVIGATION OF THE THAMES. (*See* Thames.)

NEW CUSTOMS ACT. (*See* Act.)

NEWGATE:

The salaries at Newgate are enormously large. They amount to 3,953*l.* annually, besides fees and emoluments. They are fixed by the Court of Aldermen. The keeper has 700*l.* a year, with emoluments to the amount of 35*l.* 14*s.* The chaplain has 500*l.* with other emoluments, *Williams*, 2391, 2392.

(*See also* Prisons.)

NEWGATE CALENDAR:

The corporation pay about 900*l.* a year for the printing of the newgate calendar, containing a report of the proceedings of the sessions, *Pearson*, 8466.

NEWSPAPERS:

The press was never bribed. About 160*l.* or 180*l.* a year has been spent in buying and distributing newspapers. This appeared in the accounts, *Wood*, 7260-7262.—The consolidated committee have purchased newspapers 300 at a time continually, according to their own admission; they have in their financial report an entry of 1,000*l.* under this heading: "To Mr. Hallkeeper," (who is avowedly the person who has dealt with the transaction of the newspapers,) on account of disbursements of his office, consisting of expenses of assistants, watchmen, newspapers, &c., in the year 1852; and several smaller sums to the same individual, including 100*l.* under the head of advertising. There is the same entry from 1849 to 1852, *Acland*, 445.

NORRIS, JOHN THOMAS, Esq. (*Analysis of his Evidence.*)—Is a builder in the ward of Aldersgate; has been a member of the consolidated committee of the common council for 17 years, 4196–4200.—Was a member at the time an arrangement was made between the corporation and the press, 4201.—A feeling prevailed in the corporation that their reports were not given so much in extenso as they should be, and thinks that the common council agreed that the committee have authority to expend not exceeding 1,000*l.* a year in the promotion of more extensive reports of their proceedings, 4202.—This was in the year 1849, 4203.—Thinks the committee considered it an authority to expend the money in any way their direction suggested, 4204.—Is imperfectly informed as to how the money was spent, but thinks there was a sub-committee of three or five, of which he was not a member, who had the conduct of the matter, 4205.—There were two or three projects afloat for starting a paper devoted to the interests of the corporation, but the committee was too large (being composed of 45 or 46 members) to allow of any secret treating. It was imperfectly done for a short period

Norris, John Thomas, Esq.—*continued.*

in a paper called the Citizen, 4206.—Would have felt himself justified in voting away the money in any way he pleased in promoting reports in favour of the corporation, 4207.—Does not remember whether actually any of the money was spent in an attempt to get up a newspaper, or in supporting the newspaper mentioned. Mr. Scott, the then clerk of the chamberlain, could give information, 4208.—He was the officer of the sub-committee, 4209.—Witness is well acquainted with the committee system of the common council, 4210.—Generally the committeemen are well acquainted with the subject committed to them, 4211.—Has not given much attention to the finance of the corporation, 4212.—Thinks the division of wards, by which the common councillors are elected, neither fair nor reasonable. Statements as to wards, 4213.—Some charity property or local interest might render it desirable to retain the distinction of wards; but would divide the City into 12 electoral districts, and distribute the representation upon the basis of that which now exists in the ward of Farringdon Without. Thinks the present common council much too large, as it consists, with the aldermen, of 232 persons, 4214.—There should be about 100, 4215.—The common council has, under the charter of Richard II., the power of making byelaws for its own internal regulation, and of levying tolls upon the public. Recommends that the magisterial and municipal functions of the aldermen should be separate; they take very little interest in their municipal duties; they are justices appointed for life, and claim, as a separate court, the privilege of dealing with the funds, which they do to a large extent, 4216.—Some public convenience might arise were the magisterial functions of the aldermen to cease.—Thinks it quite essential that the persons who deal with the municipal funds should be responsible to those who pay the rates which they administer, 4217.—The power which the Court of Aldermen possess of voting sums out of the corporation purse should cease, 4218.—Is not prepared to abolish the Court of Aldermen altogether as a separate court, but would withdraw the condition of justice of the peace from every alderman who has not passed the chair, 4219.—Concedes it to the earnestness with which the aldermen claim the distinction of administering justice. Having already suggested that the City should be divided into twelve wards, thinks that half might be supposed to have passed the chair, and those who have not should be subject to periodical election. At present the liverymen return two persons to the Court of Aldermen, who select one of the two, which power should be in the hands of the electors, and not the aldermen, 4220.—Any alderman who has not passed the chair should not be elected for life, 4221.—But, once having passed the chair, he should be an alderman for life and a magistrate, 4222.—If the corporation of London exists at all, it should be sustained by a very extensive constituency; there is only about one in three of the persons who are rated in the City at exceeding 10*l.* who has the power of voting at municipal elections, 4223.—Thinks the municipal franchise which is adopted in other boroughs would work well in the City. Would like to see all the City elections handed over to a constituency appointed under an Act of Parliament, 4224.—Were ward and common hall elections, and nine tenths of the rights and privileges of the corporation done away with, it would be a great advantage. were all done away with but what would serve the public interest the corporation would be distinguished for its usefulness, 4225.—There would be great advantage from such a simplification; at present it is almost impossible for any trader to make himself acquainted with the rights of the corporation; and if any man of sound discretion falls into difficulty, he yields to the enormous power of the corporation rather than litigate any case in which the mulct is large to him and obnoxious to trade, 4226.—The patronage of the corporation, in regard to the more important offices, has been exercised with considerable prudence. Has been an advocate for paying the officers well; the corporation have invited men of the highest class by their large salaries, and have therefore had security for the efficient discharge of the duties entrusted to them, 4227.—The personal and official conduct of the higher officers has been distinguished by integrity and ability. There are several offices which might be united together, and so much expense might be saved, 4228.—

Norris, John Thomas, Esq.—*continued.*

From the number of officers, the change in committees, and the committeemen knowing so little of their business, much time is lost, and many more clerks and officers employed than are wanted, 4229.—Witness is acquainted with the working of the committees of common council, 4230.—Thinks it would be desirable to discontinue the practice of remunerating committeemen by making them an allowance for dinners; but the custom of providing dinners increases the attendance at the committees, 4231–4233.—Witness took considerable part in the question of the removal of Smithfield market, 4234.—Is not aware of the secret proceedings of the corporation with regard to the removal of that market, being opposed to them; but is sure, that during the conflict with the Government, on that and on all occasions, there was a lavish expenditure. Is sure the corporation spent money in a secret way, on which Mr. Benjamin Scott can give information. There was a committee called the Central Market Association, who were mostly interested in the continuance of the market, who gave subscriptions to get popular men on their side, but witness is sure that all they subscribed would be spent in one day, while the conflict lasted some months, 4235.—Cannot say from which of the corporation's various sources of income the money was abstracted, 4236.—The society must have spent at least ten times its amount of subscriptions; but its most active men were constantly at Guildhall, in the presence of Mr. Scott, and the City solicitor, and witness believes they walked out with money once a week to a very large extent. Thinks the corporation paid all expenses of that sort in a very illegitimate way, 4237.—It is the usage of the town clerk to deny to one committee the privilege of looking into the doings of another committee. The doings in regard to the market would, consequently, be kept secret from witness, 4238.—It is the duty and privilege of every member of the common council to make himself acquainted with the expenditure of the City to a certain extent, 4239.—If witness suspected that a large sum had been spent in an irregular manner it would have been in his power to move for the items, but in this instance there would have been no chance of carrying it, 4240.—Such irregular expenses would have been accounted for under some general head of expenses of opposition to the bill, 4241.—This implies a vague and loose way of rendering accounts on the part of the City, 4242.—Witness has nothing else to mention but the extreme disproportion of the wards taking the rating only, 4243.—Thinks it would be objectionable that the lord mayor should be eligible from the whole body of citizens, as he would then have had no previous education for the presidency of the municipality, 4244.—The present system has the effect of excluding many who might, under the new system, come in and be elected, and do great service to the corporation, 4245.

Nuisances, Inspectors of:

There are six inspectors of nuisances under the Commission; they are inspectors of pavements they take charge of the scavenging and dusting, and have the general superintendence of the public ways, *Haywood*, 5962.

Officers of the City:

Should be elected by the common councilmen, subject to revision by Court of Lieutenancy and Lord Lieutenant, *Wallis*, 1470.

Officers of the Corporation:

Should say that the fees and emoluments to, amount fully to 120,000*l.*, *Hickson*, 2710.—The officers are much too numerous. Would consolidate many of the offices, abolish some, and so save about 14,000*l.* per annum, *Lord Mayor*, 7161.—Does not consider they are overpaid, *Dakin*, 7369.—In the election of City officers efficiency is looked to, not undue partiality, *ib.* 7372, 7373.

Officer of Health:

Acts under the Commission of Sewers. His duties. Details of the work from week to week, *Simon*, 7395–7405.—The salary was 500*l.* a year, but has been raised to 800*l.*, *ib.* 7393, 7394.

Offices of the Corporation:—

List of those sold for the benefit of the Lord Mayor, Aldermen, and Sheriffs in 1724, *Pearson*, 8472–8475.—The corporation have not only ceased to sell any

Officers of the Corporation—*continued.*

offices, but they are doing all in their power to bring up into their own hands those offices which heretofore were saleable, *Merewether*, 6760.—Return of the thirty offices of the corporation which have been sold, *ib.* 7569.—With respect to the offices in the corporation, they have been in the habit, whenever a vacancy occurs, of inquiring into the nature of the office, the amount of salary, and all the circumstances connected with it. Gives statement of all those inquired into since 1829, many of them more than once, as fresh vacancies have occurred, making altogether 87 reports, *ib.* 7572. —Mr. John Barnard brought in the celebrated Act of Common Council, which took from the lord mayor and sheriffs the sale of places, and obtained for the corporation the revenues derived from the metage of coal and corn, *Pearson*, 8476.—Refers to a paragraph in the report of the Commissioners of 1836, which coincides with his own opinion as to the feeling which influences the higher classes of merchants to avoid corporation offices, *Blake*, 7484.

Offor, George, jun., Esq. (*Analysis of his Evidence.*)—Is a broker, partner in the firm of Offor and Gamman. 2869, 2870.—Calls attention to the fact that the body to which he belongs, the ship and insurance brokers of London, are taxed by the City to the extent of 5*l.* individually each member of a firm, for carrying on the business of ship and insurance brokers. The corporation require the insurance brokers to pay this tax, and it is not only unjust and anomalous in its workings, but it is also illegal, the question having been decided in a court of law that the corporation of the City have no claim upon the ship and insurance brokers. When about to succeed to a long established business, where the principal had been in the habit of paying this broker's rent, he attended at the town clerk's office to get the name struck off the list of sworn brokers, and said he was about to succeed him in business. They said, "Then before you can commence your business you must take up your freedom, and apply to the Court of Aldermen to be admitted as a sworn broker," 2871.—This took place in December, 1849, Was accordingly admitted; executed a bond; received a silver medal, and paid 6*l.* or 7*l.* in the shape of fees, and since that time has paid 5*l.* a year rent. In the Post Office Directory there are about 200 ship and insurance brokers, who call themselves brokers, and out of that number only 53 are sworn brokers. Thinks it extremely unjust that he and others should be called upon to pay a tax of 5*l.*, when the great majority of brokers are let off altogether, or equally unjust if the City have no power to enforce it. The City have no legal claim and they never attempt to enforce it where it is not willingly paid, 2872, 2873.—The reason witness has not refused to pay it is that he has given two securities to the City for the due payment of the 5*l.* a year, 2874, 2875.—Believes that the corporation has never taken any measure to compel the payment, but if you were to apply at the town clerk's office, and say, "Am I, as a ship and insurance broker, carrying on no other business liable to the 5*l.* tax?" they would answer distinctly "Yes, and you cannot carry on your business without, and if you will lodge an information against any one who is carrying on business not admitted and sworn we will commence proceedings." Witness immediately lodged an information against his partner, whom he said had not paid for the last two years, and never intended to pay, 2876.—Finds that several old brokers who were admitted many years ago have ceased to be sworn brokers. They carry on business, but no longer pay the broker's tax, 2877.—The only thing the City require before you become a sworn broker is a certificate, signed by six or seven householders of the City, that you are a fit and proper person, 2878.—Does not think that the certificate affords any security for the fitness and respectability of the person sworn. 2879.—The public do not give the least preference to sworn brokers over others, 2880.—Ascertained at the town clerk's office, that though admitted as a ship and insurance broker, you have full power to act as a stock and sharebroker, or having been admitted as a stock and sharebroker you may act as a ship broker, 2881.

Old Bailey:

Practicably, the trials in the City are always there. Knows of no other criminal court, *Acland*, 484, 485.—Money taken for admission to the gallery, sanctioned by the corporation, *ib.* 492–500.—Statement as to

Old Bailey—*continued.*

taking money for seats during criminal trials quite true, *Wallis*, 1466, 1467.

Old Bailey Courts. (*See* Courts.)

Oysters:

Should be measured by the seller's own servant, *Gibbs*, 2258.—The trade in oysters carried on in the City of London is most extensive; is desirous of calling the attention of the Commissioners to the abuses in the metage, porterage, and City dues, *ib.* 2228.

Oyster Meters. (*See* Meters.)

Orphans Fund:

The City have diverted considerable sums from this fund for the benefit of the county of Middlesex, *Merewether*, 2442.

Out-voters:

The system of out-voters has a tendency to increase the expense of elections, but not, as under the Poor Law Amendment Act, to any great extent, *Hichson*, 2964.

Palace Court. (*See* Court.)

Parliamentary Business:

The expenses incurred are laid fully before the Court of Common Council, but are not published, *Tyrrell*, 5407–5411.

Payne, Mr. George. (*Analysis of his Evidence.*)—Is police receiver, 6659.—Explains the duties of the office, 6660.—Is appointed by the Police Committee; the salary is 350*l.* a year, 6662.—Has held the office of police receiver since the year 1841, 6663.—The assessment upon which the rate is founded is made in each ward by the alderman, deputies, and common councilmen of the ward, 6664.—The different assessments are put together, so as to constitute one assessment; it is not made up quite to the full value of the rental, 6666. —The assessment in the City is as high in relation to the annual value as the assessment in the rest of the metropolis. It is continually changing from year to year, and generally on the increase, 6669.—Reads a statement made by Mr. Elliott at question 1087, 6670. —If men are employed at a distance or on another service, the ratepayers must pay for duties which are not done within their district, 6671.—With regard to the collections, is prepared to show that the Police Committee have the whole matter completely under their control. Has annually to make a report to the Police Committee of the state of these things. Witness delivers in last report, 6673.

Payne, William, Esq. (*Analysis of his Evidence.*)—Is coroner for the City and Borough of Southwark. Was appointed by the Court of Common Council, 6812 6813. —The appointment is for life, though it is called annual. Some time since the corporation made an order that all officers should be elected annually, 6814, 6815. —It is really a freehold office. The Court of Queen's Bench have so decided, and that a man cannot be displaced without a sufficient cause, 6817, 6818.—The duties are to hold inquests in cases of violent death. Holds inquests in Southwark, as well as in London. There is no other coroner in Southwark, 6819–6821.—Witness's fees and the expenses of the office are paid out of the corporation funds, 6822.—Believes the fund is called the City's cash, 6823.—The emoluments of the office amount to about 500*l.*; it does not vary much, 6824. —It depends upon the number of inquests, 6825.

Payne, William, Esq. (*Second Examination.*)—Mr. Pulling in his evidence states that the lord mayor is the coroner, and the gentleman who performs the duties is only his deputy, and is appointed by the Court of Aldermen. This is a mistake, because the charter of Edward IV., which gives the office to the City, says the mayor, commonalty and citizens, may appoint whom they will to the office, and the statute regarding elections in London confirms the appointment in the Court of Common Council. Some questions having been put to witness regarding the tenure of his appointment, begs to state that the corporation have admitted the principle that judicial officers shall not be annually appointed, therefore, as the coroner is a magistrate by virtue of his office, and also a judge of a Court of Record, presumes that a coroner is not an annual officer and cannot be displaced without sufficient cause. Mr. Justice Patteson and Mr. Justice Coleridge express the same opinion in the case the

PAYNE, WILLIAM, Esq.—*continued.*

Queen against Grimshaw, reported in the 11th Jurist, 16th Law Journal, and 10th Queen's Bench Reports. The report of that case in the year 1847 is quite decisive upon the subject, 7563.—Mr. Acland states, "The constables have to pay 2*s.* 6*d.* for being sworn in at the Courts Leet, but have no duties to perform." When appointed high steward of Southwark suspended the election of constables, ale-tasters, and flesh-tasters, consequently there is no fee for swearing them in, 7564.—The alteration took place about three years ago, 7565.—These officers had no remuneration, 7566.—Perhaps centuries ago, when the market there required to be supervised, they might go round and see that the food sold was proper. But recently they had no duties and no emoluments, 7567, 7568.

PEARSON, CHARLES, Esq. (*Analysis of his Evidence.*)—Has been solicitor to the City of London for 15 years, 5516, 5517.—The salary is 2,000*l.* a year, subject to the charges of the office, clerks, &c., deducting about 700*l.* a year; but there are certain emoluments which make up a net income of 1,700*l.* or 1,750*l.* a year, 5518-5520.—These emoluments depend upon the amount of business, 5521, 5522.—Every description of emolument received does not exceed 1,750*l.* a year, 5523, 5524.—Is not permitted to have any private business as a solicitor. Is solicitor to the Irish Society and an attorney in the Mayor's Court; but every description of emolument is included in the sum named, 5525.—If acting as an ordinary solicitor his emoluments would certainly be from 4,000*l.* to 5,000*l.* a year. His bills for business under the trustees' estates are taxed by the Law Bills Committee. There is much greater severity applied in taxation by the Law Bills Committee than by the ordinary taxing officers. Gives an instance of this, 5526.—The functions and duties of the solicitor to the City of London are to advise the corporation and all its committees and commissions upon any question of law, to conduct all their suits and prosecutions, and generally to advise upon all matters when especially called on so to do; to attend committees whenever called on, and to give his best advice upon all matters upon which his opinion may be asked, 5527.—When conducting a suit on behalf of the City, receives deductions from the Court of Common Council through the committee, and is in constant communication upon all matters connected with the suit, 5528.—One committee is composed of professional men, which is the Law Bills Committee. There is scarcely a committee of the corporation which has not one solicitor or more upon it, 5529.—There is no one legal officer who takes the general control of the legal business. Before the passing of the Central Criminal Court Act, the recorder and the common sergeant appeared in court as counsel for the City; latterly they have been so entirely withdrawn from general practice that they have declined to take briefs. The late recorder thought it was not for the advantage of the City that he should take a leading part in the conduct of its suits, 5530.—Thinks the judicial and other duties of the recorder would now render it impossible for him to exercise a general control of that description, 5531.—At present the discretion whether a suit should be instituted practically rests with counsel. Is instructed to lay a case before counsel of the most eminent rank, and it is upon their advice, with the concurrence frequently of the recorder, that suits are instituted or defended, 5534.—The opinion of the attorney or solicitor-general would be given upon the probability of the result; the responsibility rests with the corporation, 5535.—The town clerk, who is a very experienced barrister, is called on by the committee to express an opinion as to the advisability of instituting a suit, 5536, 5537.—He is not a member of the committee, 5538.—Witness considers himself responsible for the business rather than the town clerk, 5539.—Thinks the policy of instituting a proceeding belongs to the committee, 5540.—The judgment of the committee is generally very good, and that the advice of their officers is generally cautious, sound, and prudent, 5541.—The case which is submitted to counsel is prepared by the witness and read to the committee, 5542.—Has no doubt counsel would be a good deal guided by the nature of the case submitted to them, 5543.—When a member of the corporation in 1833, witness brought in a bill, and passed an act through the Court to gradually reduce and ultimately abolish, if it was thought necessary, the fellowship of porters. There were then 3,500 porters admitted, and Messrs. Combe and Co. and some other persons had begun

PEARSON, CHARLES, Esq.—*continued.*

to refuse to allow them to work. This Act has been in operation ever since, and has left only something like 600 or 700, who would have to be compensated if an end were put to it. In October, 1835, the fellowship applied to the corporation to permit them to use their name to institute proceedings against Messrs. Combe for refusing to allow them to land their corn. Messrs. Combe filed a cross bill for a discovery; the answer of the corporation was put in on the 18th of June, 1839. Messrs. Combe and Co. amended their bill, not having put their questions sufficiently strongly, or perhaps getting information from the answer which induced them to put others. The corporation answered that amended bill in February, 1840. There was a motion made before Lord Abinger to compel the corporation to produce their title. Lord Abinger refused the discovery sought in this case, but ordered certain documents to be produced. The other party applied to Vice-Chancellor Knight Bruce on the 19th of January, 1842, who settled the issues for the trial at law, and ordered it to be tried at the Winchester assizes, 5544.—That case might have been decided in the spring of 1842 if Messrs. Combe and Company had chosen to go to trial upon the issues framed between the parties by the direction of Vice-Chancellor Knight Bruce; but in the meantime, the corporation in 1839 had filed a bill in the Exchequer against Messrs. Combe and Co., in respect of metage. It was the opinion of counsel, in the porterage case, that the corporation ought not to appear merely as plaintiffs in that suit, but should have a sister suit for metage. Various proceedings took place between that period and 1842, when on the 9th of June Vice-Chancellor Knight Bruce pronounced a decision different to that of Lord Abinger, 5545.—In those various proceedings three successive bills of discovery were filed against the City, and three answers put in, 5546.—Vice-Chancellor Knight Bruce having pronounced this judgment, an appeal to the lord chancellor was lodged; it was heard before the lord chancellor on the 26th, 27th, 28th, and 30th of January, 1843.—The lord chancellor took three years to consider his judgment from the 30th of January, 1843, to January, 1846. He then pronounced a judgment so exceedingly short that it contained no reason and no statement of opinion beyond affirming the judgment of Vice-Chancellor Knight Bruce, 5547.—Sir Richard Bethell, who advised upon the occasion, recommended an appeal. Reads his reasons from the case in the House of Lords. The appeal was recommended to the City by Mr. Bethell, upon the same grounds as those stated to the House of Lords, 5548–5551.—The bill of discovery in the metage suit was filed in March, 1840; the answer was put in on the 29th of January, 1841; exceptions were taken to the answer of the corporation on the 24th of March; the bill of discovery was amended on the 17th of April; the further answer of the corporation was on the 17th of November; the exceptions to the answer of the corporation on the 29th of November; and the further answer on the 23d of February; the necessity for those further answers arose once from the amendment of the bill, and twice from exceptions. The party excepting meant to allege that the information furnished did not technically cover the statement in the bill. It was an objection to the answer in the nature of a demurrer at common law, whereas the amendment of the bill proceeds upon the supposition that the answer was sufficient as the bill originally stood, but that something had suggested itself to those who framed the bill, which was not included in the original bill, 5552–5556.—Thinks Messrs. Combe and Co. are saving 700*l.* or 800*l.* a year, which they would have to pay if a decision were given against them. If the corporation got a decision they would obtain a privilege which they have no disposition to use, for during this time they have been in negociation with the corn trade to put an end to all such claims. Thinks that if any one would enter a stet processus they would be satisfied on both sides. Pendente lite those claims are not enforced against Messrs. Combe and Co., 5557, 5558.—If the action is not insisted on, the claim remains in abeyance, 5559.—Upon an appeal to the House of Lords does not consider it the duty of either appellants or respondents to press forward the cause, but either can do so, 5560–5562.—Supposed the appeal had dropped; but when a late lord chancellor was appointed, in consequence of some discussion in regard to arrears, the archives of the House of Lords were swept. This case was found among others; it was put in the paper two years ago, and counsel had to be retained to argue it; but it

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slipped out of the paper in some way, 5563–5565.—There is a negociation now pending, and has been for the last 18 months, with the members of the corn trade for putting the metage question on a more satisfactory footing, part of the arrangement being that in cases like that of Messrs. Combe it should be left voluntary, and not be compulsory, 5566.—The proposed arrangements with the heads of the trade is that in regard to foreign corn it shall be compulsory; in regard to other portions of trade, for instance manufactured articles, it shall be voluntary, 5567, 5568.—The porterage case stands over on the application of Messrs. Combe and Co. till the other suit is decided, 5569, 5570.—There is a struggle between the Crown and the corporation to determine whether the soil and bed of the river is part of the hereditary revenue of the Crown, to be applied for the purposes of the Crown, or whether it is the property of the corporation, to be applied for the purposes of the river. Statement as to the manner in which the transaction arose, 5571, 5572.—The City alleged their title to the soil and bed of the river to be something quite independent of their title as conservators, 5573.—Believes the two things are frequently separate in other rivers, 5574.—Thinks it is of importance for public purposes that the two rights should be exercised by the same party, because there are some acts of conservancy that cannot be efficiently carried out where the soil is in the hands of other persons, 5575.—The City claims the ownership of the soil by prescription, confirmed by charter, 5576.—Believes that there are other instances of tidal harbours and navigable rivers where the ownership of the soil is not in the hands of the Crown. Serjeant Merewether denies that the Crown by prerogative right is entitled to the soil and bed of navigable rivers. Is conducting this case according to the received doctrines of Westminster Hall, one of which doctrines would be, that even if it were true that the Crown by prerogative right was entitled to the soil and bed of all navigable rivers, still it may have been taken out of the Crown before the time of legal memory, by some sufficient legal act, and if it can be shown that the corporation have it by prescription that would be a title, notwithstanding the rule of law might be correctly stated in the bill, 5577.—This right would be established by the ordinary mode by which prescription is proved, 5578.—It was alleged as a hardship that the Crown assumed, as the foundation of its proceedings, that the property belonged to it, and then tell the corporation to say by what means they say it belongs to them, 5579.—If the Crown had, by writ of intrusion, or by any other course, come in by the strength of its own title, it would have been a question for the court whether such a legal presumption could be fairly made, 5580.—The writ of intrusion would necessarily proceed upon the supposition that the corporation were in actual possession of the soil, 5581.—Gathers from the proceedings which have taken place that the Crown say:—You are in possession, but you are in possession because you have obtained that possession in your character of trustee or conservator for the Crown, and these are acts which are equivocal, and might be assigned either to the ownership of the soil, and to your position as conservators. The Crown say, those acts are done under the power of conservancy; the corporation say that they are evidence of their ownership, and that those are questions which ought to be tried in the ordinary course, 5582.—In what he (witness) has stated with respect to the hardship has only been echoing the expressions which some of the greatest men have applied to this suit, 5583.—The oldest charters recognizing the right of the City to the ownership of the soil are the charter of Henry III., which says that the corporation shall have all rights by land and water, and the charter of Henry VI., which recognizes the right of the corporation to all common soils in the City of London, and the water of the Thames within the franchises of the City. The franchise of the City, as can be shown by contemporaneous history and by documents, extended from Staines to Yantlet, and was represented in the immemorial rights of conservancy. Holds that their conservancy is of two characters; they have the prescriptive conservancy from Staines to Yantlet, and they have a conservancy by charter, and commission from the Crown; that is the conservancy of certain statutes within the River Thames, 5584, 5585.—The second kind of conservancy does not go to the extent of the ownership of the soil. Contends that the ownership of the soil is a prescriptive right, 5586.—Thinks the moral and perhaps the legal duty

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is to apply all the funds derived from the soil and bed of the river to the purposes of the conservancy. The doctrine upon which the corporation have proceeded is, that they are bound to apply every shilling obtained in the one capacity to the public purposes of the other, 5587.—Besides the prescriptive right of conservancy enjoyed by the City, there are certain conservancy rights and duties imposed upon the City by statute. Refers to fisheries and removing weirs in ancient times. They being at one time probably the only obstructions, those words were used, constituting the lord mayor of London conservator of those statutes for the river Thames, and appointing certain magistrates conservators of the Ouse and other rivers, 5588.—These statutes probably imposed an obligation to remove those obstructions, 5589.—In all the charters and passages referred to there is no clear and unambiguous reference to the ownership of the soil, or there would not have been this suit, 5590.—The fact of its being a prescriptive right implies that you have no other definite legal origin. If you had a charter or Act of Parliament you would not fall back upon prescription, 5591.—According to the view of the City the ownership of the soil of the Thames is a prescriptive right, proved by successive acts of ownership of dealing with the bed of the Thames, as an owner would deal with it. Those charters construed with contemporaneous history show that the Crown recognized the right of the corporation at that time. The same is the case with all prescriptions; the fact of a prescription presumes either a lost charter or a lost Act of Parliament, or some other legal origin, of a right that we are not able to produce, 5592.—The prescription would be bad if, upon the face of it, it appeared incapable of being referred to some such legal origin, 5593.—Thinks the interest of the City and the interests of the metropolis are identical, 5594.—There is no object so important for the benefit of the whole population as that the streets should be improved, and the City be improved by that means, 5595.—The 4*d.* duty on coals is levied on the whole metropolis, and a considerable district round, but is claimed by the City as a possession in perpetuity, to be expended at their sole discretion, 5596.—The interests of those who pay the tax, and the constituents of the City are inseparable, 5597, 5598.—There is a growing feeling that all the public revenues, such as the 4*d.* duty should be strictly applied to public objects of all kinds, 5599.—The corporation being composed of individuals there are all descriptions of opinions, but thinks they are fast arriving at that period in which the majority will be of opinion that the produce of public tolls and dues should be strictly dedicated to public purposes, in which the metropolis generally will have an interest. With respect to the City it is nearly 200 years since the mass of it was erected; the streets are narrow, and it is extremely desirable to have convenient main arteries of approach to the Royal Exchange, and so on. Two millions of money are required to carry out the improvements which the corporation have under their contemplation, 5,600.—In former times it was the City for the citizens; the feeling is now growing up that the City is for the world, 5601.—Believes that Cannon Street is an evidence of this, 5602.—Thinks the corporation in deciding with regard to the opposition to be offered to a private bill in Parliament would consider their first duty to be to their constituents, but does not think they would permit that feeling to operate to an extent to prejudice other interests, 5603.—With regard to the freedoms and position of St. Thomas's Hospital, confirms the accuracy of the statement contained in the written document read by the recorder. Was a member of the corporation, and took part in all those proceedings for diminishing the charge upon freedoms, and removing the obstacles to inhabitants obtaining them. The charge of 25*l.* which was put on in 1729, was put on for the purpose of enabling them to pay the debts of the corporation. At that time the corporation was in a most embarrassed state. In 1830 or 1832 a proposal was made for reducing the charge, to encourage the extension of the constituency. The difficulty experienced arose from the fact that those who had purchased their freedom, and paid for their admission to the livery, thought they had acquired a sort of vested interest in an exclusive right. The proposal of the corporation, therefore, was to repay to those who had been admitted within two years a portion of the sum which they had paid. It has been assumed that the actions which have been brought against persons for not being free were brought

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for the purpose of putting money into the coffers of the corporation. Has no hesitation in saying the only purpose was to endeavour to increase the constituency of the corporation, and that it was no part of the object of the corporation to increase their revenue. Various actions were brought—one against Mr. Sturt. That was brought for the purpose of trying the question in the least expensive and the least inconvenient form. Mr. Sturt was a personal friend of witness's. Attended a meeting of the opponents to the City, at Mr. Sturt's house; he was in the chair, and the subject therefore was very fully discussed in the most amicable form, 5604.—Does not think that Mr. Sturt was at that time a partner in the same concern as Messrs. Ward and Co. There was the firm of Sturt and Sharp, and of Ward and Britton, but thinks one of the partners in Sturt's house has since died, and one of the partner's in Ward's house, and Mr. Sturt is now a partner in both, 5605.—Read at the time the evidence given by Mr. Henry Grey, 5608.—About one hundred years ago, in making arrangements with the sheriffs, the estreats were set over to the sheriffs as a part of their income. The sum mentioned by Mr. Grey would go for that purpose. Thinks it may have amounted in the last 20 years to an average of 60*l.* a year, or something of that kind. The whole receipts for the last ten years certainly have not amounted to 100*l.* a year, 5609.—No account has ever been rendered of those receipts; the sheriffs do not render any account of their receipts, 5610.—Was under sheriff at the time of the former enquiry into the City of London. Received the amount of those estreats by arrangement with the sheriff, who was a very liberal man, 5611, 5612.—Has no doubt that it was the case that this poor man made an application to have his money, and was refused, 5614.—Does not think that it is a matter of course that the Treasury hand over estreats under such circumstances, 5615.—This is a not convenient way of remunerating the sheriffs, 5616.—This man took upon himself the office of public prosecutor, it being, however, a private wrong of his own, 5618.—Thinks the corporation supported him. Believes that a committee of the corporation have already sat upon the question of the sheriff's allowances, and that it is in contemplation to make the sheriffs an adequate remuneration by a money payment, 5619.—Supposing the sheriffs were remunerated by a sum of money, engaged on the part of the City to be paid them instead of having fees, estreated recognizances would go to the City, 5622.—Under such circumstances any person situated as Mr. Grey was, would have to petition the City, 5623.—It would be a matter of grace if they gave the money. The money does not, as a matter of necessity, go to the sheriffs; the corporation, though they allow them to receive it, retain in their hands the power of diverting it. When it is a small sum, 50*l.* or 100*l.*, they do not exercise the right, but in Moseley Wolfe's case 10,000*l.* was the amount of the fine, and in that case the corporation paid the solicitors something like 1,500*l.* to one, 700*l.* or 800*l.* to another, and they gave the sheriffs only 1,000*l.* out of that money, 5624.—Billingsgate market is by statute free, except certain tolls, which are imposed in accordance with the schedule; but though a free market, a person is not exempt from the payment of stallage, 5626.—The demand upon the factors in Billingsgate market rests upon prescription, 5627.—Thinks the declaration of its being a free market is not at variance with that prescription. Though the corporation have laid out 30,000*l.* upon the erection of that market does not feel that they could increase the price of the stallage to indemnify themselves for that outlay, 5628.—With reference to the recent proceedings for enforcing freedoms, stated that there was one person against whose property execution was issued, and the amount levied. In that case there was not only that one execution issued, but there were five others. There were six executions issued, with instructions to the officers to say to each person—This is a proceeding to enforce your taking up your freedom; if you choose to take up your freedom, the fine will be remitted and the costs also. He did state it to every one, and out of the six, five did take up their freedom, and had the fine remitted and the costs. The same statement was made to the sixth; he did not choose to comply with it; his goods were taken and were sold, the fine was levied and costs to the amount of 2*l.* He some time afterwards was summoned again to take up his freedom, and came before the chamberlain, and was then told that if he chose to take up his freedom, the money would be paid back to him. If any misconduct was

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practised by the officer upon executing the process he was amenable to the Lord Mayor's Court, out of which that process issued. Told the person a few days ago that he might take his money back again whenever he thought proper to obey the law, or if he chose to wait till the question was settled he could do so, 5629.—That sum having been once levied against a man for retailing without being free of the City, if he goes on to retail after that he is liable to a fresh proceeding. With respect to St. Thomas's Hospital, under the Act of Parliament 27 George 3 cap. 77, the corporation about 25 years ago passed an order requiring the governors of each hospital, when they sent up their leases to receive the seal of the corporation, to have those leases certified by two governors, being aldermen. For 20 or 25 years, or probably more, the hospitals complied with that requirement, and sent up their leases in this form. Some time ago, from some circumstances of a little unfriendly character with some of the hospitals, there was a departure from that practice, and St. Thomas's Hospital sent up a deed to be executed, with the intimation that it was not their intention any longer to comply with that requirement. The corporation referred it to the Law Bills' Committee. They had a case prepared, and submitted it to counsel. Counsel were divided in opinion; one gentleman was very strongly of opinion that it was necessary, under the wording of the clause, that two aldermen at least should sign and certify. The others were of opinion that upon the whole the balance of evidence was the other way, looking at it as a contemporaneous interpretation of the expression used in the Act. However they were all of opinion that it was a subject of some consequence, and that the corporation as trustees ought to receive the judgment of the court upon that question, 5630.—It is upon the 3d section of the Act that the question turned. Reads the section. It was thought that the Act would receive its interpretation from what could be shown to have been the practice anterior to this time. Mr. Wainwright, the most respectable solicitor on the other side, concurred with witness in agreeing to that document. They mutually submitted all documents to the inspection of each other. They went through them all, made a schedule of them, certified them, agreed them, and put them upon their affidavits, so that the facts were admitted, and then they took the opinion of the Court upon them, 5631.—They agreed to raise the question upon the return, so as not to multiply the proceedings, 5632.—The issues were not tried by a jury, 5633.—They stated a case, and took a verdict by counsel, 5634.—The case was argued, and judgment given against them, 5635.—The question is settled and determined. The corporation considered themselves as trustees for posterity, and that they ought not to relinquish an apparent right, of which they were in the exercise, unless a court of competent jurisdiction should say that the law was against them. That was the opinion of counsel, and he (witness) acted upon it, 5636.—Considerable expense was incurred, and the question now arises concerning the payment of those expenses. When the Court had pronounced its judgment, Sir Frederick Thesiger was asked about the costs by his client. He said, "Do not ask for costs." About a year after, an intimation was given that costs were asked for. Wrote a very civil letter to the solicitor on the other side, telling him how much the corporation had congratulated themselves on the friendly feeling evinced by not asking for costs; however he repeats that he must have the costs, and he (witness) has no doubt that at the next meeting of the committee the costs will be paid, 5637.—Has no doubt a charge was made to the factors in Billingsgate market before 1821, but supposing that to be the boundary period, the profits did not come to the corporation. The lord mayor and sheriffs and aldermen of one hundred years ago had sold the profits of Billingsgate market to what were called the yeomen of the waterside. The corporation bought them up, and paid them annuities or specific sums, and received the amount which they had received in the shape of stallage, 5638, 5639.—Believes those parties at that time charged and received payments analogous to the charge now made upon the factors for stallage, 5640.—Thinks that information is before the public in some general statement, 5641.—The opinion has prevailed that it was not a fixed prescriptive sum for stallage, but that it should be reasonable; the mode of interpreting the word "reasonable" being that it should have some reference to the outlay. Witness's opinion is not in conformity with that, 5643.

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—Does not think an uniform sum has been charged for stallage; the committee having to deal with it have considered that that reasonable charge has had some relation to the sum expended in giving accommodation. Has been consulted upon that question since they laid out 30,000*l.* Felt it right, in the discharge of his professional duties, to say that unless counsel, should be of opinion that the amount of stallage should be increased in proportion to the increased convenience given to the parties, there was a difficulty in doing so. Has no doubt the amount has been raised on former occasions when money has been laid out. A case was prepared to be submitted to counsel. Without the countenance of his superior law officers, or some able counsel did not feel himself at liberty to sanction such a mode of dealing with it, 5644.—The office of city solicitor is so ancient that he does not practise by certificate. Practises by warrant. Ranks with the solicitor for the Treasury and the solicitors for public departments. Is recognised in the Acts of Parliament of the present day, such as the Stamp Acts. Voluntarily pays the certificate duty, but is not bound to do so, 5645.—Does not think it was ever a part of the town clerk's office, 5646.—When the committee dealt with the office of solicitor, as they do with all offices when they become vacant, the contemplated arrangement with witness would have given him upwards of 2,000*l.* a year; but the change of circumstances has added 30 per cent. to his duties, and taken very nearly 30 per cent. from his income, 5647.—Thinks there would be serious objection to doing away with fees, and paying whatever emolument it should be thought right to attach to the office by salary; it would be making the corporation participators in an attorney's gains, because the emoluments partly depend upon bills of costs, not to the corporation, but to other parties. Thinks there would be a legal objection to such an arrangement, 5648.—Witness's predecessor, who was paid by emoluments, without a salary, had a much larger income than witness ever had. Has reason to believe that his profits approached to 3,000*l.* a year, 5649.—If that should turn out to be so now, and the salary were fixed at 2,000*l.*, the other 1,000*l.* being paid over to the corporation, they would be participators in an attorney's profits, 5650.—It is contrary to the policy of the law that any person should share in the profits of a solicitor. If the solicitor of the Treasury is paid by salary, does not know what he does with those profits. In the case of the corporation of London, when they succeed in a suit, and their antagonist has to pay costs, the City solicitor receives them; and the adjustment of his salaried income is made proportionate to what they believe to be the average amount of such payments. If it were a fixed salary, thinks he could not pay those costs into the chamber, and therefore there would be a loss to the City, 5652.—Does not think there would be any objection to all the business of the solicitor, which is virtually done for the corporation, including the business done for those funds which are now kept as distinct trust funds, being done in respect of his salary, provided the fund for whose benefit those professional services were rendered should be charged a proportional part of the amount of the salary, 5653.—If an action is brought for the City Commission of Sewers, or for the commissioner of police, the expenses of that action would be charged for separately by the solicitor, 5654.—If all those cases were included, it would only be necessary to provide for the case of costs being received from opposite parties, and for such cases as that of the Irish Society, 5656.—With respect to City prosecutions, receives instructions from the lord mayor and aldermen to prosecute in various cases. States the general class of cases. It has to be applied by the individual judgment of different aldermen, who differ from each other as to the extent to which it should be carried, 5657.—In some degree performs the duties of a public prosecutor in such cases. In individual cases there is not an uniform rule observed by the aldermen; some of the aldermen have objected to such a mode of proceeding. There are valid arguments on both sides; has no hesitation in saying that a great amount of benefit has accrued to the public from it, though in theory perhaps it may be objectionable, 5658.—Is perfectly confident that good has been the result of following that course. It is an imperfect approach towards the appointment of a public prosecutor, 5659.—The statement made by Mr. Pulling, that the aldermen direct that actions brought against individual aldermen should be defended by the city solicitor, is correct; but Mr. Pulling might have added, that if it is liable to abuse, it has been so little abused, if at all, that the case which he pointedly referred to is the only case that has occurred in witness's experience, 5660.—This was an action by a person of the name of Bessell, against Aldermen Wilson, for committing a man to prison who had been brought before him. The alderman, as Lord Campbell said mistook the law, as any one else might have done. Does not recollect precisely the pinching point of the case, but knows the courts differed upon the very same Act within a very short time afterwards, 5661.—A very respectable police magistrate, now no more, who had to suffer very severely in the case of an action against him for excess of authority, as it was supposed to be, told witness that there were a lamentable number of cases in which they felt they could not act with vigour for want of some means of sustaining them, 5662.—If there were some officer of the City of legal weight and reputation responsible for proceedings of this kind, there would probably not be an indisposition to give a proper and due support to the City authorities when the occasion required it, 5663.—The case is reported to witness by the individual alderman. If it does not require immediate action he reports it to the next Court of Aldermen; if it does, takes such steps as may be required, reporting them to the next court, 5664.—Would consider himself authorised in taking the first steps upon the direction of a single alderman. 5665.—Has no hesitation in saying that this power has never been exercised capriciously or oppressively or without due judgment and discretion. Still, if it is improper and liable to abuse, it would be right to guard against it, 5666, 5667.—Dissents from nothing in the statement of Mr. Pulling that "The Court of Aldermen are the executive who exercise paternal care over the morals of the citizens of London; and, therefore when any great crime has been committed, and the parties are too poor to prosecute, the Court of Aldermen are the most efficient body to direct proceedings to be taken," 5668.—The Court of Aldermen have never interfered in political cases since witness has held his office. Has never known any body of men act with more impartiality in the administration of justice than the aldermen, 5669.—About 50 or 60 prosecutions, such as have been described, are conducted at the expense of the corporation in the course of the year. One of them being a case of conspiracy is a very difficult case to carry on, 5670, 5671.—The rule which the corporation adopt is that which the Government usually follows in instituting proceedings, that they only interfere in cases where they think private individuals will not be able to carry on the prosecution with efficiency; or to defend the police when they think they are improperly attached, or prosecute them when they think the public service requires it. They do not assume to be public prosecutors, 5672, 5673.

PEARSON, CHARLES, Esq. (*Second Examination.*)—With respect to the propriety of referring it to some legal officer to exercise supervision or control over legal proceedings before they are instituted, expressed himself yesterday according to first impressions. Wishes to change the opinion, and to say that such an alteration would be beneficial, and also to change the expression used when he said he thought that the recorder could not properly be such an officer, seeing that his engagements at the Central Criminal Court took him away from the focus of every-day business. Sees no objection to such functions being vested in the recorder or the town clerk, with such a town clerk as they now have. However honest the City solicitor may he in his recommendations, still, inasmuch as his income partially depends upon business, it would be impossible for him to stand before the world free from the suspicions which ordinarily fall upon men who are doing acts in which their own interests are largely involved. On the other hand has had painfully to feel the evil in an opposite direction. Has often felt that he has given feeble advice for fear of subjecting himself to such an imputation. In order to remedy the evil as much as possible, has generally in the cases which (witness) has read to the committee, cast upon the counsel the duty of expressing their opinion, not upon the question as a mere dry question of law, but as one in which they are bound to consider the position of the corporation consulting them. Within the last fortnight had occasion to consult Sir Richard Bethell and several other eminent counsel upon a point in which questions of law and equity and conveyancing were combined. That was as to the Irish

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Society. Felt it right to charge counsel to give advice to the Irish Society, such as could be maintained, having regard to their moral position in the eyes of the world. Therefore the moral control which the question assumed, was in that case exercised by the counsel concerned. Is bound to say that in several cases with which he has been intrusted, it would have been a great relief if there had been some such controlling officer. If Mr. Serjeant Merewether, as town clerk, or the recorder gave a fiat for any proceeding, should be at once disembarrassed of all obligations beyond those of an attorney carrying out a case to the utmost of his ability. There are now sometimes conflicting duties which very painfully operate upon the mind, and considers that part of his salary is earned by the weight of those responsibilities, and without reference to what is the proper remuneration of the City solicitor. Thinks a deduction might very fairly be made from his salary to remunerate any officer who was charged with the deep responsibility which would belong to such a functionary, 5676.—It might be easier for the recorder, or the town clerk, or any officer who had charge of such a function to take a moral view of the case, than for the counsel who might be consulted upon it. Wrote these words at the end of the case which was read to the court of the Irish Society, and requested the governors and deputy governor, and Mr. Sheriff Wire, who is a solicitor, to attend at the consultation. "The society consider that they are placed in a different situation from other holders of property in Ireland; they have a fiduciary character; they are trustees for the public, and they have no right to compromise interests which the public have in the administration of the funds of the society. There are several public improvements in the district where the estates are situated, which the society are anxious to aid or affect, had they sufficient funds for the purpose. The society on the other hand desire to avoid litigation, unless there is a fair and reasonable ground for believing, that they have a right either to the fine or the additional rent in the case put." In the opinion of counsel, after dealing with the question as a matter of law, they say—"we think that, considering the position of the society, they are not at liberty to forbear asserting their right to this compensation;" and in case the decision which was then pending in the courts of Ireland, should be against the society, they advise an appeal to the House of Lords. This is similar to the advice which the agent had received in Ireland from the law officers of the Crown there; but, still feeling the difficulty in which he was placed, his advice was feeble. Should, probably, but for that feeling, at once under such advice have told the society—"It is a matter of law; I advise you to proceed." With respect to the metage case, calls attention to an examined copy of the judgment by the confession of the attorney-general in the reign of James the First. In the reign of James the First the Crown instituted proceedings against the corporation, challenging them to show by what title they claimed to be conservators of the river Thames, and by what title they claimed the metage and measuring of all measurable goods. The corporation set up that they had that title by prescription, and that there was an Act of Parliament in the reign of Richard II. that confirmed their title to all their rights and privileges which they then possessed. The judgment, after setting forth the pleas, proceeds thus: "It is considered by the same barons, that the aforesaid mayor, &c., and their successors may have, receive, enjoy, and use all and all manner, offices, privileges, liberties, franchises, wages, rewards, and fees aforesaid, and other the premises in their plea aforesaid, above claimed from time to time, by virtue of the aforesaid Act of Parliament; and the same mayor and commonalty and citizens aforesaid, as to the premises may so from hence quit without delay; saving always the King's right if otherwise, &c." Begs leave to refer to the case of the oyster meters. The office of the oyster meters is a purchased office of the grantee and purchaser of the office of yeoman of the waterside, sold a century ago, the oyster meters having purchased with their places the right of alienation. Two of the oyster meters, in the course of years, have died without alienating, and they have died since the time when the corporation refused to sell any office. The corporation, therefore, appointed two oyster meters, and they acted in concert with their colleagues. But the attention of the court was called by a petition to an abuse practised in Billingsgate Market, the abuse being that the holdsmen or persons engaged in the actual delivery

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of the oysters in heaping them up in the bushel and delivering them on deck, were in the habit of receiving gratuities from the purchaser, in a tone and manner which rendered it necessary that they should be paid. The corporation found that they were receiving from their two nominees the dry produce of the place, it being decided according to a judgment in the Court of Exchequer, in the case of Layburn *v.* Crisp, that the fee for metage included the cost of the labour, and that the meters were bound to find labourers out of that sum. The corporation, as soon as it came to their knowledge, insisted that the legal practice, as established by that case, should be carried out, but they found that the first thing to do was to clear themselves before they proceeded to correct others; therefore, they said, we will not permit our two meters to take this money, and to hand us over only the legal fee; but we will appoint two men, who are actual holdsmen, and they shall receive the whole of the amount and take no fees from the public. A bill has been filed against those two men by the other eighteen, the oyster meters setting up a *quasi* corporation, entitled to a partnership division of the receipts of them all, saying to those men,—If you have been choosing to pay the holdsmen to assist you, and to work yourselves, you are fools for your pains; you shall receive only your proportionate share of the whole amount of the receipts, and you shall bring the whole amount of your receipts into the partnership division. Vice Chancellor Turner heard the case, and decided that the doctrine in Layburn *v.* Crisp must be maintained, and that the oyster meters ought to pay their holdsmen out of the money received. But, strange to say, the public will pay the holdsmen, and a conflict has taken place at Billingsgate, in which the corporation meters have been actually defeated, and they are compelled to receive this money; it is now before Lord Chancellor Wood, who feels that it is impossible to restrain people from paying a gratuity, if it is a gratuity, and the effect of it will be that it will lapse into its ancient state and condition; had hoped that the matter might have been arranged, and that the corporation would have been enabled upon fair terms to have bought up the places which their ancestors had sold, so as to effect a total change, 5677.—The proprietors of the oysters themselves attend, and although they petitioned the corporation to put an end to this practice, thinks that from some cause they really did not desire to break down the system. There is no effort to support the corporation in what they have done, 5678.—There are eighteen day oyster meters, and three night meters, 5680.—They affirm that they are independent, from something that dropped from Vice Chancellor Knight Bruce, and also from Vice Chancellor Page Wood; it would rather seem as if their impression was, that the corporation might by its power to change its customs, deal with the whole matter; but while this *quasi* fellowship remained, it could not deal with it in detail. They seem to imply that they did not know that the corporation might not make some superior regulations to over-ride the regulations of this partnership, 5681.—The holdsmen are nominated by the owners of the oysters and appointed by the meters. Believes a strong feeling prevails among the corporation, that those parties would be harshly dealt with if they were compelled to pay the holdsmen out of their legal fees. They having bought the office at some time, however irregularly, in all probability if they were to come to the court, the court would deal fairly with the whole transaction, 5682.—Is quite satisfied that if Mr. Gibbs had been asked if the meters who attend him cheat the sellers, being bribed by the purchasers to give over measure, he would have said, No. It was at the instance of Mr. Gibbs and Mr. Alston that the City meters were appointed, who were to refuse to receive those gratuities. It is extraordinary that the oyster sellers, if that is so, did not concur with the corporation in putting a stop to the practice. It is clear, if they concurred, they might do it. The enormous sums of money which are paid to buy those offices are quite inconsistent with the income which is attributed to them, 5683.—Thinks the compensation requisite to abolish the offices of those 21 persons would be considerable. They think there has been a strong moral feeling acting for some time upon the corporation, and that those places sooner or later will be bought up. They would not command the prices they do, unless they received more fees than they acknowledged, or unless they expected they would be bought up.

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Knows some of them personally, and believes them to be very respectable men. Does not charge them, therefore, with receiving more fees. Is only putting the fact, that the price they pay for their place is very much above what anybody would seem to imagine was the fair purchase money for such a situation, 5684. —With respect to the City solicitor being paid by salary instead of by fees, stated yesterday that there were cases under which the attorney-general did receive costs. The rule laid down by Lord Cottenham, in regard to the costs of the attorney general was this: he said the attorney-general receives no costs because he pays no costs; parties to a private suit receive costs because they pay costs, but there are occasions when parties to a private suit do not pay costs, and in corresponding cases the attorney-general is entitled to receive them, because he stands upon the same footing with Her Majesty's subjects generally. In the case of over-ruling the exceptions to the answer of the City, inasmuch as the judgment below was confirmed, of course under no circumstances could costs have been claimed. The costs were given to the attorney-general, to the amount of 22*l.* If a gentleman was paid by salary instead of being paid by fees, supposing such costs to be received by him, his principal would participate in those emoluments. With respect to the case of Bessell *v.* Wilson, to which witness referred yesterday, when the court quashed the conviction, there was an intimation from the court that there should be no action brought, and the rule was drawn up in that form; but the parties would not accept the rule in that form. They said, "No; the court has no power to deprive us of our common law right of action; it has quashed the conviction and it may have intimated an opinion upon the subject, but we claim our right." Accordingly they brought the action, and 100*l.* damages was recovered for some fifteen hours detention. It was a strong verdict. There was no charge of misconduct against the police, but it was said that the station-house was damp. Was not in a condition at the trial to prove anything respecting it, and had to pay for the consequences of it; paid 100*l.* Probably, if there had been some comptroller over the institution or defence of actions, witness might have been sanctioned in compromising it. Is in a difficulty at this moment and wishes for some controlling power to resort to, 5685.—The comptroller is an attorney, 5686. —Witness conducts all litigated questions, both in law and equity, 5687, 5688.—The comptroller in his professional department merely manages the conveyancing business. He has an official department in which he acts as clerk to the City Lands committee, and as clerk to the Markets committee; he is comptroller of the chamber, and makes out the charge upon the chamber. Witness filled that office pro tempore during the last vacancy, 5689.—The comptroller prepares the leases, 5690.—If an action were brought upon a lease, witness would bring it, 5691.—Where any question arises upon the draft of a deed, witness is usually consulted, and if a matter that may lead to litigation, is consulted in every stage of it, 5692.—If the opinion of counsel is taken upon mere questions of title and conveyancing, it is taken by the comptroller; if it is taken upon questions of construction, it would be taken by witness preparatory to or tending to litigation either way, 5693. —The comptroller checks the receipt of money payable into the chamber, 5694.—He makes out an account of what ought to be received from the deeds of the corporation; he also makes out what is reported to be received from the markets and the Coal Exchange, and so on. Those separate officers make a return to him as well as a return to the chamberlain. In the case of the markets, he examines the accounts and puts his initials to the amount. The chamberlain recognises his initial as a voucher for him to receive a certain sum of money. Those vouchers go afterwards to a committee of the common council, of which the comptroller is the clerk, and they audit those accounts; but during the interval when it is paid into the chamber, he enters it in his own book, and it becomes a charge upon the chamberlain. At the end of the year, when the charge is made up, the total of those items is introduced as his charge upon the chamberlain, 5695.—No doubt the difference between the comptroller's account and the chamberlain's account which appears, is the amount of arrears. They check their accounts with each other at the end of the year, and there is no doubt that in the charge and discharge that is the amount, 5696.—With regard to the markets, the whole of the account is paid into the chamber. There are

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certain weekly payments, and so on, which are subjects of deduction; but since witness was comptroller, there has been a constant tendency in that office, and all other offices, to bring into charge the whole amount. Dr. Bowring proposed in Parliament that the government accounts should be kept in that way, and there was a resolution of the House of Commons which would have led to the government bringing everything into charge, and then discharging itself by paying it. 5690.

PEARSON, CHARLES, Esq. (*Third Examination.*)—In No. 6711 the question asked Mr. Gentry is: "What did the chamberlain say or do upon that statement." He said, "Two months, Mr. Gentry." The chamberlain was the late Anthony Brown, a most amiable man. Has been present on a great many occasions, and certainly a great kindness has always been manifest on each of those occasions, 6932.—Doubts whether Mr. Gentry can have made such a statement to him as he describes. Thinks the chamberlain would have felt it his duty to make a special representation. He did so often when the party pleaded poverty. The representation by the recorder was, that no unnecessary harshness had been used; but if there had been any, it would fall upon the officer. If any harshness had been used, it would fall on witness as solicitor. First sent a letter accompanying the chamberlain's summons to Mr. Gentry to take up his freedom. It was not in his usual course of duty. Heard nothing from him, placed writ of execution in the hands of the officer, and told him to say to each person, "This proceeding is taken out to increase the constituency, and not for the purpose of recovering the penalties; and if it is your pleasure to take up your freedom Mr. Pearson will relinquish his costs, and I have no doubt the committee will also relinquish the fine; but I have authority to state from the solicitor that the man will immediately be withdrawn from possession if it is your pleasure to apply to the committee." The parties applied in five out of the six cases; witness relinquished his costs, and the fines were remitted on their taking up their freedom. Mr. Gentry dared them to pursue the proceeding. The officer executed his warrant and levied the amount. Mr. Gentry was summoned again some time afterwards; he complained of the manner in which the execution had been levied and his goods taken. The officer states that the process was executed in due form of law. Has gone out of his way and sacrificed professional emoluments to avoid the imputation of hardships, 6933.—Did not learn whether Mr. Gentry received the first letter, 6934.—Has no doubt it was sent by post; he did not complain of any want of previous application, 6935.—The second summons was not proceeded with; regrets that the law allows so large an amount of expenses in such a case, 6936.—Mr. Gentry says they took a large quantity of goods and gave him no account, and then gave him back his sofa. Thinks Mr. Gore should be examined, because he is a very respectable officer, 6937.

PEARSON, CHARLES, Esq. (*Fourth Examination.*)—States that, as City solicitor, he has not got up any case for the corporation, because it was thought more respectful and more correct to allow the witnesses to come spontaneously, which they have done; but if there is any officer or member of the corporation whom the Commissioners would desire to have examined, he will at once present himself. The committee have given witness authority to appear as a former member of the Court of Common Council, for the purpose of making a statement of facts within his knowledge, or circumstances with which he has become acquainted in examining the books of the corporation. In order to compress them into as short a space as possible, has put certain statements into writing; any documents required to sustain any fact shall be furnished from the books now, or extracts shall be made at any future time. The first paragraph refers to the receipts and revenues of the corporation. The average of the last seven years has been 190,000*l.* a year, of which 44,000*l.* has been produced by City rents, 5,000*l.* a year by the Finsbury rents, and 14,000*l.* by the conduit mead, and other outlying property. The fixed charges referred to in that paragraph, taking the same average as the receipts, amounts to 138,000*l.* a year. In Mr. Pulling's evidence, he conceives that a considerable portion of the revenue of the corporation is derived from the embankment of the Thames in Thames Street, after the fire of London, contrary

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to the duties of the trust; and he applies his statement to certain large warehouses. States upon oath that this is entirely a misapprehension. There is no such rent from land so embanked from the Thames. They have two very large properties there. One is a leviathan warehouse, Crawshays', and the other is the great mill at Puddle Dock, built upon the site of an ancient lay-stall. The ground was purchased by the corporation for 2,700*l.* in the early part of 1700. The other was belonging to the corporation for centuries before. It is found in the earliest of the books anterior to the fire of London. There are to each of those properties small easements in the shape of piles drawn for mooring craft. They yield a rent of 5*l.* a year, which has been carried for many years to the navigation account. The same witness suggests that a portion of the revenue of the corporation is derived from buildings in Smithfield; but has examined some old maps, and finds it a complete misapprehension; that Smithfield has not been circumscribed in its area by the corporation since the fire of London; and by one map, as late as 1560, finds that the area of Smithfield was less then than it is now. The corporation have within the last half century purchased property to the extent of 20,000*l.* or 30,000*l.*, which they have pulled down to enlarge the area of Smithfield. There is no foundation for Mr. Pulling's supposition. The City state that the rental fund of the navigation does not exceed 1,100*l.*; that is true, and the amount is about 800*l.* now. In consequence of the litigation with the Crown, some persons refuse to pay. Has not thought it right to incur the responsibility of bringing a number of actions for small rents while the greater question is at issue. Under one of the charters the whole commonalty are entitled to admit persons to the freedom of the City without the introduction of livery companies. Non-freemen introduced by the companies may be admitted at the hustings court, or by the chamberlain upon redemption, but without the certificate of character, by belonging to a company, they can only be admitted by the whole commonalty. The common council being held to represent it, have claimed and exercised the power of admission. Combe's case is now for argument in the House of Lords, 8460, 8461.—There was a general indisposition to move it; but it is now to be discussed as a pure matter of antiquarian learning, for the orders of the Court of Chancery are so changed that the result can have no effect on any future case. The representation made by the corporation in their statement is, that the report referred to by several of the witnesses, that the cost of the mayoralty was 25,000*l.* a year, was examined by the common council and disallowed. In the minutes of the court, dated 23rd March 1836, every item constituting the 25,000*l.* is analysed, and the amount disproved, to the satisfaction of the Court of Common Council, and they passed resolutions reducing all those charges capable of reduction, and giving their reasons for it. The first charge 5,322*l.* is thus dealt with by the court. It proposes that the sum of 2,125*l.* be substituted, it, the former, being the estimated annual value of the Mansion House, calculated according to the assessment to the ward and parochial taxes, as settled upon an appeal. Then it goes on to doubt whether it ought all to be charged to the mayoralty, because sometimes part of the Mansion House is used for other purposes. The next item is 3,763*l.* a year, for what are called the officers of the household, gentlemen who are annuitants, and persons holding places created a century ago, and sold by the lord mayors of that day. In the year 1819 the common council bought up their places, giving them fixed annuities for life, and certain payments in money, in commutation of the emoluments which they had purchased of the lord mayors 100 or 150 years ago. The corporation obtained by that arrangement a considerable revenue, the collection of the fish market, which falls into the revenue of the corporation, and is accounted for by them. These sums of money thus charged to the debit of the mayoralty can have no place there, unless the interest of the money paid for these places a century ago were put on the credit side of the account, or the revenue derived from having bought up those places, in which case there would be a considerable sum to the credit of the mayoralty. In two sums alone 7,000*l.* is taken off from the charge of the mayoralty. Agrees with the statement of the other witnesses with regard to the cost of the mayoralty. Moved for a committee to inquire into the subject in 1830. The committee had

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the accounts before them of eight gentlemen who had served as lord mayors, and from these accounts has no doubt that the receipts of the lord mayor do not in any year exceed 9,000*l.* Has no hesitation in saying, that the statement contained in the tenth paragraph is correct as to the charges of the committees. With regard to the eleventh paragraph, it is true that there are several officers who have been common councilmen, but not so many as witness stated; three of the gentlemen he supposes to have been were not. About ten per cent. of the officers have been common councilmen. It would be difficult to find any one of respectability in the City who was not related to a common councilman. Is surprised that that gentleman should have made those statements. He has been long employed by witness, 8462.—Refers to Mr. Acland. He was called "Pearson's Ferret," and a very good ferret he is. His instincts are so strong that he finds a scent where there has been no vermin for centuries, and fixes on circumstances of bygone years, and attempts to fasten them upon the present corporation. He was in witness's office, and had the run of Guildhall, and had there been anything wrong he would have found it out. Witness was pleased when he heard of his employment in a confidential part of the corporation business. Should not have hesitated to recommend him, believing him to be honest, and that nothing dishonest was intended to be done by the corporation, 8463.—Is speaking with reference to the opposition to the Smithfield bill, and also as to the "Citizen" paper, 8464.—Mr. Acland had a vast deal to do with the "Citizen" paper. Thinks he purchased that valuable property for the sum of one shilling. The corporation thought it necessary to communicate to the public intelligence connected with its own affairs. Witness was consulted with the other officers. Recommended them to make some arrangement with a man of competency to have a part of the "Citizen" paper allocated to City business, in which all the reports and business might be connected by a leader indicating the object and intentions of these proceedings. In London there is no local press, 8465.—Has always thought that the influence of public opinion was of the greatest use in regulating the affairs of the corporation, and thought this would be a good means of exposing its proceedings to the public gaze. States that they pay about 900*l.* a year for the printing of the "Newgate Calendar," containing a report of the proceedings of the sessions, 8466.—The plan of business was, that the City should look to the paper for a report of all its proceedings, but should have nothing to do with the editorial part of it, 8467.—Like the official portion of the "Moniteur" in France, 8468.—Thinks it might have been conducted in that way without the least chance of the corporation being involved, either in its literary or pecuniary responsibilities, 8469.—Mr. Mills, in his evidence, states that Alderman Finnis shirked the office of sheriff, and got Mr. Mills elected instead, and obtained 100*l.* out of his 600*l.*, taking a part of his fine. It is the very reverse of this, for by getting him elected, Alderman Finnis, instead of getting the 100*l.*, lost it. Does not impute any improper intention to Mr. Mills, but it is a hard conclusion for one gentleman to draw of another when the facts do not sustain it. With regard to Mr. Sheriff Croll, a witness stated that he offered ten shillings a ticket, implying that he had corruptly got himself elected; can personally contradict that statement. Mr. Croll was at Edinburgh. Witness, at the request of the lord mayor, in rotation requested Mr. Croll to stand, and he said he would, if he thought it would be acceptable to the aldermen, and if the liverymen would present him with a requisition, but that he was going to receive some honours at Perth. Witness said that if he would be in Edinburgh on the morning of the election, he would telegraph to him whether the aldermen and a considerable number of the liverymen would desire it. Telegraphed down to him with the requisition, and a statement of who had signed it. He replied, that if he was elected he would serve. He served at the request of the aldermen, and without the slightest wish of being guilty of any irregular practice to obtain the office. Witness was twice under-sheriff, to Mr. Raphael and to Mr. David Salomons. Was one of the parties who (in 1819) took steps to prevent gentlemen being fastened on as sheriffs for the purpose of fining them. Thinks as much as 10,000*l.* had been exacted from gentlemen in two or three years before that time Moved in common council that the fines should go

for charitable purposes, to take away the disposition to fine persons who did not desire to serve. Having done that, was anxious not to be without sheriffs, and has frequently interfered to induce gentlemen to serve the office. When Catholic emancipation passed, was anxious that the corporation should carry out the principle, by the admission of a Roman Catholic gentleman qualified for the office. Mr. Raphael applied to know how to use his fortune in advancing these liberal sentiments. Recommended him to become sheriff. States upon oath that nothing took place as to who was to be his under-sheriff. After his election he invited witness to accept the office without any previous arrangement, and in the handsomest manner conferred all the advantages of the office without any bargain whatever. Assisted the friends of Mr. David Salomons when they were desirous to promote a gentleman of the Jewish persuasion for the same reason, without having had the slightest conversation on the subject of the under shrievalty. When he was elected he conferred the office on witness, and knowing the emoluments to be falling off, he made him a present of 500 guineas besides. Expected to be under-sheriff when Mr. Raphael was made sheriff. The livery perfectly understood that that would be the result. States that it must not be supposed that the accounts of the corporation appear in no other form than in the blue books shown to the Commissioners. On the completion of any of their undertakings they publish a much larger book, containing the minutest detail of every part of the expenditure, which is submitted to all those having any interest in controlling the expenses of the corporation in public improvements. Will send one of the books to the Commissioners, which will be found most creditable to the corporation, 8470.—Has no doubt that the accounts might be kept with greater plainness and clearness. Gives extract from report of a select committee of the House of Commons which shows that they are satisfied with them, 8471.—The fund alluded to is the improvement fund. When they have been intrusted with any work, and have applied to Parliament for assistance, Parliament has referred them to a committee, and this is the report of one of the committees on the examination of their account; these observations only apply to extraordinary accounts, and not to the general corporation accounts. Refers to a charge in the 12th marked paragraph in the City's statement. Gives reply of the corporation at page 81, denying that there is any foundation for the assertion, "That the corporation is inferior to the corporations of former times." While the City's statement was being prepared, desired to have the charges copied verbatim, but from a better feeling the sense was given instead. In return, two of the witnesses have complained that their statements have been unfairly dealt with. To avoid the imputation of garbling the evidence, will, with the permission of the Commission, lay a series of facts before them, which will prove every one of the important charges to be without foundation. States that these offensive statements have already been before the world through the medium of the press. Has them in the form of an appendix to an official report. Is of opinion that no corporation, however pure, can continue to be of any use if it permits such charges to remain as uncontradicted evidence in a parliamentary document under the seal of a royal commission like the present. The first witness, an electing agent, acting at the bidding of unnamed individuals, ought not to be nicely scrutinized. But the fourth, and eighteenth, and twentieth witnesses are directors of the Bank of England, and the second and tenth are wholesale dealers. The Commissioners intimated that it was unnecessary to read quotations, but that references might be given. Hands in reference to and substance of statements referred to. Has the original books from the corporation archives in court, and will turn to them, and vouch the time, the person, and the place to which every statement made is capable of being referred to. Will prove that the aldermen and common councilmen have never been more wealthy, intelligent, and respectable than they are at the present time, and have never manifested more zeal, fidelity, and ability in the discharge of their important functions. Takes the year 1663, because the City's account of receipt and expenditure commences with that year. In the reign of Charles I. the lord mayor and aldermen had the uncontrolled government of the City of London. The civic court was composed of the mercantile aristocracy of the City. They had vast sums at their command, and they made loans to one another on their own security. They sold, for their own benefit, places and appointments remunerated by fees. Of the metage dues (amounting to many thousands a year) which was proved to be received by the officers who purchased their offices of the lord mayor and aldermen, no part appears in the books of the accounts. From the intercepting of this and other important portions of the corporation revenues, the finances were in a desperate plight, and the corporation gratified their courtly extravagance on most humiliating terms. On one Lord Mayor's Day the conduits in the streets played wine, and the aldermen gave Prince Charles a present of 500*l.*, the Queen a gold basin and ewer worth 750*l.*, and the King a diamond, cost 4,000*l.*; they were obliged to pay for it 1,000*l.* down, and the rest by instalments of 1,000*l.* a year. In those days the City court was of a motley order. Merchants of the highest order held offices in the corporation, and employed both its influence and its cash in obtaining rank and titles for themselves. They rarely allowed the common council to meet. In 1633 not a single Court of Common Council was held; and in the preceding and succeeding years only one. At this time both the wealthy and needy were borrowers of the public money. By the accounts it appeared that fifteen living aldermen, and the executors of four who had died, owed the City upwards of 30,000*l.*, and upwards of 10,000*l.* were then due to the trust fund for arrears of interest. It is to the bad name and conduct of the aldermen, and the satire of the wits of those days, that their successors are indebted for much of the censure and sarcasm they have now to bear. Between the beginning of the seventeenth and the early part of the eighteenth centuries the state of the corporation had been improved. During the Commonwealth the middle classes of the citizens had acquired some power, which they endeavoured to keep at the Restoration. In 1723 the common council sought to pass an Act of their own body to regulate all corporate elections, but it was opposed; and in 1724 fifteen of the aldermen, by collusion with the Government, obtained the Election Act (11 Geo. 1.), which took away the power of the citizens to amend the customs, and fastened upon them and their posterity the restrictive policy and complicated machinery of that detested measure. Gives list of offices sold at that time for the benefit of the lord mayor and aldermen and sheriffs, 8472, 8473.—One-third went to the corporation account; in the previous century the lord mayor and aldermen took the whole, 8474.—They took them for their private use. Some of the appointments were sold for life or for years, with power to put in a new life, on payment of a fine to the mayor or sheriffs for the time being. As these civic dignitaries held office only for a year, they were at the mercy of the appointees; and on the eve of the principals vacating their office, they were glad to get any sum, however small, rather than leave the appointments to their successors. Some years were, from sudden deaths or other circumstances, more fortunate than others. In 1726 the lord mayor received 6,800*l.* for his share alone. He had 2,666*l.* 13*s.* 4*d.* for the sword-bearer's office, 800*l.* for an attorney's seat at the Sheriffs' Court, and 1,780*l.* for one of the solicitorships at the Mayor's Court. The corporation during the past year have been obliged to buy this up, in order to enable them to throw open and reform the Mayor's Court; 4,000*l.* was given for it. Placemen, and pensioners, and tradesmen to the corporation, had seats in both courts, and they voted themselves contracts and paid their own bills. One of the aldermen held the humble appointment of city printer, with a salary of 4*l.* a year, and the titled lady of an eminent merchant who had been lord mayor enjoyed a lease of the laystalls or dung-heaps of the City. This period was certainly the most discreditable in the history of the corporation. 1,800*l.* was expended by the citizens and common council, in the opposition to the Election Act. Sir Robert Walpole's Government supported the aldermen; and to prevent the citizens meeting to petition against the bill, Guildhall yard was filled with troops. After the passing of the Act, the governing body exceeded their predecessors in the arbitrary exercise of their power; they took heavy fines for granting long leases at low rents, (5,000*l.* for one lease,) and increased the redemption fine to 25*l.* to meet the debts of the City. They levied fines to the amount of thousands of pounds on dissenters, whom they nominated for sheriffs, knowing they could not qualify for office by taking the sacramental test. Has a list of alder-

PEARSON, CHARLES, Esq.—*continued.*

men who were directors of the Bank of England. They have record at the bank of only two aldermen who were ever bank directors. One was Sir Brooke Watson, and the other Alderman Thompson, 8475.—At the time of the Election Act there were eleven. There is a strong contrast with the corporation of that time and the same bodies during the last twenty-five years; for while the conduct of its affairs has been in the middle classes, they have borrowed of the bank, at the lowest rate of interest, a million and a half of money, every payment both of principal and interest having been made with perfect punctuality. In 1724 Mr. John Barnard took the lead in opposing the election bill. He was of the middle ranks, a man of independent mind and means. Shortly afterwards he was made a member of Parliament for the City, and an alderman. He brought in the celebrated Act of Common Council which took from the lord mayor and sheriffs the sale of places, and obtained for the corporation the revenues derived from the metage of coal and corn. He received a public funeral, and a statue was erected to his memory in the Royal Exchange. Since his day leaders have not been wanting for the corporate reformers from amongst the middle classes. Thinks the witnesses No. 20 and No. 10 are mistaken in supposing that any material change took place in the character of the aldermen in the latter part of the past or the beginning of the present century. There were in the court, at the same time, merchants of the highest class, and men who clung to their gown in the hopes of obtaining some of the emolumentary appointments which were still in the gift of the corporation: one gentleman whose debts were compromised for 5*s.* in the pound; another was for years in the Rules of the Fleet, and four others became dependent on the corporation for bread. Refers to this period because the witnesses stated that the corporation about this time lost caste in the mercantile world, and has since been looked upon as "something loathsome." Wishes to avoid mentioning names, but will do so if required. Gives list of lucrative situations held by aldermen, under the corporation, at the same time. Is a genuine cockney, and began to interfere with corporate affairs as soon as he came of age. There is no corporator living who was in the court before 1816; since that date they can answer for themselves proudly. On the day witness joined the common council, there were two reports before it for consideration; one from a committee, bringing up bills for an entertainment given in honour of the foreign emperors and the Duke of Wellington; the amount was 25,000*l.*; at the same time there was under consideration a communication from the chamberlain to the effect that the income of the corporation was unable to meet the general expenditure, and at the same time the lord mayor communicated to the court that the baker had refused to trust the corporation for bread for the prison, unless he would give his personal security; the chamberlain had refused to give any undertaking, and the lord mayor called upon the court to provide the means. The report contained a statement that they were indebted to their officers for large sums of money; that they were in the hands of their officers; they owed them 25,000*l.*, and 75,000*l.* to the Bridge House Estate. The report was sent back to the committee for reconsideration. Eight men were put on the committee, who vowed not to eat or drink at the public expense till they had got the corporation out of debt. From that time the corporation has been pursuing a system of reform which has excluded the poor and led the rich to leave it, and has supplied the corporation with the middle class, 8476.—Thinks, that when there is not great power and patronage in the corporation, and it is not an avenue to court favour, great merchants find that they can distinction by easier means. One reform determined on was, to make a man pledge himself to resign his gown if he became unfortunate in business, 8477.—Reads question 146 and first witness's answer. Examines this statement in detail, to show how much is fact and how much is fallacy, 8478, 8479.—Thinks the higher class of merchants in the City of London are fully represented in the corporation, 8480.—Would desire in any local institution to combine all classes who would work, 8481.—Does not think it desirable that a man should be elected mayor who cannot devote much time to the affairs of the corporation; firstly, because it would bring in persons not qualified by previous municipal education, and secondly, because

PEARSON, CHARLES, Esq.—*continued.*

it would damp the energies of other men, 8482.—Thinks, if the right of voting were extended to all rate-payers in the City, you might leave the decision of lord mayor to them, 8483.—Thinks a good constituency would be able to judge of what was fairly due to the claims of service to the corporation, 8484.—Does not know of a single instance in which the consent of the corporation has been given under seal to any market within seven miles of the City; though there is no doubt of the legal privilege, which is only enforced for the sale of live cattle, 8486–8488.—There were clauses inserted in the Islington Market Bill to afford compensation to the City for damage to Smithfield Market, 8489.—Thinks, though the City have the power they would not oppose the establishment of a market for the sale of vegetables and poultry within seven miles of the City, 8490.—Hungerford Market was not opposed, nor was there any compensation stipulated; there was no opposition to the Paddington Market Bill, 8491,8492.—Has heard, that if some portion of Smithfield were not used as a market it would revert to the Crown, 8493–8496.

PEMBERTON, EDWARD LEIGH, Esq. (*Analysis of his Evidence.*)—Is solicitor to the Board of Land Revenue, 2926.—Was appointed about 1830. At that time it was the United Board of Woods, Forests, Land Revenue, Works, and Buildings, 2927.—In the course of that time disputes have taken place between that office and the corporation of London regarding the right to the soil or conservancy of the river Thames, 2928.—Gives a very long statement with opinions of a cause disputed between the Crown and the corporation as to their title to the soil of the river. On May 3d, 1851, a replication was filed, and the cause brought to issue and ripe for the examination of witnesses. Since then about 200 ancient records have been proved in evidence on behalf of the Crown, and from 50 to 100 remain to be procured from the various record offices, 2929–2935.—It is impossible to calculate when the cause will be decided. The corporation of London have not gone into any evidence yet, 2936.—The decision will be made by the Court of Chancery; expects that a decree will be at once made establishing the title of the Crown, but the court may direct an issue to be tried at law, 2937.—Has no reason to suppose there will be an appeal to the House of Lords, 2938.—The right is, in fact, in abeyance, but the corporation go on granting licences, with an arrangement that they should keep an account of all fines and rent received for embankments, and give the Commissioners fourteen days' notice of any embankment they intend to licence, in order that they may stop them if thought objectionable. The Crown is no party to the grant, and will not entitle the grantees to hold their embankment adversely to the Crown, if the title of the Crown be eventually established, 2939.—Does not recollect any recent case in which the Crown has exercised rights of ownership over the bed of the river except in the case of the Houses of Parliament. Notice was given that the Crown intended to embank, and it was done without any licence from the corporation. Admits that, as conservators, the corporation have a right to judge whether the proposed embankment will impede the navigation, and if so to stop it, 2940.—Permission was not asked by the Crown in a manner that implied the corporation had any right to the soil of the river, 2941.—Does not know that the Crown has ever been in conflict with the City with regard to the conservancy, except that there have been various schemes for the improvement of the river and alteration of the conservancy, but has not had time to make himself master of all the proceedings which have taken place, 2942.—The right of conservancy is not disputed by the Crown; if disputed at all, should imagine it would be by the Admiralty. His office is merely with respect to the soil. Refers the Commissioners to Lord Hale, "Treatise de Jure Maris," Part 1st., Chapter 5, in regard to the office of conservators, 2943.—The right of the City to the conservancy of the river has never been disputed in any litigation with the office of Woods, 2944.—Admits the City are conservators of the river, but they have exceeded their duties, and many acts which they rely on as evidence of their ownership of the soil of the river were exercised in the performance of their duties of conservancy, 2945.

PILLOW, Mr. THOMAS. (*Analysis of his Evidence.*)—Is a lighterman; has an office at 73, Thames Street, chief place of business is Symon's Wharf, Tooley Street, 3007, 3008.—Wishes it to be understood that

PILLOW, Mr. THOMAS—*continued.*

he was requested to attend, though not an unwilling witness, 3009.—The corporation of the City, and the company to which witness belongs, are distinct, 3010, 3011.—Is a member of the Watermen's Company; is one of the Court of Assistants, 3011, 3012.—Thinks it desirable that the Commissioners should not remain in error respecting the statement which the gentleman who was examined from Isleworth made. He thought he could not carry goods from the Medway. This is a mistake; he has as much right to carry goods from the Medway as he has from the north; that is to say, the vessel could be manned by others besides freemen of the Watermen's Company, 3013.—There would be no restrictions whatever, 3014.—The extent of the restrictions in the lighterman's business is this: The Act of Parliament confines the navigating of barges, and craft of that description, to freemen, and gives them the exclusive right to navigate and manage all craft upon the river Thames, extending from Yantlet Creek, Kent, to Windsor, Berks. There are practices which are injurious to the community at large, which arise out of that exclusive right. Is persuaded that, for want of power under the Act, in the management, they have great reason to be complained of by the public in general; but some of the witnesses who have appeared before the Commissioners have not been fully acquainted with the nature of the privileged, and have not stated it quite clearly, 3015.—The gentleman who gave evidence before stated that the privileges of the Watermen's Company would prevent him from navigating with his own servants a barge from the mouth of the Medway to his own wharf at Isleworth; but here he was mistaken, because he commences his voyage beyond the district of the Watermen's Company, 3016.—The mistake he made was as to the limits of company's jurisdiction, not as to the nature of the privlege itself, 3017.—He could have sent his own barge, with his own servants, from Isleworth to any distance beyond Yantlet Creek, 3018.—Both the point of departure and the point of arrival must be situated within the jurisdiction of the Watermen's Company, 3019.—Their privilege does not embrace loading or unloading, 3020.—Supposing his barge set off from Isleworth, and touched at some point of the river within the jurisdiction, and landed some of the cargo, and then went on lower down, out of the jurisdiction, if the goods were his own it would have been a legal operation; but he could not have legally carried for hire or gain other persons' goods. This privilege is enforced by the Watermen's Company; the Act of Parliament provides for it, 3021, 3022.—The nature of the occupation involves the necessity of that exclusive right, as no man can thoroughly understand the business unless he is early initiated into it by apprenticeship, for which the company provide, 3023.—Has himself been fined by the Company of Watermen for infringing their privileges, 3024.—The last case was when a strike took place with about 60 or 70 men. The strike principally originated from the fact that the company could not get their steamers discharged in the time they required, on account of the want of men and barges to perform that operation. Their work is often confined to about 24 hours; they unload from 300 to 500 tons of goods, and take in the same amount within that space of time. The men, therefore, are obliged to be in attendance both night and day, and they complain they are not properly paid for it. Witness, as employing those men, felt that he had cause to complain of their conduct towards him, 3025.—Thought they made unreasonable demands; resisted the claim; gave his foreman instructions that in this case the business must not stand still; that he must employ anybody that he could get. Mustered, with foremen and apprentices, and one or two freemen who did not strike, something like 12 persons, and was enabled by that means to carry on business during this strike of the men. Felt, as master, that he had not that authority which he ought to have over the men, and at that time thought that the thing would be to throw the privilege open, 3026.—Was fined for it, but the magistrate recommended him to apply to the Court of Aldermen, and he was persuaded they would be empowered to give relief. Had to pay the fine of 1*s.* because he could not set aside the Act of Parliament altogether, 3027, 3028.—Thinks that if the privilege were taken away, the remedy would be worse than the disease. Is an advocate for free trade principles. Thinks they will always operate best with the community at large, but in that case it would operate injuriously to all persons engaged in business on the river. On account of low wages, the temptation to employ incompetent men would be great, and persons would be put into barges to navigate them who would occasion collisions, loss of property, and perhaps loss of life too, 3029.—Supposing the trade were thrown open, witness does not think there would be men enough found competent to do the work, 3031, 3032.—The object of the present system is to restrict the number, 3033.—Suggests that any freeman should have as many apprentices as he likes, 3035.—There are some persons who do not have apprentices at all; they employ freemen; but the influx of business since the free trade principle has been fairly brought into action has made the number of competent persons insufficient for the demand, 3036, 3037.—Some means should be taken to ascertain the competence of the persons employed as watermen on the Thames. Unless lads are brought up to it from an early age, they do not attain that competency which it is necessary they should possess, 3038.—The business of watermen on the Thames may be learned by lads who have been previously connected with the water in three years; by others, in four or five, 3039.—The traffic on the river is very great and the navigation difficult. A lighterman is entrusted with a large amount of property, and much depends on the skill of the men employed, 3040.—If the trade were thrown open witness does not think the freemen would be losers, 3041.—The rate of payment would fall in consequence of the privilege being abolished. There are several matters which might be very much improved if they were referred to persons who were empowered to bring about a reformation. The Watermen's Company is not a constituent part of the corporation, simply incorporated by Act of Parliament. To be a member of the Watermen's Company does not give the freedom of the City of London, 3042, 3043.—They are not entitled to exercise any franchise in the City of London. Have no political standing in the City, 3044.—The number of freemen on the Watermen's books is 7,786. The number has lately increased, 3045, 3046.—The restriction on the number of apprentices should be removed. Thinks the Government should sanction that, because the transition is so easy from this service to the navy or mercantile shipping, 3047.—The Watermen's Company is bound to furnish men to the Royal Navy; they could draught 500 men from them in the event of hostilities breaking out, 3048.—Points out the clause in the Act of Parliament which relates to that subject, 3049.—The power has never been acted upon to the full extent, namely, their entire body, but they have draughted 300 at different times when required, 3050.—The last time was at the breaking out of the last war; all the men were subject to be impressed. Heard that about 4,000 served in the navy and river fencibles, 3051.—If a notice is sent to the company to supply so many men they are obliged to do so, 3052.—Hands in a statement of the number of freemen, and the number of craft employed by the members of the company, 3053.

POCOCK, Mr. THOMAS. (*Analysis of his Evidence.*)—Is one of a deputation from the borough of Southwark, 4153.—Has been resident within the borough for the last fifty years, and a liveryman of London for forty years; has been called upon many times to serve, and also seen many persons, who did not serve, fined; but this never exempted him from serving upon the sessions at Newington parish, which witness always thought a great hardship. It has always been the received feeling, and believed to be a fact, that the borough of Southwark is part and parcel of the City of London as much as Cheapside itself. The lord mayor and the corporation, together with the recorder, have always exercised jurisdiction over the borough, as belonging to the City. Complains that they have not been properly represented in the corporation of the City, and have not the right to send members there, which they think they ought to have. In the borough of Southwark there is an immense amount of property called the Bridge House Estate; forty years ago it brought in a mere nominal income to the City, but now it is covered by a most valuable property, bringing many thousands a year. Considers that in the borough of Southwark the property ought to be especially applied for the purposes of the bridges, and other improvements in the borough, 4154.—Thinks, as a Parliamentary borough, that part of the borough which is connected

Pocock, Mr. Thomas—*continued.*

with the City, and that part which is not, ought all to be dealt with alike, 4155.—The alternative is, cementing the whole with the City of London, or separating the whole from it, 4156.—Believes the borough of Southwark now does not derive any benefit from the expenditure of the corporation of London. At least, the only benefit is the opening of the approaches to New London Bridge, 4156, 4157.—The present connexion of Southwark with the City is purely onerous, without any corresponding benefit, 4159.—Has always understood that the proceeds of the Bridge House estates is exclusively for the purpose of making or repairing bridges, or making approaches thereunto, and new streets, and so on, 4160.—The borough of Southwark ought to come in for a share of that money, 4161. —That part of the City property is managed by the Bridge House Committee, and two bridge masters, 4162. —Believes they are very good landlords; there is nothing in the way they manage their property prejudicial to the trade of the borough of Southwark, 4163, 4164.—The tenants of those houses pay the county and parish rates like other tenants, 4165.—Cannot state the exact amount derived from the City property situated within the borough of Southwark, but it must be many thousands a year, 4166.

Police:

In consequence of the double jurisdiction for the management of the police, there is a district running through the centre of London which both commissioners refuse to watch, *Saward*, 4408.—Thinks it desirable it should extend over the whole of the metropolis, *Dillon*, 721.—There is one police obtaining over nineteen twentieths of the metropolis, the total cost of which is 400,000*l.* a year. The City district has a police of its own, conducted at a cost of more than 40,000*l.* a year. The City police is as efficient as it can be cut off from the metropolitan; would incorporate the City police with the metroplitan, *Elliot*, 1087–1089.—The City and metropolitan police act most harmoniously together, and are always ready to assist one another. The Act of Parliament states that the metropolitan police have power to act in the City districts, and the City police in the metropolitan districts, *Childs*, 6964.—Thinks it would be inconvenient to refer from the City to the head office in Scotland Yard, if the two bodies were consolidated. Gives instances, *ib.* 6965.—The authorities in Scotland Yard must be communicated with before the detective force can be put into operation for the discovery of stolen property, *ib.* 6966.—The expenses of the eleven metropolitan offices are 44,000*l.* a year, *Wood*, 6326.—Commissioner of, duties connected with the office, *Harvey*, 6508.—The communications of the metropolitan police with the City police have always been most amicable. The whole of the Thames along the City as well as without the City is under the jurisdiction of the metropolitan police; but if the two forces were made one force, the operation might yield some advantage, *ib.* 6525–6539.—Suggests that the city and metropolitan police should be amalgamated; would be less expensive, *Wallis*, 1468.—The City, having such enormous property to protect, requires a greater number of police than is necessary in other parts; fears that if put all under the metropolitan police there would only be the same number of men allowed for each square yard as in other directions; at present they have double the number, *Cattley*, 1313.—Thinks it would be better all under one head, but there are difficulties. Cannot say too much in favour of the metropolitan police, having had thirty of their men in the docks for fourteen years, *Elliot*, 1315.—What the metropolis wants, is a real independent detective force, efficient for its objects, in all places, *Harvey*, 6552.—The detective might be made much more effective. It is not so strong as it ought to be. Would have under the executive control two or three men at each of the outports and great towns, *ib.* 6630. —Is capable of being made more efficient, and it ought to be so, *ib.* 6548.—The surgeon of the city police has 500*l.* a year, *Childs*, 6951.—Statement of his duties, *ib.* 6952.—There are no other emoluments attached to that office, *ib.* 6952.—The City should retain the separate jurisdiction over the police now possessed by the corporation, *Lord Mayor*, 7201.—When the scheme for the establishment of a police was adopted, it became a question whether the police established by Sir R. Peel should extend over the whole of London or not. The citizens of London succeeded in obtaining an Act of Parliament to give them a separate

Police—*continued.*

police. Nothing can work better than the police does within the City of London, *Merewether*, 5286–5306.—It has been stated that the banks of the river between high and low watermark are not watched by either the City police, the Thames police, or the metropolitan police, and becomes in consequence the resort of thieves and vagabonds. When the land is covered with water it is under one jurisdiction, when it is uncovered it is under another, *ib.* 5292–5294.—The superintendent is appointed by the corporation under the Act of Parliament, *ib.* 6754.—The collection of the rate and the expenditure of the money is under a committee of the Common Council, *ib.* 6755.—The corporation has only a limited power over the police, *ib.* 6757.—The legislature decided that the City police should be separate, *ib.* 6757.—The police fund is an entirely new fund, created under a new Act of Parliament, *ib.* 6750.—The corporation supplies one fourth of the amount required for the maintenance of the police, *ib.* 6751.—The Temple, though included in the City Police Act by a special clause, choose to keep their own watchmen, *ib.* 5299–5311.—The police is managed by a committee, sanctioned by an Act of Parliament. The police and sewers are so governed that the accounts are kept distinct from those of the corporation, *ib.* 5315, 5316.—The sanitary police of the City is in a very satisfactory condition, *Haywood*, 5956 *a.*—The police have difficult duties to perform, and do their best under the circumstances, *Christy*, 2559.—Bears testimony to the excellent arrangement of the police, *Whistler*, 2630.—The City police cost 40,000*l.* per annum, and the Marylebone, 24,000*l.*, *Hickson*, 2720.—Would not restore the City corporation the right of excluding the City from the jurisdiction of the metropolitan police, *ib.* 2949.—It would be better if the police of the City were absorbed in the metropolitan police, *Travers*, 237.—Of the City of London, is well managed, but thinks that the metropolitan police should be homogeneous, and under one authority, *Acland*, 523.

Poll:

The duration of the poll for seven days is done under the authority of the Act of the 11th of George I., which was passed for the express purpose of shortening the elections, *Merewether*, 5035.—At common hall, kept open eight days, *Wallis*, 1436.

Polling Places:

Elections in common hall have only one, *Wallis*, 1437–1440.

Population of the City:

Increased within the last ten years from 125,000 to 130,000, *Simon*, 7408–7416.

Population of London:

The sleeping population is 126,000, but the day population is nearly three times that amount, *Lord Mayor*, 7194, 7195.

Port of London:

Is an intricate subject, because of the defects of the present municipal system. Statements as to metage duties, *Acland*, 527.

Porterage:

The claim to the superintendence of it was derived by implication from the general power of controlling the trade of the City, *Pulling*, 837.—And fellowship dues are a grievance, *Powles*, 1055.—Certain things cannot be done but by certain porters, who require more pay than others, *ib.* 1059.—Unless it is mentioned in some of the charters, it is a prescription proved by usage, *Merewether*, 5148–5174.

Porters:

The duties have diminished of late years in consequence of the ships going into the docks, *Harris*, 7987.

Potter, George William K., Esq. (*Analysis of his Evidence.*)—Is secondary of the Poultry compter. Since the death of his colleague in July last has performed the duties of the two offices. Was appointed in 1831, 6635.—States the duties connected with the office, 6636.—Superintends the election of sheriffs, 6637.—Explains the system by which the imposition of fines is regulated, 6638.—Witness collects the estreats, accounts to the City solicitor, and

Potter, George William K., Esq.—*continued.*
hands them over to him upon the account being settled. They are ultimately handed over to the sheriffs, but witness always looks upon it as a fund belonging to the corporation, 6639–6642.—Had not heard till lately that the sheriffs had any claim upon those funds. Believed that the money belonged to the corporation, but that it had been handed over to the sheriffs by the corporation, 6643.—In the case of Mr. Gray he was wrong in saying that he did what he did at witness's request; he rather recommended the course he should pursue, 6644.—The salary entirely depends upon the fees. Witness gave 5,000*l.* for the office, under an arrangement with the late secondary, who sold the office to the corporation for 8,000*l.* or 8,500*l.* The corporation found 3,000*l.*, and witness 5,000*l.*; but upon this arrangement, that should he be disturbed in his office, the 5,000*l.* was to be returned to him, 6645.—Has not the right of selling the office if he were to resign; the common council would fill up the vacancy, 6647.—The receipts of the office are about one-third what they were when the sheriff's fees were settled. At the time witness was appointed, was debarred from taking more than the legal fees, which were then very small. The income was made up for one or two years to 1,000*l.* by the corporation, 6648.—It was stipulated that he should not receive less than 1,000*l.* a year, 6649.—Does not receive any express authority from the sheriffs year by year. Holds the office by custom; is in effect executing that which is, properly speaking, the duty of the sheriffs. Is sworn in before the Court of Aldermen, 6650–6653.—Acts only in the City; there are separate under-sheriffs for the county; there are separate under-sheriffs in each district. The judges of the Sheriffs' Court are in strictness under-sheriffs of London, Witness performs the duties of under-sheriff, 6654–6658.

Powell, Mr. George. (*Analysis of his Evidence.*)—Has held the appointment of surveyor of Waterloo Bridge since it was opened in 1817. Witnessed the laying the first stone, and the progress of the work till its completion, 7521, 7522.—Is perfectly acquainted with the state of the foundations of the bridge, 7523.—Mr. Leach stated that the fears entertained by the company, from the cutting off and removal of piles, formed the grounds of the opinion which he expressed to the Commission; on the contrary, witness states that the company have never objected to the removal of a pile, excepting as to the expense; and upon an application from Mr. Sanders, the water bailiff, an answer was immediately sent, stating "that the Waterloo Bridge Company have no objection to the Thames Navigation Committee cutting off the sheeting of the piles of the piers, or to the removal of any other piles that may be considered necessary." Messrs. Joliffe and Banks were employed by the Navigation Committee to remove those piles complained of, without any expense to the company, 7524.—The foundations of the bridge are sound, and have never shown the slightest appearance of defect or settlement. Mr. Leach has stated there were private parties taking ballast; on the contrary, the Thames Navigation Committee applied for permission to do so, but instead of carrying out the work as directed by witness, Sir John Rennie, and Mr. Plews, they set a powerful dredging steam engine to excavate; and upon this being pointed out by witness to the city authorities and contractors it was found by Mr. English that there were excavations, from twelve to eighteen feet deep, close to the piers. They filled up those excavations, and restored, the bed of the river to its present state, at their own or the City's expense, 7525.—The result of those operations has not affected the security of the bridge. Ventures the opinion that the Navigation Committee know nothing about the removal of shoals; they cut through the middle of a shoal, which of course fills up again from the operation of the currents, 7526.—Permission was given to them by the Bridge Company, to cut a channel of about four feet in an invert manner, but instead of that, there was no superintendence over the operation, and they continued working away as long as they could obtain ballast that was valuable for concrete and building purposes, 7527.—This was done by the Thames Navigation Committee, 7528.

Powles, John Distin, Esq. (*Analysis of his Evidence.*) Is a general merchant in the City of London, chiefly engaged in the South American trade, 1029–1031.—Has been for 16 years secretary to the London Dock Company, 1032, 1033.—The chief point on which the

Powles, John Distin, Esq.—*continued.*
corporation exercises an influence on the commercial interests of the City of London is in the case of the navigation of the river, which is entirely intrusted to them. The navigation committee is wholly unqualified for such a charge, though the business is well done by the harbour masters. Many years ago the corporation brought a bill into the Commons for improving the conservancy of the river. It was proposed to insert a clause in the bill that the Trinity House, and each of the great dock companies, should appoint a member of the navigation committee, upon which the corporation withdrew the bill. No emolument attaches to the performance of those duties, 1034.—Some patronage is attached to the offices, though not considerable, 1035, 1036.—Unless merchants can take upon themselves municipal offices they are wholly excluded. There is but one merchant in the corporation, 1037.—Believes that no aldermen are members of the committee. The body is so constituted as to exclude all mercantile men, 1038.—The mercantile interests of London, as distinguished from the retail trading interests, are not represented in the corporation, 1039.—Has not practically experienced any inconvenience from the inefficiency of the committee, as everything is in the hands of the harbour masters, of whom there are four, who are well qualified for their duties, and who are appointed by the navigation committee, 1043–1046.—Has heard no complaints of inefficient discharge of duty on the part of the committee, 1048.—Were the amendment proposed to be made in the Act of Parliament carried, it would meet the wants of the case, with the further amendment of reducing the committee to 18, 1052, 1053.—Has not observed any feeling of jealousy of the large mercantile interests of the City on the part of the corporation, 1054.—Attributes the withdrawal of the bill to the dislike of the corporation to giving up their privilege, and being obliged to elect any one but common councilmen. Porterage and fellowship dues are a grievance, 1055.—Certain things cannot be done but by certain porters, whom you are required to pay more than others, 1059.—It is not so at the London Docks, 1060.—There are importations of corn into the London Docks; the metage is done by the City. There is no grievance between the City and the Dock Company, 1062.—Recommends a chamber of commerce, composed of half a dozen common councilmen or aldermen, representing the City, and about 12 other persons, elected from the Bank, the East India Association, and other commercial bodies, where grievances might be represented by individuals, and measures taken to redress them, 1064.—Considers that the connecting of such a chamber of commerce with the corporation would be a mode of utilizing the large revenues of the City, 1065, 1066.—Would give no legal functions to the chamber, 1067.—But simply use it as a means of communication with the departments of the Government and other public bodies, 1067, 1068.—Believes the Bank and other public bodies would be willing to elect members, 1069.—The feeling prevails amongst merchants that they have not time to devote to the proper discharge of municipal affairs, 1072.

Pratt, Mr. Martin, (*Analysis of his Evidence.*)—Secretary to the General Steam Navigation Company, 2452.—Has held that situation four years. Was assistant secretary for 7 or 8 years previously, 2453.—The navigation of the Thames is in a very imperfect state, owing to the impediments caused by the shoals between London Bridge and Erith, 2454.—Thinks proper care has not been taken to prevent it, 2455.—Has formed that opinion from having heard what has been said by engineers on the subject. Refers to the report of the commission which sat in 1846 on tidal harbours. Besides the detention caused by shoals, they do great damage to ships when they pass over them, 2456.—Does not believe the river to be getting worse. About seven years ago the City partially removed a shoal at Limehouse, but it still remains very bad, and there are others worse than that, 2457.—Has not represented the matter to the navigation committee, but knows that the subject has often been brought before them, 2458.—The present harbour master has done his duty very efficiently. Believes under his direction, the water has been deepened in the tiers where the steam vessels drawing a large draught of water lie, 2459.—Generally steamers are not of such heavy draught as sailing vessels, 2460.—Thinks that steam navigation has had

PRATT, Mr. MARTIN—*continued.*

nothing to do with bringing about the fact of the existence of shoals more than before, except that they proceed against the ebb tide, which sailing vessels do not. In coming up the river within two hours of low water they are impeded by shoals, 2461.—The regulations of the corporation and of the Admiralty clash with regard to the lights to be carried by steam vessels, 2462.—The Steamship Owners' Association of London pointed out the discrepancy to the corporation, but it had no result, 2464.—As all the vessels of the General Steam Navigation Company are sea-going vessels, they follow the Admiralty regulations, 2465.—The corporation take no notice of it, 2467.—Believes that legally both those authorities have the right to lay down regulations, 2469.—Steam vessels belonging to other companies follow the Admiralty regulations, 2470.—The river steamers comply with the corporation regulations. The 49th section of the Act which confirms the regulations of the Admiralty is to this effect: that nothing in this Act contained shall prejudice or derogate from the estates, rights, &c. of the mayor, commonalty, and citizens, 2471.—The Trinity House makes no regulations on the subject of lights, 2472.—Great danger arises from different steamers carrying different lights. The regulations published in 1848 caused great inconvenience, 2473.—Does not think the corporation a fit body to exercise the conservancy of the river. Great inconvenience arises from the inefficiency of the navigation committee. With respect to the removal of shoals there should be a professional engineer attached to the committee, to point out how they should be removed, 2474.—The functions of conservators of the river would be better exercised by the Government, 2475.—There are City dues which interfere with the trade of the Steam Navigation Company. In regard to certain stations particularly. There are compulsory dues upon grain. Witness alludes to metage dues, fillage, and lastage. On some stations where they compete with railroads, were they to put themselves on an equality, by offering to pay the compulsory dues, they would forfeit one third of the freight, 2476.—The same grain brought from the same place by rail would be exempt from the dues, 2477.—Does not think that the conservancy of the river bears any resemblance to municipal duties. Does not think that there is any body of persons whose rights can be said to be directly affected by that jurisdiction, 2478.—The shipping interests are very largely interested, 2479, 2480.—Witness calls attention to the coal duties, and states, that by the Act of the 1st and 2nd of Victoria they had the power to claim a drawback of the whole dues levied on coals, when they are exported in quantities exceeding 20 tons, 2481.—By the 14th & 15th Victoria the drawback was reduced to 1*s.*, the duty being 1*s.* 1*d.*, 2482.—Believes the ground on which the alteration was made was with reference to the expense of the office, or the expense of the collection. States that they are at a great loss in consequence, 2484.—Believes the reduction was made to meet the imports by rail, 2485.—Calls attention to the watermen's company in connexion with the corporation, who have the exclusive working of all craft on the river; and as the business has so much increased, there are not barges or craft sufficient to discharge or load the vessels lying in the stream, 2486, 2487.—Is not thoroughly acquainted with the privileges of the company, but knows that no barge can be navigated on the river but by a freeman of the company; and what with the want of barges and lightermen, there is great difficulty in getting the cargoes unloaded in time to leave again at the appointed time. The only remedy witness can suggest, is to throw the trade open, 2488.—It would be a great saving of expense, as they could make more voyages with their vessels, if they could be loaded and discharged more quickly. A short time ago there was a strike of the journeymen lightermen, which nearly suspended the business of the river, 2489.—Believes the lightermen themselves would allow that the business is enough to overwhelm them, 2491.—Believes the entrance to the watermen's company is by servitude, 2492.—The numbers are limited, 2493.—Any complaints of the members, to be made to the court and wardens of the company, 2494.—Does not recollect having had to apply to them on any subject. The complaint is a general one, 2495.

PRISONS:

Newgate, the New Prison, City Bridewell, Debtors Prison in Whitecross Street, and the Borough Compter are under the control of the corporation, *Williams*, 2365.

Bridewell. The City Bridewell is situated in Bridge-street, Blackfriars, and is an appurtenance of the Bridewell Hospital. It is a most inconvenient, ill-arranged, and useless prison, *ib.* 2405.

Holloway. The House of Correction at Holloway is one of the best-regulated prisons in the country, and reflects great credit on the City magistrates. It was constructed two years ago, *ib.* 2416.

Borough Compter. No longer exists as a prison, *ib.* 2417.—The Debtors Prison for the City of London and the county of Middlesex was erected in 1812. Believes there is scarcely a prison in England in so bad a condition, from its injudicious construction, and inconvenient internal arrangements, *ib.* 2419.—Were the money which is left to freemen distributed among all the prisoners, including those of Middlesex, many objections would be done away, *Merewether*, 2434.

Giltspur-street Compter. Recommends its being applied to the purposes of a Police Court, *ib.* 2445.—The prison at Newgate not fit for carrying out the system required. The Holloway Prison is commodious for any purpose, *Bunning*, 6020.—To a certain extent prisons have always been under the direction of the corporation, *Merewether*, 6752.—Mentions, in explanation of Captain Williams' evidence, that in the Prison Act there is a clause which directs that any gaol built for any county, city, or town, out of the boundaries thereof, shall be deemed to be part and portion of the county, city, or town, to which it belongs, *ib.* 6758.—Recommends the consolidation of the criminal prisons connected with the City, *Lord Mayor*, 7161.—The charities connected with the prisons of London amount to upwards of 1,600*l.* a year. The application of these charities is open to serious objections, *ib.* 7172.

PRITCHARD, WILLIAM, Esq. (*Analysis of his Evidence.*)—Appears before the Commission as high bailiff of Southwark, commissioned to present the resolutions of a public meeting called on the 25th of November last, 4133.—The requisition was signed by a great many respectable inhabitants, and requested witness to call an early meeting at the Town Hall. States object of the meeting. In pursuance of that resolution a meeting was called, and certain resolutions were come to, 4134.—Presided at that meeting, 4135.—The meeting was numerously attended, 4136.—There were between 200 and 300 people present. It is a small hall, and will not hold a great many, 4137.—It was a fair average meeting, but not crowded, 4138.—Reads the resolutions that were passed, 4139.—Is not aware of the exact dues levied by the corporation on the commerce of Southwark referred to in those resolutions, 4140.—States a few historical facts considered necessary for the elucidation of the resolutions referred to, 4141.—Is appointed by the Court of Common Council, 4142.—Is annually elected, 4143.—The high bailiff is continued every year, unless there is some objection to his conduct. Witness has been high bailiff since 1842, 4144.—Is not an inhabitant of Southwark. Is a citizen of London, and has been a member of the corporation for several years, 4145.—There are a few small fees belonging to the high bailiff of Southwark, but subject to certain payments, and there is a grant of 100*l.* a year from the corporation, 4146.—The average profit from the corporation is about 80*l.* a year; but as high bailiff of Southwark is also high bailiff of the Southwark County Court, before witness possessed it the fees amounted to 800*l.* a year, 4147. His average yearly emoluments are between 500*l.* and 600*l.* a year, 4148.—Is a proctor in Doctors' Commons, 4149.—They expressed a feeling at the meeting that they would not be satisfied with the incorporation of the five ancient parishes constituting the three manors; but the borough having extended so considerably, and now embracing Bermondsey, Rotherhithe, and Christchurch, they would now wish the whole of the eight parishes which form the parliamentary borough to be incorporated with London, 4150.—The feeling of the meeting was adverse to an incorporation confined to the five parishes, 4151.—It was adverse to separating the municipal jurisdiction which extends over the whole borough of Southwark. Thinks the Parliamentary borough must be dealt with as a whole, 4151*a.*—The people of Southwark would prefer being incorporated with the City, but would rather have a sepa-

PRITCHARD, WILLIAM, Esq.—*continued.*

rate corporation than remain in their present state, 4151*b*.—Thinks, supposing the eight parishes were incorporated with the City of London, they would think they were entitled to an exemption from the burdens of the county of Surrey, in the same manner as Portsoken and Farringdon Without have been relieved from those of the county of Middlesex, 4152.

PRIVILEGES:

Thinks that the merchants of the City of London would buy up the privileges of coal, corn, and fruit meters at a fair estimate, 546.—The trade privileges are very numerous and various, 548.—Knows of none of public utility. *Acland*, 549.—Property of the City consists of about 6,000 houses and buildings, *Bunning* 6077.

PROSECUTIONS:

When an occasion arises which the City think they ought to institute a prosecution it is done by the Court of Aldermen; it is very rarely, *Merewether*, 5320–5322.

PROSECUTOR:

Proposes that there should be a public prosecutor appointed in every case in the metropolis, *Pulling*, 924.

PULLING, ALEXANDER, Esq. (*Analysis of his Evidence.*)—Is the author of a treatise on the laws and usages of the City of London. Was reluctant to attend and give evidence, because he felt that having been engaged in several City cases the imputation might be made of having disclosed matters which had come to his knowledge in a professional capacity, 741.—Has paid much attention for a great many years to the subject of the corporation, and since being called to the bar has been engaged in a great many cases relating to the City of London, 742.—Has directed attention more to the law and constitution of the corporation than to the moral or political view of the subject. In the course of professional experience has noticed defects in the working of the present system, 743.—Statement respecting the corporation of London with regard to its relation to the State, 744–760.—Statement in regard to the relation of the corporation of London to the trade of the metropolis, 761.—States that it is set forth in Waggoner's case, as regulated by the Charter of Richard II., "that no foreigner do sell or buy of any other foreigner any merchandise, within the liberties of the said City, upon pain of forfeiting the same." All dealings between persons who were not freemen were prohibited, 762.—All selling upon the part of a foreigner was absolutely prohibited, except in the public markets of the City of London, and within forty days of his coming within the City, and then he must depart, 763, 764.—At that time a foreigner could have sold his goods in the open markets without being a freeman, 765.—The whole of the City of London was a market overt; but the way in which foreigners were restricted was by internal regulations of the corporation, which fixed upon certain spots for the goods to be sold, and certain days for the markets to be held on. There were officers of the corporation continually on the watch to give them a hint to go when they had sold their goods, 766.—The laws and regulations of the City of London were less liberal towards foreigners than those of other mercantile towns. In the time of Henry IV. and Edward III. Acts of Parliament were passed giving merchants a right to come and go for the purpose of trading generally throughout the kingdom, there being special clauses introduced to save the customs of the City of London, 767.—It has not always been the disposition of the City of London to encourage the resort of foreign merchants, for Acts of Parliament prohibiting aliens from remaining a certain time were passed by the express prayer of the corporation, 768.—At present there is no cloth fair in London, 770.—Formerly a merchant who was not a citizen could have sold cloth at the cloth market without being a freeman, 771.—It is a question whether now a person not being a freeman could legally sell cloth in the City; but practically the corporation have ceased to enforce their rights against wholesale dealers. A retail dealer could not; so that a retail dealer in cloth would now be in a worse position than he would have been when the cloth fair was in existence, 772–774.—An alien cannot become a freeman, and therefore cannot as a matter of right set up as a retail shopkeeper in the City, 775, 776.—An alien could, if the law was enforced against him, be excluded from exercising any retail trade within the City, but

PULLING, ALEXANDER, Esq.—*continued.*

could be admitted to the freedom by the express act of the common council. A great many aliens are shopkeepers in the City; supposes it is winked at, 777–780.—There are some retail shopkeepers who are protected by special Statutes. All those whose fathers have been in certain wars have the privilege of setting up retail shops in the City. These Acts passed at the conclusion of the peace, and referred at the time to the whole of the corporations of England which had exclusive trade privileges; but those privileges have in some cases been repealed by the Municipal Corporation Act, so that now they only exist in the corporation of London, 781, 782.—The City of London does not claim any privilege, except against retail dealers, brokers, and publicans, 783.—The trade privileges referred to existed in other corporations before the Municipal Reform Act, 785.—Those rights could only rest on immemorial custom or Act of Parliament. Were assumed to rest on immemorial custom, but were abolished by Statute, 786–788.—In a Bill which was brought before Parliament the session before last, the corporation of London proposed to abolish those customs, 789.—Believes that the customs of excluding all dealers, and of seizing foreign bought and foreign sold goods, exist in law at the present time, 790.—There are legal customs which the City may claim which they do not enforce. The corporation regulates brokers. The regulation of brokers is by virtue of an immemorial custom, which is recognised in some of the earliest charters and laws relating to the City of London. Mentions numerous statutes which relate to the regulation of brokers. All enforce the same law, originating in the custom that the City authorities should regulate all brokers between buyer and seller in the City of London. There was a case a few days ago, of a complaint made against a broker on the Stock Exchange, who had committed some frauds; the case came before the Court of Aldermen, with the lord mayor in the chair; there were twelve or fourteen aldermen present; the question was put to the vote, and the result was, after an adjourned meeting, that the Court of Aldermen would not interfere, 792–797.—It was a judicial question as to the construction of their own byelaws, and the Court of Aldermen refused to exercise the jurisdiction they had, 798, 799.—There was another remedy open to the parties; an action to try the question, 800.—The application was made under the byelaws of the Court of Aldermen. The selling broker on this occasion claimed a commission from the buyer as well as from the seller, 801.—The application came before the Court of Aldermen, as a tribunal exercising jurisdiction over brokers, in the nature of a complaint of the infringement of one of the byelaws, 802, 803.—It was rather an application for redress than an issue joined, 804.—In cases of that kind the Court of Aldermen is of little use, 805.—Has no reason to believe that they were interested in the question. With regard to the River Thames, the corporation are invested by very early statutes and charters with the conservancy and regulation of the Thames, 806.—The preservation of the fish, and the removal of the weirs which impeded the navigation up the river, appears to have been the original purpose of the conservancy of the Thames, 807.—A case is now pending in the Court of Chancery between the Attorney General and the Corporation of London. The question is, the right of the corporation to the conservancy of the Thames, 809, 810.—Statements as to the right of conservancy of the Thames, and the metage of coal, corn, &c., 811, 812.—The extent of those privileges is now in dispute. Particularly refers to the case of Combe versus the Corporation of London, in which there are points in dispute besides the extent of the jurisdiction. There is a bill of recovery, and a denial of the right altogether, 813–815.—The metage is compulsory; so that if a person landing coal or corn within the limits objects, the City insist upon measuring it, in order that they may get their fee, 816, 817.—This right has been constantly exercised since the Charter of James I., 818.—The claims are made within the port of London, the bounds of which are Yantlet Creek in the County of Kent and Staines in the County of Middlesex, including both banks of the river, 819–821.—Believes there are places in the county of Kent where it is enforced, 823.—The metage produces a large revenue, 824.—All the public submit, except such wealthy men as Messrs. Combe, Delafield, and Company, 825, 826.—The charges are much larger than they would be if the privilege did not exist, 827.—The meters form a fellowship which is not incorporated, 828.—It is a valuable office, 829.

PULLING, ALEXANDER, Esq.—*continued.*

—The men enter first as labourers, and rise from one step to another till they become sifters, a sifter being a very important officer deriving a very large revenue from his share of the metage, 830.—There is a double advantage derived from that privilege; one by the meters, and another by the City, 831.—The entrance fee of a labourer is not large, but they pay an annual sum out of their wages to the fellowship, not to the corporation, 832, 833.—The patronage with regard to the metage rests with the corn and finance committee of the corporation, which consists of common councilmen and aldermen. The meters and sifters are connected with the porterage, and they act in unison with them. The metage is connected with the porterage of corn. In order to its being measured, it is necessary to convey it. The consequence is, that as the corporation have made laws which profess to extend beyond the limits of the City, the fellowship porters, who are attached to the metage, claim to exercise their powers out of the limits of the City of London proper, but within the limits of the port of London, 836.—The claim to the superintendence of the porterage was derived by implication from the general power of controlling the trade of the City, 837.—The power over the metage is derived from the grant of the Crown, and extends much beyond the limits of the City, 838.—The power over the porterage is limited to the City, strictly so called, and is not co-extensive with the power of metage; but the corporation, by the bye-laws which were passed upwards of a hundred years ago, made the mistake of conferring upon the fellowship porters a monopoly of labour co-extensive with the metage, and further than they can legally extend it, and the fellowship porters insist upon their rights now, 839.—That claim is not abandoned by the corporation. Has been engaged in a dispute with them with regard to one of the dock companies on the Surrey side, 840.—The present state of the privileges of the City of London engenders a vast deal of litigation, 841.—It would be very important even for the interests of the corporation itself that the nature of its claims should be ascertained, 842.—To the community at large, the vexation and expense of the litigation referred to is very considerable, 843.—The means which the public have of obtaining information as to the grounds on which the City claims its privileges is to consult a lawyer, who would refer to the old books, the Commissioner's Report, or some other record of the law, 844.—The charters of the City of London are not accessible to the public. Applied to the present town clerk, for the inspection of the charters; but Mr. Sergeant Merewether stated that he was compelled to refuse, 845.—Has found great difficulty in obtaining access to the records of the corporation, popular copies of which have been already before the public, 846.—Thinks that an unusual cause for litigation exists here, because the public are unable to ascertain the nature of the very laws or legal regulations upon which the claim is based, 848.—Does not think it reasonable in a case like that of Messrs. Combe and Co., of a right which the City seek to enforce by expensive litigation, to withhold a knowledge of the charters upon which the claim is made, 849.—Before the Evidence Act, it was the usual practice, in litigation of that sort, to drive the defendant to a bill of discovery to obtain information, 850.—The City of London considers itself in the same position as the lord of a manor or proprietor of the toll of a bridge, and the officers are instructed not to expose the records to the public view. Practically, they treat them in the same way in which a private proprietor would treat the title deeds of his estate, 851, 852.—It is upon that ground that they are resisting that discovery. If it had not been Combe, Delafield, and Co., but some poor corn merchant, he would have been ruined before the first bill of discovery could have been brought to a close. The Licensing Act secures the privileges of the City. One of the privileges is, that members of the vintners' company are entitled to carry on the business of publicans. Believes that brothels and dancing houses have been occasionally kept by members of the vintners' company. The company exercises very little control over its members in regard to their trade, provided they pay the quarterage, 853, 854.—In process of time the persons who become members of companies have nothing to do with the trade the name of which the particular companies bear, 855.—Some of the companies enforce their rights, 856.—The Evidence Act gives a power to a Court of Common Law of granting an inspection of the Charters, 857.—The City of London claim the right that

PULLING, ALEXANDER, Esq.—*continued.*

paramount effect should be given to its usages, unless specifically repealed in an Act of Parliament. The great evil which arises from those customs of the City being placed in the position in which they stand by so many confirmatory Acts of Parliament is, that there is always a doubt whether they continue to exist or not, and whether they shall avail against a public general Act of Parliament, 858, 859.—Possibly, if Messrs. Combe and Co. were to attempt to obtain an inspection of the charters of the City by means of an order of a judge at chambers they would be opposed on the ground that the City was not specifically named in the Evidence Act, therefore the Evidence Act might only give rise to further litigation, 863.—The companies do not, except in very few small instances, exercise any power over trade, but the corporation at large have a power over the companies, and might insist upon the companies being composed only of the members of the trade, 861.—Statement with regard to the regulation of the metropolis, and the power of the corporation beyond the limits of the City, 862, 863.—Statement with regard to the connexion of the City with Southwark, 864–866.—The best plan with regard to Southwark, as with regard to all the other metropolitan boroughs, would be to incorporate it separately, 867.—Does not apprehend any great difficulty in regard to property or otherwise in severing Southwark from the City of London, or any practical difficulties, if it were thought expedient upon public grounds, 868–870.—Thinks it probable that as the franchises of the City in Southwark are not remunerative to the corporation, there might have been no desire in former times on the part of the corporation to bring Southwark effectually within its limits. If Southwark had really formed one of the wards of the City, the four or five common councilmen who might have been returned for the ward of Bridge Without, where the inhabitants have no interest in the hereditary revenues of the City, would still have a voice in the common council, in voting away those revenues; the City would therefore have considerable interest in not allowing the inhabitants of Southwark to participate in the franchises, 871.—Two or three centuries ago, Southwark was a much poorer place than it is now, which was likely to be a stronger motive to prevent the City taking any effective means for incorporating Southwark within their boundary, than the legal difficulties, which could have been overcome by an Act of Parliament, 872-874.—At one time there were common councilmen and an alderman chosen by the inhabitants of the ward of Bridge Without, 875.—Statements respecting the constitution of the corporation. It has no governing charter, and no Act of Parliament which really defines what its constitution is. The early charters and some of the early statutes simply declare that the citizens of London as a body should have all their ancient customs; but there is nothing said as to whether they were a corporation, or in what way they formed a body politic, 876.—It differed materially in this respect from the corporations of other towns in the kingdom. Alludes to various charters from William the Conqueror downwards. The title of mayor was first used in the time of Henry III., 877.—The office is spoken of in the time of John; but it is possible that the title of mayor might have been merely descriptive of an officer who had existed for a long time before, 878.—There is no charter or Act of Parliament which expressly says there shall be a mayor, aldermen, and common council; but there are charters which have conferred upon the corporation powers which can only be exercised by them, 879, 880.—Thinks the title of alderman can be traced to the time of Henry II. A law which has been certified in the courts of Westminster is that before a person can become a citizen of London he must become free of one of the companies. The companies, therefore, legally form an integral part of the corporation of London. In 1835, there having been a great dispute between the guilds and the City, the common council came to a resolution that persons might be admitted to be free of the City without being free of one of the companies, 881.—This resolution is specifically mentioned in the first volume of Strange's Reports, 882.—It appears to have been an attempt to repeal a usage which had the strength of an Act of Parliament, 883.—If a company had sought to enforce its rights against the resolution, the resolution would certainly not have been strong enough to prevail against them, 884.—Statement respecting the claim of the corporation to a right of repealing by an act of common council the charters under which they derive their powers, 885.—The Court of

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Common Council have very extensive powers; they made a change in the office of alderman before the City Elections' Act was passed, by regulating the right to vote at certain elections, 886.—Is not aware of any act of legislation or administration within the power of the corporation of London which could not be performed in common council, except the elections which take place in common hall, 887, 888.—Thinks that because a person belonging to a company becomes a freeman of the City of London the company itself is included in the corporation. Mentions Wannell's case, 889.—Is not prepared to discuss the question of the expediency of the step taken by the common council of admitting freemen not members of some company, but has no doubt as to the illegality of it. It was this question of illegality, as well as the question of expediency, that induced the companies, upon the occasion of the Bill being brought in, in the year before last, to oppose the corporation of London. The preamble was not proved, and the Bill was lost. The object of the Bill was to repeal an Act of 1849, which was also a private Act, and an Act of George I., called "The City Elections Act." The Act of George I. gave the livery companies the exclusive right of election at Guildhall in the choice of chamberlain, mayor, and sheriffs, and gave to freemen householders, paying certain rates, the choice in the wards of ward officers, aldermen and common councilmen, 890.—The corporation was in great confusion when that Act was introduced, and perhaps it got worse afterwards. There were inconveniences with regard to rates and so on until the Act of George I. and the Act of 1849 got over those objections, and gave to householders who were freemen the right to vote. Then the City Bill gave the liverymen a power of electing in conjunction with the householders, and to householders the monopoly of voting in ward elections, 891.—The Bill proposed to retain the votes of the livery for certain purposes. The Court of Aldermen claim a very extensive power over elections. There was a case of the Queen *v.* Johnston, which came before the Court of Queen's Bench, where this custom was set forth, that "when the inhabitants of any ward shall three times elect and return to the Court of Mayor and Aldermen the same person to be alderman who shall be by the said court, according to another custom, adjudged not to be a fit person, the mayor and aldermen may elect a fit person, being a freeman, out of the whole body of citizens, to be alderman of such ward." The case went afterwards to the House of Lords. This was held to be a valid custom. The case referred to is that of Mr. Scales, who was three times returned, and three times objected to by the Court of Aldermen, who then claimed their right to exercise the franchise themselves, 892.—No reasons were given; it was a veto by the court. That is a power on the part of the Court of Aldermen which appears to witness to be highly objectionable, 893.—Statement with regard to the order and government of the corporation, 894.—In electing a mayor, practically speaking, the Court of Aldermen present and the livery institute, but it is not strictly so, for the livery have vindicated their right to go out of the order of seniority, 895.—The custom has been than none but aldermen shall be elected; but doubts exist whether the livery might not choose a gentlemen not an aldermen. Thinks that they might choose a common councilman, or go beyond that and choose a citizen of London, 896–898.—A constant practice will amount to a legal and binding usage, 899.—The custom has been for the lord mayor to be an alderman. There has been no practice to the contrary, within the time of memory; and there are Acts of common councils which have settled that he must have been a sheriff, 900.—An Act of common council may be repealed, 901.—Thinks it would be expedient that any eminent merchant in London, though he had only taken up his freedom the day before, should be eligible to become lord mayor, which would have a tendency to diminish the consequence of the office of alderman, 902, 903.—Does not see that any great evil would arise from that. The lord mayor is a most essential officer, and could scarcely be dispensed with. The office of alderman is unpopular at the present time. Many of the powers which they exercise, and which are not essential to the wellbeing of the corporation, might be taken away, 901.—Practically no question can be brought before the common council without the assent of the aldermen, 905.—It has become the common practice, 906.—The Court of Aldermen read over the business which is to be transacted by the Court of Common Council the next day. It is their practice to

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sit with open doors, 907, 908.—Thinks the court sit about once a fortnight, or once in three weeks, 909.—The Court of Aldermen have the power to order prosecutions, independently of their right to be apprized of questions which come before the Court of Common Council. Thinks it an objectionable power, 910.—Cannot say whether they claim an unlimited power of granting pensions, 911.—There is a resolution of the Court of Common Council which declares that no sum exceeding a certain amount shall be voted without their consent, 912.—Within the limit so fixed, the Court of Aldermen can exercise discretion as to votes of money for prosecutions, 913.—A vote of money taken for promoting or opposing a private bill in Parliament would be made by the Court of Common Council. The remembrancer could only act by petition, and that would come before Parliament under the common seal. The common seal can only be affixed by a vote of the common council, 914, 915.—The inducement the Court of Aldermen have to interfere in respect to prosecutions is that the aldermen individually are magistrates of the City of London, and are therefore sometimes exposed to a number of actions, 916.—Has no doubt that they discharge the functions of a public prosecutor out of the City funds. The principle is bad, 917.—The influence of the committing magistrate weighs with his colleagues in directing prosecutions in some cases, 918.—Can give no notion what number of prosecutions have been directed by the Court of Aldermen of late years, 919.—Supposing the power of the Court of Aldermen to direct prosecutions were abolished, the cost would fall first upon the rates, and then upon the Home Office, 920.—They have no rate in the nature of a county rate in the City; but there are consolidated rates. The prosecutor would in fact be reimbursed under a different system, but not to the same extent, 921, 922.—They take the burden off the hands of the prosecutor, appointing both attorney and counsel, 923.—They do it in the same way that the Government would do it. Proposes that there should be a public prosecutor appointed in every case in the metropolis. The power of the sheriffs within the City is hardly more than ceremonial, 924.—States the power they have with respect to the jury panel. That it is all done by their officers. The jury are returned by the secondaries, who are paid officers of the City, 925.—Has heard, but cannot say whether the sheriffs' officers make a profit out of the fees received from persons attending trials at the Old Bailey. States the legislative powers of the Court of Common Council. The lord mayor has the power of dissolving the court by taking up the mace, 926.—The court is then indefinitely adjourned; the proceedings are at an end, and have to be commenced again, 927.—States the forms necessary for the meeting of the Court of Common Council. One of the attorneys of the Mayor's Court is the person who issues the precept, 928.—The days for the meeting of the courts are fixed in the month of December, and the common council meet upon those days as a matter of course, 929.—It would not be in the power of the lord mayor to prevent the Court of Common Council meeting at all. Apprehends that if he were to abuse his power in that way a mandamus from the Court of Queen's Bench would set him right. With respect to the power of voting away money, they have the management of all the funds of the corporation of London, the hereditary revenues, the tolls, and the city lands, 930.—The lord mayor takes the chair at all meetings of the common council, 931.—He acts as speaker of the assembly, puts questions to the vote, and decides points of order, 932, 933.—Is not aware of any control over the corporation which the Court of Common Council may not exercise, 934.—They have more extensive power over their funds than other corporations enjoy, 935, 936.—They have an unlimited power of charging their property. Is aware, by the Municipal Corporation Act that power is limited, and that the consent of the Treasury is required. They can alienate their property, 937–939.—Suppose there is a proposal made for some measure to be adopted by the corporation, and there is a question whether it is within the power of the common council. If it is a mere exercise of corporation powers, they would rest upon the customs of the City, which confer an unlimited power upon the common council, 940.—Any member of the common council has the right of bringing forward any motion he thinks fit, having given previous notice, without the consent, and without any limit from the

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Court of Aldermen, 941–943.—They merely deliberate beforehand upon the business which is to be brought forward in the Court of Common Council, exercising no veto upon the questions, 944, 945.—The livery are the higher class of members of the companies, who have the power of meeting in the common hall, or the general assembly at the Guildhall, for the election of the lord mayor, sheriffs, and chamberlain. The livery is the name which was originally applied to the whole of the citizens of London. The expense of being called to be a liveryman, which in the higher companies is 1,000*l*.. and sometimes more, in the smaller companies is reduced to almost nothing, they being desirous of obtaining members for the sake of the small fees which are paid, 946, 947.—The masters and wardens, with a small body called the court, are the governing body of the companies. They are generally elected by the liveries. They freemen are entitled to participate in the charities, 948–950.—There are some companies without a livery; there are some which exist without a charter from the Crown, which have never been admitted to the freedom of the City, 951.—The Court, of Common Hall is now very numerously attended, being composed of persons who have been members of livery companies. They are not easily identified. They come in great crowds to the Guildhall, and they are not regulated by such efficient rules as are necessary to preserve order. Among the liverymen there are some who have been compelled to become free, in order to be fellowship porters or watermen, and having taken up their freedom think it just as well to take up their livery. It has been said upon elections for sheriffs they get a sum of money for voting, and also in the corrupt times now passed away, they had something for voting for members of Parliament. The corporation of London might have remedied those inconveniences, but they have not done so, 952.—The Court of Common [Council might have remedied those inconveniences as the legislature has done. The votes might be taken in a proper manner, 953.—Looking at the corporation of London as regards the rest of the metropolis, the City of London is very highly officered, 954.—The officers have been multiplied without necessity. The conflict of power between the different officers is a very serious matter. It is said that throughout the metropolis there are upwards of one hundred different boards for local purposes, 955.—Refers to none but paid officers. The corporation has almost for every purpose, and every department of municipal government, four or five classes of officers. In the legal department they have the recorder, and the common serjeant, who are considered to be the counsel of the corporation, 956.—The duties of the recorder of the City of London greatly exceed the duties of the recorder of any other corporation. There can be no practical resemblance between them, 957.—It is a peculiar privilege of the recorder of London to certify the customs of the City orally, and not in writing. Cannot see that any great advantage is derived from it, 958–960.—It appears to be derived from a time when writing was not generally adopted in our courts, 961.—Practically, now the recorder forms his opinion of the privileges of the City from books, and he then goes down to Westminster and delivers his opinion orally, 962.—He delivers the record in writing. Practically the effect is this: when an issue is raised upon a custom of London, the court in which the issue is raised leave it to the recorder to certify the custom; but when the recorder has delivered his certificate, if there should be a doubt upon the point, and the parties are not satisfied with it, the mode of trial is against the lord mayor and aldermen for a false return of the certiorari, and that must be tried by a jury, as in ordinary cases, 963.—Does not know that there has been any instance of it, but knows that it has been laid down in Westminster, and that is the only mode of trying it, 964.—The judicial duties of both the recorder and common serjeant are conferred by Act of Parliament. Witness here states the duties of the other judicial officers and of the town clerk, 965–969. —Witness here states the duties of the remembrancer, who is a solicitor, 970, 971.—Believes there is no corporation in England which has an officer like the remembrancer, to watch all the bills that come before Parliament, 972.—It would not be a legal act to apply the funds of a corporation, under the General Municipal Act, to the promotion or opposition of a private bill before Parliament, 973.—For instance, if a railway were contemplated near Liverpool or Norwich, should say it would not be in the power of the corporation of those towns to apply a portion of their

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funds to opposing the bill before Parliament, 974.—If it affected the corporation it would not be improper. Certainly in that case it would not be illegal, 975.—The corporation would have the power to oppose any bill which they might reasonably suppose to affect themselves or their property. Does not think that parliamentary expenses can be put upon a different footing to legal expenses in defending an action, and undoubtedly they would be at liberty to bring or defend an action, 977.—If there were a project for making a new railway ten or twenty miles from a town, which did not touch the property, but indirectly affected the interests of the town, it depends upon the question whether the rights of property of the corporation were involved or not whether it would be legal, out of the funds of the town, to oppose the bill, 978—Proceeds with statement in reference to the other officers of the corporation, 979.—Has seen great efficiency among the officers of the corporation, 980.—Any evils which now exist in the official establishment of the corporation have arisen from the want of system in legislating for altered circumstances, and not from any corruption on the part of the corporation, or any wish to multiply the number of officers, 982.—The whole system is too complicated, and so requires a great number of persons to conduct it, 983.

Pulling, Alexander, Esq. (*Second Examination.*) —Under the ancient custom of the City of London there are very peculiar jurisdictions, both civil and criminal. Statement as to those laws. It might be a question whether, if a freeman of London were to commit a felony at York, he might not have the right to be tried in London, because the citizens of London are not to plead "Without the walls of the City for any plea," 1849.—Probably if such a case were to occur, there would be an end put to the right, 1850.—Is not aware of any such a plea in a prosecution by the Crown. There are instances of such pleas in civil actions (*here witness enters into a long statement relative to the peculiar laws of the City of London*), 1851–1856. —Believes that practically very few cases are tried at the London sessions except assaults and petty cases of that sort; but civil business is transacted, 1857.—They are held eight times a year, 1858.—The lord mayor and aldermen are the justices; the recorder is also a justice, and acts as assessor of the court, 1859. —The common serjeant is not a judge in that court, 1860.—The Central Criminal Court Act took away the jurisdiction from the Middlesex and all the metropolitan sessions, except in some very petty cases; but this section was repealed two years ago, and the Middlesex sessions now try a very large number of cases. The business is still principally carried on at other courts, 1861.—The City of London being a county, has a separate coroner, who is also coroner of Southwark. The lord mayor is the coroner, and acts by the deputy coroner, 1862.—Who is appointed by the Court of Aldermen; he is the gentleman who is now steward of the Southwark court. There is also a custom upon this subject, which creates a sort of distinct court in the lord mayor personally, acting neither as justice nor judge, but as a sort of arbitrator of differences. Explains how, 1863.—The lord mayor practically exercises his power, 1864.—It appears to describe a court of arbitration. The civil courts having jurisdiction in the City are very numerous, namely, the Court of Hustings, the Mayor's Court, which is a court of law and a court of equity, the Court of the Sheriffs, the Courts of the Sheriffs' Compters, the Small Debts Court, and the Appeal Court, 1865.—The trials in the Lord Mayor's and Sheriffs' Courts are always by jury, as in other courts, except the Court of Equity in the Mayor's Court. The Court of Hustings is the highest court. States its peculiarities. The return of probates of wills in the hustings, made to the House of Commons July 31st 1843, contained a long list as far back as Henry III., and in the time of William and Mary, 1867.—There are no wills of later date than William and Mary. There is an enrolment of deeds as far back as Henry I., 1868.—The ancient enrolment of wills has been disused for a number of years, but the customs of London will prevail, usi vel abusi; therefore, they may be raked up by anyone who wishes to set up a fraudulent title. The next court is the Mayor's Court, which has a general unlimited jurisdiction in civil cases and in personal actions, but not in real actions; and also under the customs of London particular powers with respect to distribution. It has a peculiar mode of proceeding by concessit solvere, and

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also as to femmes covert. Then there is a peculiar custom in the distribution of intestates' estates, 1869.—The custom of London is expressly saved by the statute of distribution. This custom of distribution gives the wife a greater share than she would get elsewhere, and prevails wherever the party is a freeman of London. States a case, 1870.—The ground of the decision in this case was, that the custom applied to honorary freemen. There are two courts of the sheriffs' compter. The compter is a court to which a prison is attached, but a distinct court. Formerly there was a judge or under-sheriff attached to each court, but of late years the Court of Common Council have resolved not to appoint a judge to one, so that they call the judge who is appointed the judge of the Sheriffs' Court, in the singular number. There is no court called the Sheriffs' Court, 1871.—The two Sheriffs' Courts have a very extensive jurisdiction. Their peculiar process of attachment and arrest. The City courts have power to arrest debtors fugitive, and to arrest before a debt becomes due. Particular practitioners attached to the Lord Mayor's Court, 1872.—The custom of London not having been expressly repealed by the 6 & 7 Victoria, it was doubted whether it did not prevail against that Act, 1873.—In 1852 the aldermen (as judges of the court) resolved that the Mayor's Court should be thrown open to all attorneys and barristers, 1874–1876.—An action is still pending in the Queen's Bench, whether the attorneys of the Mayor's Court have not still a monopoly, 1875.—Offices of the attorneys and pleader were formerly sold. Corporation have commenced a system of election. The Small Debts Court emanates from the Sheriffs' Court. Account of the passing of the Small Debts Bill for the City of London, 1877.—No county court in London. The Small Debts Court is engrafted on the Sheriffs' Court, 1878.—The City of London is exempted from the general County Courts Act; has a Small Debts Court under a local act. There is the Court of Appeal in St. Martin's-le-Grand, not a permanent one, 1879.—There is the Mayor's Court as a court of equity, the general jurisdiction of which from some cause has not been resorted to, 1880.—It was the practice when limited to four pleaders to take in other gentlemen specially, the pleaders always having a brief in the case. Has practised there, 1881, 1882.—No prejudice has arisen from the judge of the Mayor's and Sheriffs' Court being appointed by the citizens, nor suspicion of partiality, 1883, 1884.—The practical jurisdiction of the Mayor's Court of Equity is confined to cases of apprenticeship, 1885.—In cases of action in one of the superior courts, and judgment by default, so that a writ of inquiry goes to the sheriffs, it is executed in the Secondaries Court, 1886.—The secondaries are appointed by the common council, are deputies of the sheriffs, and sit as judges. There is only one at present. Describes the arbitrary power of the lord mayor in the Court of Equity. Describes the Orphans' Court. There are twelve or thirteen City courts, and there is no reason now for continuing their peculiar jurisdictions, 1887, 1888.—The peculiar jurisdictions are privileges of the City. The right of holding courts is a franchise of the City, is a corporation right, 1889.—The corporation derive no benefit, if there is any advantage it accrues to the citizens at large. It would be an advantageous change to have one good court for trial by jury in the City of London out of the wreck of all the other courts. The Mayor's Court is a useful court, and if regulated by Act of Parliament, an appeal being given from it to the courts of Westminster, would be a desirable change, 1890–1892.—Thinks the custom of attachment gives a creditor an unfair advantage in the City of London. It would be advantageous to extend it all over the kingdom. It applies in Scotland often with advantage. Would do away with all customs of the City which conflict with the law of the land, 1893, 1894.—There are two opinions whether it be a good law or not, that a custom of the City can only be taken away by Act of Parliament. But that is the law, 1895, 1896.—It is generally agreed that a custom of the City of London, unless it be expressly recited and set forth in the Act and repealed, would hold good against general words in an Act of Parliament, 1897–1900.—When a plaintiff is sued for a debt of larger amount than the value of the property attached, the bail must be for the whole amount of the debt, which leads to much inconvenience, 1901, 1902.—If the defendant were only compelled to give bail to the amount of the goods attached, and the garnishee keep the goods till the ultimate decision, it would be an improvement, 1903, 1904.—Goods attached are liable to attachment. Gives a case, 1905.—Can appeal from the recorder to the Court of St. Martin's-le-Grand, 1906.—Thinks it would be an advantage to have cases of this kind removed by a certiorari. Would remove the attachment itself by an alteration of the law, so as to give the courts at Westminster control over the courts in London, 1907.—It would be right to consolidate the various courts, and have one civil court in the City for the recovery of debts, allowing persons to sue in the City, with the option of suing in the superior courts, 1908, 1909.—There are similar courts in other places. Names them, 1910.—It would be difficult to modify the custom of attachment by any Act of Parliament. To preserve the customs of London, an officer called a remembrancer attends at the House of Commons to watch every bill introduced into Parliament, and to see that no bill touches the rights and privileges of the City. He gets a clause inserted that this Act shall not be prejudicial to the rights and privileges of the City of London. In this way the City of London has been exempt from the same changes which the will of the Legislature has produced in the rest of the kingdom. Would make the general law prevail in the City as elsewhere, and all conflicting customs should be repealed. Believes there is great inconvenience arising from the conflict of jurisdictions in criminal cases. It would be a great advantage if the Central Criminal Court were made the only criminal court for the whole metropolis, 1911, 1912.—To provide a sufficient number of judges for the Central Criminal Court, assistant judges might be elected, and the minor cases taken in the weeks when the court was not sitting for the higher class cases. This would do away with any criminal court in the metropolitan district except the central, 1913, 1914.—Cases are now tried at Newington, and other places in Kent or Surrey within the district of the Central Criminal Court, 1915.—The alteration of the law has taken business from that court, and restored it to the Middlesex quarter sessions. That change is in the wrong direction, 1916, 1917.—The Central Criminal Court is held twelve times a year, the sessions lasting from two to ten days. Thinks that two judges sitting for a week longer than the usual sessions would be sufficient for the proposed alteration, 1920.—It is usual to have three judges of the courts at Westminster at the Central Criminal Court, but one would be quite sufficient, 1921–1922.—The Central Criminal Court Act only requires that the lord mayor and two aldermen should be present, 1923.—The real judge who is to try the case, the recorder or the common serjeant, or one of the judges of the, and, would alone be sufficient to constitute a court. In addition to this change, the services of the grand jury might be dispensed with, as they appear to impede the business considerably. It is never known what bills are likely to be found at a particular time, the list only being made out at uncertain hours of the day.—The consequence is, the cases are called on, and excuses made for the absence of witnesses, prosecutors, or the counsel, and many other inconveniences arise. If an efficient system of responsible police magistrates were adopted throughout the metropolitan district, the grand jury would be of no use. There ought to be within the City in every case a public prosecutor. There is, at this moment, a City solicitor, who occasionally acts as public prosecutor. The Court of Aldermen direct prosecutions, and have the power of using the City funds for that purpose, and it certainly is the case that they select the cases where the City solicitor is to interfere. They may be actuated by the best motives. In any change regulating the corporation of London, it ought to be compulsory upon them to appoint a public prosecutor, 1924, 1925.—The City, being a county, could make a county rate, to be applied to prosecutions, but they do not do so, 1926, 1927.—One of the enactments of the bill for abolishing the grand jury was, that every person should be put upon his trial upon the commitment of a police magistrate. The same regulations should be attended to in the City as in police courts in the rest of the metropolis; men should be appointed who devote their whole time to the business of magistrates, and not tradesmen and merchants who have their own affairs to attend to, 1928. Can scarcely judge whether the aldermen rely to any considerable extent upon the advice of their paid assessor, in administering justice, having been so little before the magistrates in police courts. Was

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engaged in one case, this year, where the alderman himself convicted, and afterwards sat as magistrate to enforce the conviction, 1929.—States case, 1930.—The Municipal Act gives a power to the corporation to apply to the Government, and the Crown appoints the stipendiary magistrates, the town council fixing the salary, 1931, 1932.—Cannot judge what the common council would do if they had such a power, 1933.—Thinks that an opposition would be made in the common council to the appointment of a stipendiary magistrate, by the majority of the members, they having no control over the appointment. Previous to the reign of George II. only aldermen who had passed the chair were magistrates. The lord mayor had power to appoint two magistrates for Middlesex, a power which has not been exercised, and was decided to be illegal by the Court of Queen's Bench some time ago. For the proper government of the metropolis, the 700 Acts of Parliament for the regulation of its local affairs should be consolidated, 1934.—More than half of these local Acts are in force in the City, 1935, 1936.—There must be 200 charters relating to the City of London, but it is difficult to say what are in force, 1937, 1938.—Has fifty charters in print relating to the City itself. There is no printed collection of charters. Cannot say how many are in force but not in print. There must be at least twenty more relating to the corporation alone, 1939–1941.—The corporation of late years has denied the public access to their charters, to prevent that discovery of their contents to which every resident in London is entitled. There are old byelaws of the City declaring that its laws and customs should be made known to the public, who were to be affected by them, but the officers are instructed to withhold the information, 1942.—The proper custodium of the charters is Mr. Serjeant Merewether, the town clerk, who refuses access to them, 1943.—One of the standing orders of the common council now is, that no officer shall show the records or charters of the corporation without leave of the court, 1944.—If the City claim under a charter an extensive public right, and seek to enforce it by litigation, they ought undoubtedly to put the defendant in full possession of the legal instrument under which the claim is made, 1945, 1946.—Can conceive a strong reason why the charters should not be made public, believing that the City has committed the forfeiture of many of its rights. States cases, 1947, 1948.—Looking to the public good, and the interests of the persons affected by the charters, there can be no reason why they should not be made public. Believes that if every large metropolitan borough was incorporated, and the Municipal Corporation Act applied generally to each district, great advantage would be obtained. The question of police magistracy requires to be settled. One uniform system of police should be established throughout the whole of the metropolis, and one common system of sewerage. Would reserve to the City all the rights it now legally possesses. Electing its own officers, the livery companies having those powers, require considerable reform. Those which have ceased to have any connexion with the trade they profess to represent should be altogether disconnected with the City, and exist as voluntary societies, or should restore the members of their particular trade to all the rights in the guild which they formerly possessed, 1949.—The livery of the trade companies being connected with the election of certain great officers in the City, the constitution of the companies becomes material to the question of corporation reform. There is no body of liverymen independent of the companies, 1950–1953.—The trade of London could not be conveniently represented in the corporation in any other way than through the companies, 1954.—Conceives that the livery are much more the representatives of the trade of London than the freemen householders. There are more of the City merchants among the livery than in the corporation at large, 1955.—Many members of the great commercial houses are not freemen at all, but some are free of the companies, and some also free of the City, though few reside there, or have interfered in any business of the corporation, 1956, 1957.—The companies have very little connexion with the trades whose name they bear, but thinks it desirable that connexion should be restored. Restoring the livery to something like its ancient position in the City would secure to the corporation a more permanent body than if the burgess list consisted only of persons who were rated for a year. The son of a banker of the last generation, who might have been free of one of the great companies, becomes free by patrimony, 1958–1960.—The waterman's company have no livery, but many of their members are free of the City, and take up their livery in some of the smaller companies, 1961.—They are not a good class of voters. Would allow no one to be on the livery unless elected by the general freemen, 1962, 1963.—There could be no objection to their electing into their own body if the electors were members of the trade. At present they are strangers, 1964.—At one time the courts of aldermen and common council possessed each a distinct power, which power, for all useful purposes, is gone, and would destroy it altogether, 1965, 1966.—The aldermen are members of the Court of Common Council, and meet in the Court of Aldermen separately, 1967.—They have the power of electing to certain offices, and have very considerable patronage over the hospitals, exercised by them as a court, 1968, 1969.—They always vote and decide by a majority, but the room is cleared of strangers before a decision is made, 1970.—The liverymen ought to elect the great officers of the corporation, and believes, at present, among the 9,000 liverymen are some of the best freemen of London, 1971, 1972.—Every man guilty of corruption could be easily disfranchised if efficient regulations were established in the City for that purpose, 1973.—As the case now stands, the recorder is appointed by the aldermen, the common serjeant by the Court of Common Council, and the sheriffs by the liverymen in common hall, 1974.—Would not have a judicial officer appointed by a general body like the livery, not the recorder, 1975.—Thinks it inconvenient to appoint the aldermen for life, 1976.—The regulation of the Municipal Corporations Act, by which one third of the town council go out each year, may be advantageous, but in the City of London would make the election for the town council annual, as it is at present. The election of all unpaid officers and all members of the corporation should be annual, 1977.—There is a doubt as to the legal period for which aldermen are elected. There is an Act of Parliament which declares the aldermen shall be elected annually, and there is an ordinance which appears upon the rolls of Parliament, in the reign of Richard II., which directs that the aldermen shall not be removed, but it is doubted whether this last is an Act of Parliament, 1978.—It is not printed, and there are many Acts of Parliament relating to London not in print, 1979.—In order to ascertain the law with respect to any custom of the City of London, it is necessary to go into a very laborious antiquarian research, both into printed and manuscript authorities, 1980, 1981.

PURSE:

Objects to the Court of Aldermen having the control of the City purse, *Bennoch*, 2024.

QUARTER SESSIONS. (*See* Courts.)

RATES:

In the City they pay church rate, and all other parochial expenses independently of the municipal expenses, *Elliot*, 1101.

RECORDER:

Statement as to the office, *Pulling*, 956–965.—The salary attached is 3,000*l.* a year, and some trifling fees. Has made a return of those fees to the town clerk, which will be laid before the Commission.—The amount in 1852 was 150 guineas, in 1851 sixteen guineas, and in 1853 fifteen guineas. There are deductions to be made, namely, a clerk and chambers, which together cost at present about 85*l.* *Wortley*, 5488–5490.—Duties of the, *ib.* 5491–5496. 5500–5504.—Elected by Court of Aldermen, *Lord Mayor*, 7200.—Is appointed by Court of Aldermen, *Acland*, 469.—Proposes that in future he should be appointed by the Crown, *ib.* 473.

REFORM ACT. (*See* Act.)

REFORM:

Proposes to extend the provisions of the General Municipal Act to the City of London, placing all judicial functions in the hands of officers appointed by the Crown, and paid out of the City funds, and to incorporate the City police with the merropolitan, and to leave the board of sewers as it is at present, with exclusive City jurisdiction, *Elliot*, 1129, 1130.—Any gentleman trying to make any reform is told that the corporation is very comfortable as it is, *Alcock*, 1756.

REFORM—*continued.*

—Committees appointed in 1834 and 1836 to reform the corporation, *Williams*, 2830.—If the Municipal Corporation Act were applied to the City, it would be as good a municipal government as any in England, *ib.* 2835–2838.—One *municipal* body would work more advantageously for the community at large than the present system, *Lord Mayor*, 7159.—Would have one constitutional body. The whole body should have a voice in the election of lord mayor and sheriffs. Is in favour of a constituency founded upon the ancient existing privileges of the City of London, *ib.* 7159–7161.—Would have all places which are boroughs for Parliamentary purposes also boroughs for municipal purposes, *ib.* 7171.—Reforms are needed in the City; if the 11th of George I. and all subsequent Acts were repealed, all fines upon freedom, all City tolls abolished, great advantages would be the result, *ib.* 7178–7180. Any one who occupies a shop should be a voter for municipal purposes, wherever he may reside, *ib.* 7197. —A municipality is incomplete unless its corporation has entire jurisdiction over the lighting and supply of water to the district; and thinks that if powers were given to the corporation to buy up the interests of private companies, and deal with the subject as one of municipal government, great advantage would result, *ib.* 7201.—Thinks the different municipal districts might work upon one uniform principle, and have the entire management of their own affairs, *ib.* 7202.—There is a committee now sitting to consider certain improvements and alterations to be recommended to this Commission, composed of aldermen and common councilmen, *Farebrother*, 7224.—Reform was commenced in the corporation in 1817, *Pearson*, 8476, 8477.

REFORM, MUNICIPAL. (*See* Municipal.)

REMEMBRANCER:

States duties of, *Pulling*, 970, 971.—The emoluments attached to the office are derived from two sources; one is a certain annual payment of 1,000*l.* a year from the corporation, and 250*l.* a year for office expenses. Is also entitled to charge for parliamentary business done for funds, under Acts of Parliament, or otherwise not chargeable on the City cash; the amount of which, for the year 1852, gives the average of the previous five years about 700*l.* There would be a separate charge for business done for the police or sewers funds, *Tyrrell*, 5366, 5372.—Has no patronage, *ib.* 5373.—The duties of the office are comprised under two heads; one, the conduct of parliamentary business, and the other attending to all points of form and ceremony, *ib.* 5374–5387.

RENTAL OF THE CITY:

There has been considerable increase in the rental of the City, *Scott*, 4594.

RICHARDSON, PHILETUS, Esq. (*Analysis of his Evidence.*)—Is a solicitor; carries on his profession in the City of London. Has never been a member of the corporation, 2562–2565.—There was a newspaper called "The Citizen" established in the City about the latter part of 1848 or beginning of 1849, 2566.—Was subsequently professionally employed on the purchase of the copyright of that paper, for Mr. Benjamin Scott and Mr. Toulmin Smith, from a man named Peet, 2567–2569.—Does not know exactly with whom the idea of purchasing the copyright of that newspaper originated; but thinks, with Mr. Scott, they did not establish the paper, but became the purchasers of the copyright, 2570.—Thinks a portion of the funds necessary to carry on the paper were furnished by officers of the corporation, in the first place out of their individual funds; but whether they were recompensed for their outlay out of the corporate funds cannot say. Mr. Scott, as an active member of the corporation, was anxious that some efficient report should be made of their proceedings, 2572, 2573.—It was not intended to be wholly confined to the publication of reports. A representation was made to the lord mayor of the supposed want of a proper report of the proceedings of the corporation; it was ordered to be referred to the consolidated committee, who considered the subject; but does not know what decision they came to, but knows that the solicitor of the City, Mr. Charles Pearson, and Mr. Scott, waited on Mr. Toulmin Smith to obtain his services as editor, 2574, 2575.—Mr. Toulmin Smith superintended for a short time the management and publication of the paper, 2576.—Is not certain what officers of the corporation

RICHARDSON, PHILETUS, Esq.—*continued.*

subscribed to the support of the paper; but believes the remembrancer, Mr. Tyrrell did, and Mr. Scott, 2578–2581.—The paper did appear; thinks there were ten numbers published, eight after the purchase, 2582.—There were leading articles in those numbers chiefly devoted to corporation matters, 2583, 2584.—Mr. Toulmin Smith's inducement to purchase, with Mr. Scott, the copyright of the paper was, that having given great attention to the subject of municipal corporations, and taken up various matters connected with the City, he was desirous of doing so in the most effectual way, and upon Mr. Scott's representation of the utility of the paper, was induced to become the purchaser, 2585–2587.—It was discontinued because Mr. T. Smith's views did not accord with those officers of the corporation who were interested in the establishment of it, 2588.—Would refer the question to Mr. Scott as to the sum given for the purchase of this newspaper, 2589.

RICHARDSON, PHILETUS, Esq. (*Second Examination.*)—In consequence of the evidence of Mr. Scott, arising upon question No. 3629, denying that he was joint proprietor with Mr. Toulmin Smith, of a paper called the "Citizen," begs to repeat his former statement, that he was employed by Mr. Scott to pay the purchase money for the copyright of that paper on behalf of himself and Mr. Smith, and is ready to put that statement in issue in any manner that may be suggested. Mr. Scott's answer to question 3638 is entirely without foundation. Never raised any claim whatever against the officers, or against the corporation. Did not receive from them 280*l.* 8*s.* 9*d.* "without prejudice." It was a troublesome matter, there were several documents prepared, and there was an action at law against Mr. Peel, the original proprietor. Received from Mr. Scott two bills of costs amounting to 72*l.* Offered to Mr. Scott to forego any charges, in consequence of the failure of the project, and under the idea that Mr. Scott was a loser by it, 7703–7706.

RICHARDSON, Mr. WILLIAM BURBIDGE. (*Analysis of his Evidence.*)—Is an attorney and solicitor, and chief clerk in the comptroller's office, 6674.—The salary of the comptroller is 1,500*l.* a year, partly received from fees, the balance being paid by the Court of Common Council, as arranged by the court in 1845, 6676.—In the year 1852, when the leases of the Conduit Mead Estate fell in, he then received, in addition to 1,500*l.*, 1,230*l.* 16*s.* 5*d.* This can only occur once in 14 years on the renewal of the leases mentioned, 6677–6679. States duties as comptroller, 6681.—He attends the City Lands Committee as secretary and conveyancing solicitor, and carries out all the business relating thereto, and likewise the Markets' Committee, 6682, 6683.—He attends to the receipts of the clerks and collectors, but does not exercise any control over the markets themselves. The committee have the control; the comptroller has only a general superintendence, to see that the collectors do their duty. 6685.—He completes the purchases for all the City improvements, after the committee have settled the claims, 6686.—He acts under the direction of the City Lands, the Markets', the City Improvements, and the Markets' Improvement Committees, and the other committees of the court in relation to the law conveyancing of those committees, embracing the preparation of every variety of deed and document, 6687.—He would not take any important step in either of those matters without the authority of one of those committees, 6688.—He is a ministerial officer, and does not exercise any great discretion of his own, except in the law conveyancing business; their he acts as a solicitor in the ordinary course of professional practice, 6689.—The City solicitor attends to all questions in litigation, both in common law and in equity. The comptroller does all the conveyancing part of the business. The Bridge House Estates have a separate comptroller, 6690, 6691.—The comptroller delivers to the court annually a statement of the amount which the chamberlain ought to receive during the year, of every rent and source of revenue of the corporation belonging to the City's cash, contained in four very large volumes, 6692.—Makes a further statement of the comptroller's duties, 6693.

ROBERTS, Mr. ROBERT. (*Analysis of his Evidence.*)—Carries on business of a fish factor, at 118, Lower Thames Street, 4246, 4247.—The difference between a fish-factor and a fishmonger; one is retail, the other wholesale. The fishmonger buys of the fish-factor, 4248.—For each standing in the market

ROBERTS, Mr. ROBERT—*continued.*
before the year 1823 the rent was 30*s.* a year. A standing is a sort of form. Each dealer uses a standing, 4249–4253.—Since 1823 witness pays 9*s.* a week for a standing. Cannot tell what was the cause of the change. Rather thinks it was made by the corporation, perhaps to put extra gas in the market, 4254–4258.—Should say the rent is now a reasonable rent; has no complaint to make with regard to it, 4259, 4260.—Has not the least complaint to make with respect to the regulations of Billingsgate Market, so far as they are established by the corporation, 4261.—Thinks that is the general opinion of the dealers in the market, 4262.—There are officers of the market whose duties are to see that the market is kept in proper order, cleansed, and so on. They are there by way of protection to the factors. Rather thinks it is the principal officer who does this, the son of Mr. Goldham, 4263–4265.—Has had conversations with Mr. Goldham about the market, which has been newly constructed, and at the present period the forms are not properly arranged. Has asked concerning it, and is told they are to be properly and conveniently arranged, 4266, 4267.—So far as the conduct of the corporation and their officers is concerned, has nothing to complain of, 4268, 4269.

ROGERS, THOMAS, Esq. (*Analysis of his Evidence.*)—Has been a solicitor in the City of London for nearly thirty years, 2632.—Has been connected with the corporation, having lived 19 years in the ward of Bishopsgate; in 1839 was returned to the common council, and served during that year, 2633.—Is not now in the common council, but a liveryman of the Spectacle Makers' Company, 2634.—Whilst a member of the common council took great part in the business of that body, 2635.—Thinks the practice of the common council is as nearly as possible that of the House of Commons. It is presided over by the lord mayor, the recorder takes votes when anything is to be regulated as to the number of the common council; then an act is passed. Shortly after witness left there was an act passed to reduce the number of the corporation from 243 to 206 or 203; does not remember which. The mode in which the act is passed is this: A member brings in a bill, it is read, a copy sent to each member, it is then considered in committee, and it is afterwards gone through clause by clause and passed, 2636.—Was a member of some of the committees of the common council while belonging to that body, 2637.—Has been on two committees, the coal, corn, and finance committee, and the comittee for general purposes; those committees are ward committees, they have the right of calling before them any officer in the corporation, 2638.—Has seen persons present at these committees, but generally strangers are excluded, 2639.—The proceedings of the Committees are not published, minutes are taken, 2640, 2641.—The minutes are laid before the court of common council. They are not printed, 2642, 2643.—There was one report printed. It was with respect to the coalwhippers, it was by special vote, 2644, 2645.—The functions of the committee for general purposes were, the furnishing of the Mansion House, furnishing Guildhall and upholstery generally, 2646.—The whole of the Mansion House is under the supervision of the committee for general purposes, 2647.—There is a coal, corn, and finance committee, 2648.—There are some special committees appointed, and persons acquainted with the subjects are placed on them, but as a general thing they do not look at any special fitness in the persons they appoint, 2649, 2650.—A person cannot be elected as chairman till he has served two years in the committees, 2651.—Reverting to the committee of general purposes, not a sixpence was allowed so far as money was concerned. Shows what was expended on dinners. The city lands committee were allowed 400*l.* The committee for general purposes were allowed 200*l.*, and the coal, corn, and finance committee were allowed 200*l.* for dinners, 2652, 2653.—The money was spent in this way, and in order to induce the members to attend punctually, the chairman waits five minutes and then his hammer falls, and all those who are then present in the monthly meetings have a right to dine together, all who come after are excluded from the dinner, 2654.—The dinner is once a month. Thinks the system of dinners a good one for this reason, that it brings various members of the committee to the consideration of questions brought before the committees who would otherwise not be brought there, and besides that, they are generally gentlemen who have to leave their house for the whole of the day, 2655–2658.—In

ROGERS, THOMAS, Esq.—*continued.*
addition to the members of the committee the chairman has the right of inviting two friends, generally from his ward. Aldermen who are upon the commission attend, and occasionally one of the officers of the corporation, 2659.—Has no doubt the attendance is fuller at the monthly meetings, after which these dinners take place, 2660, 2661.—The intermediate meetings are generally of the sub-committees, whose members are not so numerous as the committee generally, therefore it would not be fair to draw a comparison between the importance of the monthly and intermediate meetings. In the coal, corn, and finance committee was produced a Blue-book which would not have disgraced Parliament, in regard to the evidence taken before it, 2662–2664.—There were various meetings of the committees on the intermediate occasions, in the coalwhippers' business, which were as fully attended without the inducement of a dinner, as on the occasions when there were dinners, that committee being considered of some importance, 2665–2667.—Produces a statement of the trades of the members of the common council. Begs to say that the aldermen having the conduct of the various wards, show an admirable example as to charity. May say Alderman Copeland has given 10,000*l.* to his ward while he has been alderman, 2668.—Is speaking of his private charities, and has no reason to doubt the other aldermen do the same, though perhaps not to the same extent. Should be sorry to see them superseded as justices of the peace. As a class, thinks them the best magistrates in the country, no doubt from their previous education many of them in the court of common council, and many in the court of aldermen, and their sitting for three months in the course of the year, by the side of the judges, the best school for learning magisterial duties. Mentions Alderman Gibbs as a magistrate of great ability. Reads a charter which he thinks will prevent their being superseded. As justices of Oyer and Terminer, they sit along with the judges, and can give their advice, 2669, 2670.—Has seen them interrupt and ask questions, but very seldom. Never of a witness in court, 2671, 2672.—Has never seen them take any part in the trial of prisoners under the commission of Oyer and Terminer, further than by assisting the judge with advice and counsel as to various practical points which he may not understand, 2673–2677.—Should not suppose any person would make private suggestions against a prisoner, 2678.—They never deliver judgment, but they sit there as judges. Has frequently seen the judges in the Queen's Bench deliberate together, but only one gives judgment. In the same way the judges in these courts deliberate with the aldermen, 2679–2681.—Thinks it would be a difficult matter to deprive the City of any part of their Charter. It would be resisted as earnestly as was the bill to unite the City police to the Metropolitan police brought in by Lord Melbourne. The corporation objected, but seeing the Minister was determined, they fixed their town clerk in New Palace Yard, with a large body of assistants to communicate with every corporation in the United Kingdom, and through their influence the measure was given up, 2682–2686.—Supposes it was represented to them that an attempt was being made to take away part of their duty, the preservation of peace; no doubt the same representations would be made with respect to the attempt to take away the justice business, 2687.—Declines to say how the country corporations did influence the Government, but it is well known how those things are done in the country, 2688.—In dealing with the other corporations of England, by the Municipal Reform Act, Parliament thought itself justified in interfering with the judicial functions of their magistrates, 2689.—In point of principal, thinks the objection, which ought to deter the Legislature from dealing in like manner with the corporation of London, lies in the charter against it, 2690.—There were no charters in the case of the country corporations beyond the reign of Charles, 2691.—A charter under the reign of Edward should be more respected, because the practice under the charter has been longer, 2692.

ROSE, Mr. THOMAS PLANT. (*Analysis of his Evidence.*)—Was engaged in the contested election for the office of chamberlain as a confidential agent for Mr. Scott, in the contest between him and Sir John Key, 2904–2907.—There was considerable expenditure on both sides at that election, but not more than usual, 2908.—There is at the election of the office of chamberlain always considerable expense incurred in bring-

Rose, Mr. Thomas Plant—*continued.*

ing voters from a distance to record their votes, 2909, 2910.—Sometimes they are paid for their votes, or when they come from a distance for loss of time; at times they are paid for refreshments, 2911.—The voters were paid for being brought from their work; has no knowledge of voters who did not come from a distance being paid to induce them to vote for a particular candidate, 2912, (2913).—The are a great many persons employed as messengers and colourmen, and so on, at elections of this kind and the payment is not more than is due to them for the amount of service which is exacted from them. The average pay is about 7*s.* 6*d.* or 10*s.* a day; some ten, or fifteen, or twenty of them were paid, 20*s.*, (2914–2916).—They were paid for the same thing, only they went about and collected the voters from different parts. They knew where the liverymen lived, (2917).—The total amount expended by Mr. Scott in the contest was about 3,500*l.*; the whole was spent in travelling expenses and the mere cost of agency in canvassing, (2918, 2919).—Does not believe that any payment was made to any one to induce them to give their votes. Heard of payments that were made, but never saw anything of it. There was very little treating going on, (2920–2922).—For Sir John Key's side, the money spent was 1,900*l.*; that was in one particular department; the whole cost of his election was more than 7,000*l.*, (2923, 2924).—Does not think there were more out-voters brought up for Sir John Key than for Mr. Scott, (2926).—Thinks that the great part of the sum expended by Sir John Key was in bringing voters from every part of the country, (2927).—But does not believe that the sum could have been spent *bonâ fide* for agency only, (2928).—Witness took an active part in the election all through; was conversant with the proceeding on the opposite side as well as his own, (2929, 2930).—Thinks that some portion of the sum of 7,000*l.* expended by Sir John Key was spent in corrupting voters, (2931).—Believes that Mr. Scott's election was lost and Sir John Key's gained by the money so expended, (2933).—Has been conversant with all the municipal elections for some years; in the case of sheriffs they are very different, (2935, 2936).—The sheriffs office is sometimes coveted; there are sometimes four or five in the field, (2937).—Does not believe corruption is ever resorted to in the elections for the office of sheriff. Never heard, on the other hand, of money being expended to induce voters to negative a person nominated as sheriff, (2938, 2939).—Has never had anything to do with any elections besides those of chamberlain and sheriff, (2940).

Roy, Mr. Henry. (*Analysis of his Evidence.*)—Is desirous of making some statements to the Commissioners with regard to the system pursued in the City upon the Stock Exchange, 4421.—Once intended to enter the Stock Exchange, but found difficulty in doing so. The opprobrium was so great in attempting to act without being admitted by the Stock Exchange that he declined to do so, 4422.—Complains that the corporation neglect their privileges, and do not exercise their full rights, to the disadvantage of the public, 4423.—The Stock Exchange is entirely a private association. Witness conceives that there is no point on which they are incompatible with the City privileges, except with respect to passing names on contracts in the case of sworn brokers, 4424.—His complaint is against the control which the corporation exercise, 4425.—Thinks the corporation neglect their privileges. Thinks their privilege is, in the first place, a great source of safety to the public, and a more full exercise of it would be beneficial, 4426, 4427.—The corporation, having the privilege of electing sworn brokers for the City, ought also to have the right to enforce the entrance of their brokers into any market, 4428.—Thinks there should not be a private committee of stockbrokers, to exclude any stockbroker from the Stock Exchange after the City of London had given him a licence. The business of all the public bodies, the Bank of England, and the Government, and nearly every other body, is now done in close market; but a question may be raised, how far bargains, done within a market which cannot be entered by the public, are legal. Thinks the corporation should have directed their attention to this point, and, as a part of the exercise of their full privileges, should enforce a legal market, 4429.

Royal Exchange:

Is held under some kind of joint trusteeship between the corporation and one or more of the City companies, *Dillon*, 709.—The erection of that building

Royal Exchange—*continued.*

was submitted to public competition, the cost to be incurred being set down in the specifications, and the amount of rental necessary to enable the Gresham trustees to carry out their trust. Mr. Tite's plan was adopted, *Dakin*, 7366–7367.

Rushton, Mr. William. (*Analysis of his Evidence.*)—Holds the office of paymaster and collector of metage, lastage, fillage, and porterage. It is all one office, and has always been called corn-shifter. Is sixty-eight years old, 7870–7873.—Was elected on the death of his father, twenty-seven years ago, by the Court of Common Council. His grandfather held the office. Has been under them in the office fifty-four years, 7874.—The duties are to collect the metage dues, and also pay the porters, 7875, 7876.—Collects the sum due to them from their employers, the sellers and buyers, who may live all over the kingdom, 7877.—The porters present a ticket stating how much work they have done, the name of the captain and ship on board of which they have done it. This is immediately paid on the faith of the man, who is a fellowship porter, and his authority constituted under acts of the common council. The average amount of these payments in the last 24 years is 229,000 per annum. 300 to 400 is a small day's payment, the average used to be 800 and often 1000 a day, 7878.—They are paid by the piece, 7879.—If a piece of work lasts several days, they are paid every day for so much as they have done that day on board that ship, 7880.—Has three offices for those payments: one in Horsleydown, one in Tower Street, and a private office in Trinity Square. It may appear wrong to pay those men at public houses, but takes an undertaking from them that they shall never ask a man to spend one farthing, 7881.—The way of collecting the money is thus: When a ship is cleared the account is made up by the principal meter, not the working meter, charging so much for the charges that apply to the corn factor, who pays when he is asked for it. Witness has to charge the buyer with his proportion, 7882.—Cannot say there are not losses, but upon a concern which averages 59,321*l.* 5*s.* a year, the bad debts are not above 120*l.* or 130*l.* a year, 7883.—The commission allowed has been grossly misrepresented. Is empowered by the Act of Common Council to take one penny in every shilling from the earnings of the labouring porters. That amounts to 8⅓ per cent. Is allowed by the Act of the Common Council to appropriate 4½ per cent., but putting in the corporation's portions of the money collected for them, and all other matters, has not received, on the average of twenty-four years, quite a clear three-fourths of a farthing in the shilling, 7884.—Has had nine clerks employed; but for the last five years has had but five; that is 1⅓ per cent. The corn-factors are applied to for the amount of those charges, and with few exceptions pay well. Gets payment from the buyers when they are met with; sometimes writes to them. Witness's penny postage account amounts to 8*l.* a year, 7885.—His grandfather and father held the office by lease, paying an annual rent to the Court of Rulers, for the profits of a penny in the shilling; but at the termination of the latter's lease in 1827, an Act of the Common Council was passed that the corn-shifter should be elected by the common council, and the Court of Rulers should find the money. Was provided with 7,000*l.* when established in the office, 7889.—That is not more than is necessary, may say it is less. The balance sheet will show that there is frequently 9,000*l.* or 11,000*l.* out, and has been obliged to find the surplus capital. Does not of course let more money be idle than there is occasion for, 7890.—That sum is not required at present to make the payments, 7892.—Some few years since was called upon by the fellowship to return 1,000*l.* Did so. And has since been called upon for more capital, but satisfied the court that that call ought rather to have been from witness. However, at the request of one of the rulers, obliged them with a cheque for 250*l.* to pay a bill for expenses in the suit of Combe and Delafield. Therefore has repaid 1,250*l.* out of the 7,000*l.* Did not approve that law suit, 7894.—Has given the court a bond upon property more than ample to secure them. Can be called upon at any time by the Court of Rulers or of Common Council to make restitution of anything they think ought not to be held. Has claims upon the court for payments made on their account, 7896.—Has very probably taken 87,000*l.* since 1827 in the shape of deductions from the labour of the men, 7897.—That includes the sum returned to the rulers for their superannuation fund. After taking 4½

RUSHTON, Mr. WILLIAM—*continued.*

per cent., the remainder is returned monthly to the rulers, whether the amount is collected or not. From that deducts counting-house expenses of all descriptions, and gets only the net balance, 7898.—The present state of the fellowship funds is lower than it was, or ought to be. Fancies they have about 3,500*l.* left, 7899.—The decrease in the annual payments to the fellowship from 1,694*l.* in 1841, to 770*l.* in 1851, alluded to by Mr. Lawrence, arises from the monopoly of labour by the dock companies, who will not admit the fellowship porters. They get the work done for 1*d.* per quarter, and charge from 2½*d.* to 3*d.*, 7900.—The fellowship porters are all respectable, decent working men, 7901.—They are regularly employed at certain times of the year, when large quantities arrive. At other times they work at their trades, but they are at the call of the corn trade at a moment's notice, and they are perfectly satisfied with them, 7903.—It is a a little better living than if they were not members. When a little advanced in life they can do this work, when perhaps they could not work at their own trade, 7905.—If the system did not exist, the trade would be at the caprice of the casual working men, and a small consumer would be at a disadvantage against a large one. Finds the majority of jobs are under 50 quarters, 7906.—If the fellowship ceased to exist the importers would always pay more for small jobs, and somewhat less for large ones, 7907, 7908.—The present porters derive benefit from this system, because they have an exclusive privilege of doing the work, 7909.—They do it cheaper than if the trade were open, and more to the satisfaction of those in the corn trade, who, with some few exceptions, wish the present system to continue. The act of measuring the corn is not one man's act alone. The porters dip the bushel into the bulk, and the meter follows with a scoop. The porters strike the bushel, turn it into the sack, tie it, hoist it out of the hold, and deliver it. Those are independent men, who cannot be bribed. When a meter is sent for, it is not known who will go, and it would be impossible to bribe eight men, 7910.—Thought the suit against Combe and Delafield too expensive an undertaking for the Fellowship Company, therefore advised its being dropped. Had also a notion that they did their business at Scotland Yard, which was a royal precinct, and that they would beat the company on that point, 7911.—Wishes to observe that the prices for the labour of the porters and meters is not invariable. They have been from time to time settled by the common council, who were often many of them their employers. They are paid the same rate per quarter throughout the whole port of London, whether the quantity be large or small. Calls attention to a report made by a committee of the House of Commons in 1834 on the subject of the sale of corn by weight, when the whole subject of the mode of measuring and delivering in the port of London was carefully examined, and the continuance of the system recommended, 7912.

SALARIES:

The subject has not been sufficiently brought forward, but when it has, it has generally been decided that the office in question should not be disturbed, *Bennoch*, 2088.

SANITARY INSPECTION:

—Very efficient in the City, *Simon*, 7406–7407.

SAUNDERS, THOMAS HARRY, Esq. (*Analysis of his Evidence.*)—Carries on the business of a paper manufacturer at Dartford, 4191, 4192.—Complains that his is a district in which there are considerable manufactures; that necessarily much coal is used; that the price of that coal is greater than it would be in the north, in the neighbourhood of the coal fields; and that, in addition to that high price, there is the City tax upon the coal, and no benefit is derived from the expenditure of the proceeds of that tax, 4193–4195.

SAUNDERS, Mr. NATHANIEL. (*Analysis of his Evidence.*)—Has held the situation of water bailiff 30 years. Was appointed by the Court of Common Council, 6834–6836.—It is an annual appointment; but if the corporation are satisfied with the manner in which the duties are performed the officer is continued, 6837, 6838.—The salary is 500*l.* a year; there are no other emoluments. Expenses are paid, 6839, 6840.—Witness here states the duties attached to his office, 6841.—The duties are quite distinct from those of the harbour master, 6842.—Surveys the river from time to time, and if he observes any encroachment which has not been authorized by the corporation, it is his duty to report it, 6843, 6844.—The stream of the river is under the superintendence of the harbour master. Between high and low water-mark is under witness's jurisdiction. The clerk of the works has authority from London Bridge westwards. The harbour master only interferes with what is really the harbour, 6845–6847.—Is no engineer, but decides whether piers and so on which are applied for will be an obstruction to the navigation, 6848, 6849.—On very difficult matters might have to resort to the opinion of some person who has professional information, but it seldom occurs that witness cannot rely on his own judgment, whatever might be the value of it, 6850.—Sometime since there was a contemplated construction upon the banks of the river bridge, upon the premises of Messrs. Price; the question was not referred to witness as an officer of the committee, but he had to give his opinion; it is now before the Woods and Forests, 6851–6853.—It is necessary, under the proceedings in Chancery, for the Navigation Committee to give information to the Woods and Forests of all proposed grants, that they may, if they see fit, object, 6854.—Witness felt competent to give an opinion on that point, although it involved an engineering question. Has obtained considerable experience during 30 years service, 6855–6858.—The corporation consulted Mr. Leach; his opinion and witness's coincided. They did not object to the construction, 6861, 6862.—It has been suggested that there appears some omission in the evidence, and that the Commission might understand that there is no superintendence between London Bridge and Putney. This is not the case, as Mr. Leach and witness supervise th atpart of the river, 6863.

SAWARD, Mr. MICHAEL. (*Analysis of his Evidence.*)—Resides in the City, 4407.—At No. 9, Chatham Place, 4409.—In consequence of the double jurisdiction for the management of the police, there is a district running through the centre of London which both commissioners refuse to watch, 4408.—Witness is secretary to a life office. States particulars as to the district left unwatched, the commissioners' reasons for so doing, and the numerous robberies committed in consequence, 4410, 4411.—Has, with his neighbours, presented a joint memorial both to the metropolitan and City commissioners, but received no satisfactory answer, 4412.—The City consider that the portion of land left dry by the receding of the tide is not to be watched by the land police, 4413.—Believes that upon the portion of shore which is within the district of the metropolitan police, the portion between high and low water is watched, 4415.—The Thames police is always kept afloat; they have nothing to do with the land, 4416.—Called Mr. Harvey's attention to the matter, but received no answer, 4417.—Thinks it would be desirable to place the whole of the police of the metropolis under one government. The metropolitan commissioners said that had the yard witness referred to in his statement been in their jurisdiction they would have watched it, 4419.—The gentleman who owns the yard is quite willing to give the police a key for the purpose of entering the yard, 4420.

SCHOOLS:

Some of the schools are endowed under bequest, and others are supported out of the funds of the City of London, *Merewether*, 6766.—The schools in the City are Christ's Hospital, St. Paul's School, Merchant Tailors' School, and the City of London School, *ib.* 6768.—The City School enables the citizens of London to give their children a first-rate education at a very low price, *Elliot*, 1102.—This school is in the hands of the corporation, *ib.* 1103.—Gives full particulars as to the school, *Mortimer*, 6776, 6778, 6791, 6801–6805, 6808. States the general system of education, *ib.* 6789, 6790.

Christ's Hospital. Statement as to the establishment and management of, *Merewether*, 6769–6772.—A school for the orphans of freemen and liverymen is now being formed; states particulars; and that, with the City of London School, are the only large schools directly in connexion with the corporation, *Mortimer*, 6801, 6805.—They have just built the Freeman's Orphan School, available for the orphans of freemen till the school is full. They are now about electing them. It is partly supported by the funds derived from the tax imposed upon the tradesmen of the City, and also the large fines wrung from those who do not find it convenient to be sheriffs, *Elliot*, 1104, 1105.

SCOTT, BENJAMIN, Esq. (*Analysis of his Evidence.*) —Has been connected with the chamberlain's office for twenty years. Has been chief clerk for the last 12 years. In that situation has had good opportunities of becoming acquainted with the finances of the City, 4430, 4431.—Was a candidate for the office of chamberlain when there was a vacancy recently, 4432.—The duties of chief clerk are to attend committees of the corporation, and afford them information upon the state of their accounts, and generally to superintend the accounts in the chamber, 4433, 4434.—Is appointed by the chamberlain. Salary 850*l.* a year, 4435, 4436.—Since 1842 the corporation have had the right of approval of the appointment, 4437.—The 850*l.* a year is the entire emolument paid by the chamberlain out of the proceeds of the office. The clerks in the office receive from committees of the common council gratuities for any extra diligence shown, and upon the audit of their accounts, 4438, 4440.—The gratuities received by the chief clerk probably amount to 50*l.* a year, 4441, 4442.—Witness also holds an appointment under the corporation which is termed, "Clerk to prepare Accounts for the Auditors," for which he received 100*l.* a year, 4443.—This office is, in some respects, connected with the chamberlain's department, 4444.—It was considered the chamberlain's duty to keep all the books which a treasurer would of necessity keep, but it was not considered by the corporation a part of his duty to arrange their accounts in that particular fashion, therefore a party was appointed about the middle of the last century to arrange the accounts in that particular form in which they are submitted to the auditors, 4445, 4446.—The comptroller, who is an independent officer in the corporation, is the conveyancing officer and has the custody of all their leases, therefore he is possessed of information as to the revenue which ought to be charged against the corporation. It is his duty to furnish this charge annually to the chamberlain, and it is the duty of the clerk for preparing the accounts for the auditors to arrange the two accounts so as to form a check upon each other, 4447.—The corporation have taken great pains at various periods to arrange their accounts in a way most intelligible to themselves and those interested in them. A committee was appointed in 1839. It was appointed upon the motion of Mr. Anderton, and they sat from the middle of 1839 till 1841, before the matter was finally decided upon; on the 26th of September 1839, they presented their report to the Court of Common Council. (The report was delivered in.) The system recommended was abandoned, and the matter was referred back again to the committee; and on the 27th February 1840 they brought up a second report. (The same was delivered in.) The next report brought up, (report, 17th December 1840 put in,) recommended the continuance of the system of charge and discharge, which witness had always understood to have been recommended to the corporation by a committee of twelve merchants of the City of London, independent of the corporation, who were appointed to meet as a committee to advise as to the best system, 4448, 4449.—Believes that it was about the middle of the 18th century that the system was introduced. On the 28th of January 1841 the report of the 17th of December 1840 was agreed to by the Court of Common Council. Reads part of the evidence given by Mr. Acland, in which he states that there are discrepancies to the extent of 9,000*l.* between the comptroller's charge and the chamberlain's discharge. The comptroller's charge and the chamberlain's statement of cash received, being two different things, it is not likely it ever should agree. The comptroller's charge is a statement made out independently of the chamberlain, of the revenue which ought to be received in the chamber during the year, 4450.—The chamberlain's account is a statement of what he actually receives; the difference between the two accounts being the arrears at the commencement of the former year and the arrears at the close which are carried to the next year's account. (Produces the books.) The chamberlain has thought it right to place among the accounts returned a sheet showing the charge and discharge upon every head of account for the year 1852. The chamberlain's account is made out similar to the comptroller's charge. As to expenditure, the sum which the chamberlain admits to have received is disbursed, and vouchers in every case are produced to justify the disbursement, 4451.—The different courts and committees have different powers of drawing out of the funds. The usual mode is by the signature of seven members, 4452.—The Court of Aldermen and the Court of Common Council have both separately a power of drawing, but virtually the Court of Aldermen only draw under certain heads, 4453.—They possess and have exercised the power of drawing upon the City cash for pensions connected with their own court, 4454.—There is no limit, either by law or practice, to the amount to which pensions are granted, 4455.—The annual amount of money drawn by the Court of Aldermen appears in the printed accounts, 4456.—The accounts of the pensions are stated in full detail. Contradicts the statement made by some witnesses that the auditors do not perform the duty themselves. The audit is performed by the auditors themselves, and they have for every payment a legal order laid before them, 4457.—The auditors of the City and Bridge-house accounts are chosen by the livery in common hall, 4458.—The system of appointing auditors in common hall has not always worked well. There have very often been differences of opinion between the common hall and the corporation as to what amount of power each body possessed. States an instance, 4459.—The "Orphans' Fund" was audited in the audit office at Somerset House till about 1834. Is acquainted with the system pursued in that department, so far as that fund is concerned, 4460, 4461.—It is just possible, that if the officers of the chamber were not persons of the highest respectability, the livery occasionally do not send auditors who would be an efficient check, 4462.—Does not think there is anything the corporation would desire more than to have an efficient check upon all their accounts. They have taken the greatest pains themselves as auditors to investigate and test the accounts which come before them; and where the Acts of Parliament have left it optional with them either to have additional auditors or not, they have invariably availed themselves of the option, 4463.—The principal objection to the present system is that the auditors are appointed by a very numerous body. The office is so inconsiderable in point of value that it is not likely to be sought after, and therefore the power to return auditors is in the hands of persons who may not be interested in sending in all cases the best men, 4464.—In some respects professional accountants would form good auditors, but in some other respects they would not, 4465.—The effect of placing the audit in the hands of a public accountant, unless the office were made permanent, would be that the whole system of keeping the books would be thrown out of shape every two or three years, to meet the views of the parties elected. If the corporation were under such a board as the Commissioners for Auditing Public Accounts, it would remove from them a weight of suspicion, which now attaches to them most unjustly. With respect to the Orphans' Fund, all public bodies were perfectly satisfied with the accounts as rendered to that board, and that a fair and just audit was obtained by that method, 4466.—Thinks it would be satisfactory to the chamberlain that his accounts should be examined by auditors perfectly independent of the corporation, 4467.—With reference to the accounts, on many occasions they have been very highly spoken of by those who have taken great pains to look into them. Since witness has held the office of clerk for preparing the accounts for the auditors, some of the most respectable men in the City have been appointed auditors. During the last twelve years the auditor's reports have contained a statement that they were highly satisfied with the system, as well as with the mode, in which they were laid before them. In the year 1829, when the whole system was investigated at very great length by the Government, the Duke of Wellington expressed his high satisfaction at the mode in which they had been kept, and at the same time offered witness's father, who at that time held the position which witness lately occupied, any position in the Treasury he might wish to assume under the Government, being desirous that he should accept some appointment with reference to their accounts, 4468.—Has recently relinquished his situation connected with the corporation. Reads an extract from the Report of the Select Committee of the House of Commons on the Orphans' Fund, on the 11th of June 1812, 4469.—Does not consider that the auditors were judges of the propriety of the expenditure, but of the accuracy of the account, 4470.—There is no specific sum of money placed at the disposal of the consolidated committee for any such purpose as has been mentioned. The circumstances are these: the corporation some years ago were dissatisfied with the reports of their proceedings, which appeared in the public papers. The subject was taken

Scott, Benjamin, Esq.—*continued.*

up by the consolidated committee, and there were several plans before them as to how some more ample and correct report of their proceedings might be obtained. There were three remedies suggested at the time; one of which was, that a weekly organ, containing a full report of the proceedings of the corporation, should be encouraged. It was in consequence of these matters being before the consolidated committee that the expenditure took place, which has been referred to by the witnesses. A paper of that class was published in the month of January 1849, called the "Citizen." The undertaking was commenced quite irrespective of the corporation or their officers, by a stranger by the name of Peet. Very shortly after its commencement some difficulties arose in the management of the paper, and Mr. Toulmin Smith became the sole proprietor. A sum of money was advanced by witness out of his own private funds. After some time the matter was brought under the consideration of the consolidated committee. It was suggested as a convenient organ for reporting their proceedings, 4471, 4472.—Witness advanced the money out of friendship to Mr. Smith, and from the interest he took in the object, 4473, 4474.—While the matter was in suspense, certain officers of the corporation advanced sums of money to keep the paper afloat, till a determination could be come to by the corporation, 4475.—At the same time the members of the consolidated committees did express what the officers considered to be a justification of their keeping the paper afloat till some determination should be come to on the subject. Believed that if the corporation approved of it they would have repaid the money advanced out of the funds of the corporation, 4476, 4477.—For four weeks the officers sustained the paper. A difference of opinion arose between some of them and Mr. Smith, and the paper was sold by him for a nominal consideration, pending those discussions. The corporation repaid the officers the amount which they had advanced. Mr. Smith raised a claim against the corporation for the amount he had advanced, but as he did not appear before the consolidated committee, to whom his petition was referred, the matter dropped. At the end of more than twelve months after the transaction had taken place, the consolidated committee volunteered to pay witness the amount which he had advanced, 4478.—The money was paid out of the corporation funds. The consolidated committee drew upon the Chamber for such sums as were necessary, 4479.—The total sum was 280*l.* 1*s.* 9*d.*; 250*l.* was subsequently repaid to witness, 4480.—This transaction was considered a confidential matter by the committee. It appears upon the account as "Disbursements of the consolidated committee," 4481, 4482.—In the accounts of 1850 there is a payment of 250*l.* to witness, under the head of miscellaneous expenditure, 4483.—No such sum as 1,000*l.* has been set apart for reporting the proceedings of the corporation, as stated by some witnesses. The sum has been on the average 185*l.* 12*s.* 10*d.* per annum, 4484.—This sum has been expended in circulating papers which contained the best reports of the proceedings of the corporation, 4485.—There is no fund which approximates to the Secret Service Fund which is voted annually by Parliament. There are matters which are occasionally considered confidential, and they are entrusted to a select committee, 4486, 4487.—It was considered at the time that matters connected with the establishment of a newspaper should be treated as confidential, 4488.—Is not aware of any case in which a confidential expenditure of this sort has taken place, 4489, 4490.—Parliamentary proceedings would be of that character. Opposition to bills has frequently involved a very considerable expense, 4491, 4492.—Is not aware of any expenditure incurred at any time in Parliamentary business which could not be fully stated and justified, 4493.—There has been no money expended of which an account has not been kept and given in the accounts, 4494, 4495.—Does not think it likely that such an expenditure should take place without his (witness's) knowledge, 4496.—There are many entries in the accounts, where the totals are stated, and no detail is rendered, 4497.—The details of an expenditure, with reference to Parliamentary proceedings, would not be published, because it is not considered desirable, in matters or that kind, to publish to the world the precise nature of the expenditure, 4498–4500.—It may have been so considered because it was thought probable that the opposition would be more effectual. Corrects a statement respecting a brother officer, which will be found at

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page 14 of the evidence. The questions are Nos. 114 and 115. The statement is with regard to proceedings against parties for taking up their freedom. With respect to the expenses of the mayoralty there is a statement at page 65, which witness wishes to explain. Under the head of "Charges connected with the Office of Lord Mayor," the lord mayor is debited with 7,151*l.* 1*s.* 9*d.* as his emolument, derived from the metage on coals; the sum should be 500*l.* With respect to the statement of Mr. Williams as to the mayoralty expenses, which he puts down at 25,034*l.* 7*s.* 1*d.*, in answer to question 2800, he (witness) put in a report of the proceedings of the Court of Common Council of the 23d of March, 1836, where abatements were made to the amount of 10,782*l.* 2*s.* 3*d.*, 4501.—Several items were then adjourned for further consideration. The report was sent back to the committee to amend, but was not again brought up. Assuming that these were the only proper abatements, the expense would have stood at that time at 14,252*l.* 4*s.* 10*d.* The real statement of the case appears to be that the mayor receives 8,319*l.* 18*s.* 2d. Besides that, the expense of the Mansion House was, in 1836, estimated at 2,125*l.* a year. The expenses have been considerably reduced since that period. With reference to the evidence of Mr. Williams, who put in the report of the Revenue Committee upon the subject of the salaries to the officers, the report was brought up to the common council on the 24th of February, 1836. There was a motion made to print the report, when an amendment was carried. Reads the amendment. In almost every instance the explanation he (witness) has given will account for the amount of difference between the chamberlain's books and the officers' returns. The borough compter belongs to the Bridge House trust, and has not been sold to this day. It was in contemplation to sell it, but there was some doubt as to whether the jurisdiction of the magistrates of Southwark was at an end, so that the compter might be sold. There is a statement made at page 204 of the evidence by Mr. Bennoch, that the corporation, though they have made a charge in their accounts for lodging-houses erected for the labouring poor, have not taken any steps whatever to provide those lodgings. In answer to that statement, wishes to state that the corporation obtained power, which they did not possess before, under the Clerkenwell Improvement Act, to purchase land, and to erect upon it convenient lodging-houses for the labouring classes. Immediately after the passing of that Act the improvement committee commenced negotiating for the purchase of ground; they had placed at their disposal the sum of 43,000*l.* stock for that purpose. They purchased ground at a cost of 19,480*l.* in the neighbourhood of Cow Cross. They proceeded to clear the ground, when they were served with notices by a projected railway company, which notices have been renewed from session to session. They could therefore proceed no further in the matter. They would have proceeded further, but the powers of the Act limited them to the neighbourhood of the street projected from the City to Clerkenwell. Hands in a statement of the amount paid to five committees between 1802 and 1808, from which it will appear that they have received 4,480*l.* 19*s.* on the average of those seven years. The corporation in 1836 printed a statement of the whole of the allowances to committees for the years 1833, 1834, and 1835. There were then 13 committees. The revenues had very considerably increased, and also the duties which were performed by those committees; but the average for those three years was only 4,466*l.* for those 13 committees. At that period the corporation drew upon certain Parliamentary trust funds for their committees' allowances. Since 1836 this practice has been discontinued, and the amount is paid out of the corporate funds. From the account for the year 1832 of allowances to committees, already before the Commission, it appears that a very considerable reduction has been made since 1836. What in 1836 was 4,462*l.* 19*s.* 6*d.* is now reduced to about 2,750*l.*, 4502.—The principal duty of the chamberlain is to act as treasurer or banker to the corporation fund, and a great variety of public trust funds, 4503.—The present chamberlain has attended at the office every day and all day since his election, 4504.—It has generally been the habit for the chamberlain to perform his duties in person, and to give considerable time to those duties, 4505.—Conceives the duties of the chamberlain and chief clerk differ. The chamberlain is the responsible officer; he gives a

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large amount of security, and is responsible for the clerks being at the office, and performing their duties. He acts as a judge in the outer chamber in hearing complaints against apprentices. He admits to the freedom of the City, swearing in the party, and has the superintendence of the whole department, 4506.—The extent of the chamberlain's interference with the accounts is just what he thinks proper to make it. Sir James Shaw, who was a mercantile man, gave his constant attendance to the duties of the office. Mr. Anthony Brown, who was a solicitor, the same. The present chamberlain is also making himself acquainted with the details and history of the accounts, and the acts which regulate them, in order to be able to exercise an efficient control over the parties in his department, 4507.—The jurisdiction of the chamberlain over apprentices occupies much time. Scarcely a day passes without complaints from either masters or apprentices. He has authority to adjudicate between them, and power to commit them to Bridewell, and to effect a separation, 4508.—The chamberlain does not keep the accounts of all the funds of the corporation at his office, only those of which he is treasurer, 4509.—The Bridge House accounts are kept by the bridgemasters, two officers elected by common hall. They are the treasurers of the Bridge House estates; they receive the rents, and account for the expenditure. The Irish Society keep their own accounts, independently of the chamberlain, 4510.—The rents of the Irish Society are not the property of the corporation, 4511.—Does not recollect any other corporation funds, the accounts of which are not kept in the chamber, 4512.—Knows of no particular advantage in having a separate office for the Bridge House accounts, nor any difficulty in taking the Bridge House rents at the chamber, if Parliamentary powers were obtained for the purpose. It could not be done without, as all the leases make the rents payable to the bridgemasters, 4513, 4514.—There is no other office besides that of the bridgemasters, at which accounts of monies paid and received are kept, except at the chamber, 4515.—The comptroller is a conveyancing officer; he makes out leases, and keeps an account of monies due. Everything which is a matter of revenue belonging to the corporation he is bound to acquaint himself with, and charge against the chamberlain, 4516–4518.—The rule is, that the account sent in to the chamber shows the gross amount of revenue, and not the net, 4519.—There are many fees received by officers which do not belong to the corporation, and do not pass through the chamberlain's account, but they are mostly received as officers of the corporation, and the amount is regulated by the corporation, 4520–4523.—The fees are looked upon as the property of the officer, and not of the corporation. The fee is authorized by Act of Parliament, or by custom, or by a regulation of the corporation, and the officer accounts for it when asked to make a return of what he receives, 4524.—The chamberlain has no knowledge of the amount of fees, unless it comes into his department. There is no office in which that information exists, unless the officer gives it himself, 4525, 4526.—Should receive Mr. Williams's report of the amount of fees with much caution, as, when tested, it was found to be much exaggerated. Thinks that under the word "fees" many things must have been included which are not fees. In all the alterations which the corporation have made, they have endeavoured to get rid of fees, and to give their officers fixed salaries instead, 4527, 4528.—The Commission have called for the annual amount of fees not brought into the chamberlain's account, and believes it is now before the committee, 4529, 4530.—The individual officers know what their fees are. Witness has not the means of knowing the amount, but is clearly convinced it cannot even approximate to that stated by Mr. Williams, 4531.—It has been the universal rule of late years to diminish the number of fees, and increase the payment by salary, 4532.—Upon every office becoming vacant, it is the rule to refer the office to the officers' and clerks' committee, who sit specifically for that purpose, who call for an account of the emoluments, and a statement of the duties. They revise the office, and make alterations as they think fit, reporting to the Court of Common Council for their sanction, 4533.—It has been the rule, upon an office becoming vacant, to regulate that each officer shall be paid by salary, and not by fees. There may have been exceptions, but does not recollect any, 4534.—Where fees have been retained by order from the committee they have been paid into the chamber. Gives an instance, 4535.—

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The chamberlain's individual emolument is 2,500*l.* a year. The clerks cost over 2,000*l.* a year, 4536.—He derives no profit from the balances. If he has injudiciously managed the banking business, or if the balances should be insufficient, the corporation do not guarantee him 2,500*l.* a year, 4537.—He has a discretion in law in disposing of the balances, with which the corporation cannot interfere. He is a public treasurer. He manages many trust funds which have not been placed in his hands by the corporation; in fact, the great bulk of the monies in his hands is not at the corporate disposal, except for purposes for which they can draw upon it, 4538.—With respect to the money belonging to the corporation, he is bound to lay the books containing his banking transactions monthly before the committee, called the coal, corn, and finance committee. If they see any reason to object to the class of securities he holds, he submits, under deed, to sell out those securities, and invest them in something that will be approved by the corporation, 4539, 4540.—Upon taking the office he enters into a deed between himself and the corporation, that he will limit himself as to his profits, and submit to restrictions which could not be imposed upon him legally by the corporation, and that he will not invest his money in a way which would be displeasing to them, or, in their opinion, hazardous, 4541, 4542.—The control of the committee is in this respect prospective; that if they objected to any class of securities, the officer must not again bring that class of securities before them for approval, 4543.—The system is very much improved from what it used to be. The present system was adopted upon witness's report, jointly with the City solicitor, twelve years ago. Both felt there were great risks. The money was in the hands of one person, who was then confined to his bed, and obliged to intrust the money to a person in his office (witness's). Felt that was too great a responsibility for one person; therefore it was arranged that the chamberlain and his two senior officers should sign cheques, so that they should be a mutual check upon each other. The securities were placed in a strong room, with three doors and three separate keys. Still, no doubt, the system is susceptible of amendment, and might be amended, should Parliamentary powers be obtained, 4544.—A fixed salary would be more satisfactory to the chamberlain, who is now doubtful whether he will make his emoluments; and it would conduce to the security of the public funds in his hands, 4545.—The whole of the chamberlain's fund is not derived from the profits of the balances. There are contributions paid by the City, and likewise some out of certain trust funds, for the management of their accounts, which amounts, as a simple banker, he would not be required to keep, 4546.—The profit upon balances has fluctuated in twelve years between 3,000*l.* and 6,000*l.* a year. When it was 6,000*l.*, it would more than defray the whole expenses of the establishment, 4547, 4548.—The balance is invested for the relief of the trust funds, and the committee have now come to the resolution that the amount is sufficient to authorize the chamberlain to take the whole charges off the trust funds, 4549.—These are invested in the names of the chamberlain, the chief clerk, and his cashier, who draw upon the account and hold the keys, 4550.—It is specially provided in the deed that the corporation, as trustees, ought not to benefit themselves from proceeds arising from their trust funds, 4551.—The coal and corn committee can direct the chamberlain to relieve the trust funds in his office, 4552.—There is no power of appropriating this money to erecting a public building. It is invested, and can only be applied to relieving the public funds in the chamber, 4553, 4554.—The corporation account forms one out of many which are kept in the chamber, and where money is directed to be paid by the collector to the chamberlain, he holds the money till a legal authority draws upon him; he is therefore a public banker, 4555.—The balance in the City's cash is generally very inconsiderable; during the present year it has frequently been overdrawn, 4556.—The London Bridge Approaches Fund has been one of the largest, but is not so at present, nor likely to be so in future, 4557.—It is in the chamberlain's office, and as soon as the quarterly accounts are passed and examined, the money is handed over to her Majesty's Board of Works; the 8*d.* coal duty, the 1*d.* duty, and other sources of revenue forming that fund. The chamberlain, in the meantime, as the money comes in from day to day, deals with that fund in the aggregate

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with other funds in the office, 4558.—It is not a corporation fund; it is a trust created by Act of Parliament, the proceeds to be applied exclusively to public works under the Board of Works. The corporation have no further control over it than to say to the officer, before he is elected, "Will you submit to restrictions, and not make an improper use of that fund which the law has placed for a time at your disposal," 4559.—The chamberlain makes a profit of it, and after paying himself carries the balance of the profit to that fund, which will be relieved this year of all charges formerly made against it, 4560.—The deed provides that the City shall get no profit out of it, 4561.—The corporation pay something like 1,200*l.* a year to the chamberlain's fund for his management of their accounts. He does not take the profit of any balance upon their funds. If they wish to invest that balance, they make a special order upon the chamberlain for that purpose, and they take the risk of the transaction, 4562, 4563.—The chamberlain consults with his chief clerk, from time to time, what future balance there will be available for a temporary investment, and then purchases Exchequer bills, India bonds, or City bonds, or any perfectly safe security, and sells them when the monies are wanted again. If there is likely to be 100,000*l.* or 150,000*l.* for two or three weeks in the chamber, he can invest it in any good securities, or place it out with joint stock bankers or bill brokers, upon the deposit of those securities. He does not deal in bills, 4564.—Any loss upon the transactions would fall upon the chamberlain and his sureties, 4565, 4566.—To a certain extent he carries on the business of a banker, but the corporation have limited the risks, and reduced, as far as they could, the emoluments of the office. They can proceed no further without Parliamentary aid, 4567.—Thinks the money could be invested in a more permanent manner, if the balance were recognized as City funds, and put under the control of a committee authorized to make use of the money, 4568.—A new chamberlain, upon finding himself called on to deal with a large sum of money, would, under the regulations of the deed, advise with the chief clerk, who is supposed to know most of the transactions, and what demands are likely to come upon the chamber, 4569, 4570.—It has been one branch of witness's duties to co-operate with the chamberlain in the banking business, having been bank manager, as well as City actuary, and accountant, so far as the accounts are kept in the chamber. The responsibility of those three departments has rested upon witness, 4571.—Has generally been consulted by the corporation when making any large investment involving the possibility of considerable loss or gain, 4572.—It has been the practice for the chief clerk to advise with the chamberlain, 4573.—The chamberlain has always been able to give very good advice upon those points, being himself the party responsible, 4574.—They occasionally consult a broker, but it is not often necessary. Confine themselves to transactions in India bonds, Exchequer bills, Canada guaranteed debentures, and City bonds, in which there is not much risk. Do not touch public funds at all, 4575.—They look more to the security than to the profits. They endeavour not to lock up more money than can be conveniently set aside. The matter has been managed with the greatest prudence in the office, 4576.—The securities which are deposited and bought are placed in a strong room under three keys. A sum of money is left in the hands of the cashier at the close of the day, which is not to exceed 1000*l.* at any time, to enable him to commence paying business in the morning, 4577.—It was considered in the year 1842 whether it might not be desirable to employ a banker, and inquiries were made at the Bank of England as to terms; but, as it is against their system to give any interest for balances, it would have been a great loss of income to the chamberlain and his establishment. The old plan was reformed rather than a new system instituted, 4578.—Does not think any attempt has been made to find a private bank which would allow interest for balances. Private bankers have often allowed them, as bill brokers would, the current interest of the day, depositing securities for the amount, 4579.—The Government employ the Bank of England, who hold the money and make their profit out of it. In the case of the corporation, it is an individual who holds the money, and he makes his profit out of it, 4580.—Is sure no private bank could keep the necessary accounts for the corporation, or any public bodies; an establishment would be required

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for keeping all the accounts, 4581.—The Government keeps its accounts in the Treasury and Exchequer. The system might be amended if there were power to do so, 4582.—A very large amount of revenue would be sacrificed if the corporation did not make use of the balance in some way, 4583.—No private bank would give the City so large a profit as they are able to make themselves, 4584.—The banking expenses are very trifling, 4585.—Great diversity of practice exists in different corporations as to the management of their money affairs; one difficulty is, that there is no model system approved by Government or Parliament. Some corporations have their money in the hands of a private banker in a provincial town, and they do not appear to render to the account any interest for the money laying in their hands. There must be more hazard in doing so than in placing the money in the hands of a chamberlain, invested in Government securities, and under the inspection of a committee, 4586.—Thinks that at Manchester there is a sum of 36,000*l.* lying to the account of the corporation at a private banker's. At Liverpool they appear to have a very large balance at a private banker's, besides an amount in the hands of the treasurer, 4587.—Is convinced that, by placing money in the hands of private bankers, more is lost than gained in point of security, 4588.—Is not aware of any other case than London in which the corporation keeps the whole of the money in their own custody. In some respects the office of chamberlain is very peculiar and anomalous. It has been an office of that kind for about seven centuries. It appears to have been the office into which the king's taxes were formerly paid, 4589, 4590.—Substantially, the system of the chamber of London has remained unaltered for something like five or six centuries. No material alteration was made in the conduct of the business till 1842, when the scheme before referred to was adopted, 4591–4593.—The figures mentioned in the paper which the recorder read to the Commissioners are correct. There has been considerable increase in the rental of the City, and in the proceeds of their tolls and dues, 4594.—In some cases the revenue has decreased. The amount derived from freedom has fallen off very much, the fine being reduced, and the numbers diminished. The coal dues and the proceeds of the markets have increased, 4595.—The coal duties are three in number; they are all received at one office, and paid every day into the chamber in three sums, which are carried to their respective accounts, 4597.—The whole of the sums are received together at the coal market by one officer, for the purpose of economy. He accounts to the chamberlain, who is bound to distribute it to the fund to which it belongs, 4598.—The gross receipts are paid into the chamber, 4599.—The salaries of the officers and the expenses are paid proportionably from the three funds, 4600.—The City keeps the produce of the 4*d.* duty, and pays the 9*d.* duty to those accounts, and ultimately to the Government, 4601.—The payment is made to the Government by an arrangement with the Board of Works, 4602.—In the payment made to Government any expenses and outgoings are deducted. In the case of the London Bridge Approaches Fund the chamberlain pays the interest upon the loans which they have raised, and any legal payment, and the balance is handed over to them, 4603.—These duties have not all the same duration. The 4*d.* duty is a perpetual duty, 4604.—That payment exists by prescription, confirmed by the charter of James I. and subsequent charters, and recognized by the Act of Parliament, the 1st & 2d of William IV., 4605.—The produce of the 4*d.* duty is mortgaged for a certain period for the making of the Cannon Street improvement. The corporation set aside 20,000*l.* out of it, which has been enough hitherto to pay the interest of those mortgages; and it is mortgaged for the repayment of the sums which are stated in the accounts, amounting to about 580,000*l.*, 4606.—Does not know of any other legal application of that fund. There are charges which the corporation have considered as attaching to it, 4608.—The annual produce of the 4*d.* duty is 60,000*l.*, after allowing drawbacks, 4609.—The annual interest of the debt chargeable on that fund is about 20,000*l.*, 4610.—There is no sinking fund, 4611.—40,000*l.* of the half million borrowed is due next month; but there is sufficient balance to pay that, and 10,000*l.* of the first loan of 50,000*l.* has been paid off; but beyond that no provision has been made to pay off the capital. It has been looked on, at any rate, for some

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years to come as a permanent mortgage, 4612.—If the whole of the duties were applied to the purpose there would be enough to provide for a small annual sinking fund; the corporation have hitherto only appropriated 20,000*l.* a year of it to that, the rest goes to the City cash, 4613.—There is a difference of opinion as to the duration of the 8*d.* duty. Thinks that four-tenths is continued in perpetuity after the year 1862, when the remainder expires, 4614, 4615—The balance against the fund at the close of 1852 was 961,927*l.* 7*s.* 11*d.* due to the Board of Works, and 88,000*l.* due to the corporation, which is to be paid after the Board of Works' charges have been satisfied, 4616.—The Clerkenwell commissioners having failed in making improvements, the corporation undertook to finish them if they might raise 88,000*l.* upon the fund. 4617.—There is no need of a sinking fund for that charge, as the proceeds of the London Bridge approaches duties' fund are considered to be sufficient to pay off the whole of those charges by the time that the duties cease, 4618.—The 8*d.* coal duty is carried to a fund which possesses other revenues. The London Bridge Approaches duties fund consists of the coal duties, the wine duties, and a contribution from the City of 11,500*l.*, also fees on the admission of freemen and binding apprentices, and the rentals of waterworks. The revenue is about 140,000*l.* per annum, 4619.—All charges are made on this fund, and no separate charge is made on the 8*d.* coal duty, 4620. —The 8*d.* duty produced last year about 113,600*l.* net, 4623.—The 1*d.* duty produces about 13,000*l.* net, 4624.—The City have no interest in 9*d.* out of the 1*s.* 1*d.* paid for the coal duty beyond the charge o 88,000*l.*, which will come upon the London Bridge Approaches Fund, 4627.—The City was authorized by the Act to charge the improvement to that fund, it being beyond their limits, 4628.—The Clerkenwell commissioners were quite independent of the corporation, 4629.—The City state in their accounts that they consider the charges on the 4*d.* duty liable on their revenue, 4630.—There is a very full report made to the committee as to how much of the coal duty has been expended beyond the limits of the City, and a map has been prepared. Statement as to that report. The opinion of counsel on the question, whether the jurisdiction of the City over coals extends twenty miles from the post-office is, that the twenty miles is to be measured as the crow flies in a direct line, 4633. The contested election for the office of chamberlain between witness and Sir J. Key was in May, 1853, 4634.—The vacancy was created by the death of Mr. Anthony Brown, 4635.—On the death of the chamberlain the lord mayor is required by law, within a certain number of days, to call a common hall to elect a chamberlain, 4636.—At the election in 1853 there was no other candidate but Mr. Haines, and he retired after a short time, 4637.—The poll was kept open seven clear days, 4638.—The whole of his expenses amounted to 3,000*l.*, 4639, 4640.—States how that sum was disbursed, 4641.—One item was the expense of bringing non-residents to the poll, 4642,—This item amounted to about 100*l.*, 4643.—The expenses for committee rooms and refreshments were considerable, 4644. There were bills at many taverns for refreshments, 4645.—Witness cannot state the total amount spent on refreshments, as parties made claims upon him in round figures for their expenses, 4646.—Has no personal knowledge of any bribery; instructed his agents to keep as clear of it as they could, and believes they did keep as clear as agents could in a City election; but charges were made for loss of time, &c., which may have been a consideration for voting, 4648.—Elections in common hall are conducted in a manner very far from satisfactory, 4650.—Has no doubt that the whole of the poll might be taken in one day if properly regulated, 4651.—Believes the livery of London to be a highly respectable body; but thinks that they have not the election in their own hands, it being very much in the hands of a low set of liverymen, who are in the receipt of charity from their companies, and who, for a bribe in money or a day's employment, sell their votes; and of another class, who have no vote, but who personate liverymen, and throw the weight of their influence one side or the other, 4652, 4653.—Almost all elections by that body are swayed by that class of voters, more or less; and, in consequence, the more respectable part of the livery are deprived of their franchise, 4654.—The system might be reformed, but if not, it should be abolished, 4655.—The common council should elect the chamberlain, 4656.—The aldermen and common council would be quite as well able to judge of the qualification of their treasurer and accountant as a large body of voters, such as vote in common hall. They practically superintend his duties, and are well acquainted with them, 4657, 4658.—The livery do not interfere with the office, or with the funds of the corporation, beyond receiving the report annually from the auditors, which is handed also to the common council, 4659.

Scott, B., Esq. (*Further Examination.*)—Stated at his former examination, when asked whether there were any secret service fund in the City, that there was no such fund; but that money had been spent in a confidential manner with respect to bills in Parliament, but could not then state full particulars, he having been employed confidentially in the matter of opposing the Government bill for removing Smithfield market, and in the measures which were taken for promoting the City's bill for making a new central cattle market. The Markets Improvement Committee, to whom the matter was referred, employed witness to check the expenditure of the Parliamentary officer. As principal clerk to the chamberlain he had nothing to do with matters of this kind, 4660.—The expenditure amounted to 2,750*l.* It appears, in the accounts of 1850 and 1851, as paid to the remembrancer for the disbursements of the Markets Improvements Committee. Is now authorized to state that the 2,750*l.* was expended in canvassing agency, procuring petitions, printers' charges, and law stationers' charges. Mr. Acland, who was secretary at that time to the Central Market Association, was employed by the remembrancer on that occasion, 4661.—A large portion of the money was paid to him, but about 2,650*l.* was spent in promoting petitions, and in getting up a memorial from the electors, 7,000 in number, to the members for the City, and in ascertaining the validity of the signatures; the remaining 100*l.*, or rather less, was paid to some gentlemen at the bar, and others for literary services, 4662–4665.—Thinks it very likely that the articles found their way to the papers, though there was no arrangement made with the press or with those parties respecting it, 4666.—The counsel so retained were not employed before the Parliamentary committee. The regular payments before the committee were charged by the remembrancer in the usual accounts. The opponents employed an election agent, 4667.—By their opponents, witness means a society formed for the purpose of promoting the removal of Smithfield market, and they employed Mr. Brown, 4668.—There were subscription lists in the papers, 4669.—When the corporation thought they were about to be deprived of their tolls without compensation, they thought themselves justified in using every means to prevent it, 4671.—The blue book before the Commissioners is a mere abstract; the audit account is much larger; the auditors had each warrant, with the signatures of seven members of the Markets Improvements Committee before them, stating that they were disbursements of that committee in reference to those bills and were satisfied in passing the entries on such authority, 4672.—The auditors would only look that there was a competent order upon the chamber, and that the receipt of the remembrancer was upon the order, 4673.—As the law stands now, the auditor is required to see that there is a competent authority for drawing on the chamberlain, and that upon the face of the order it is for such a matter as that committee have power to draw, 4674.—It might be advisable that the auditor's power of pulling the separate accounts of that sort to pieces, and putting each item under its proper head, should be increased. They have no such power now, nor have they had in the City for centuries, 4675.—Thinks it desirable that the fullest information be afforded, upon the face of the accounts and the vouchers, to enable the auditor to arrange them under their proper heads, provided he be not made a comptroller of the expenditure of the larger body, the body elected by the citizens, 4676.—Thinks the present system open to abuse, but does not think the power has been abused, 4677, 4678.

Secondary:

Of the Poultry Compter. Duties connected with the office, *Potter*, 6636.

Of London. Is the under-sheriff; his duties, *Anderton*, 7594–7614.—The under-shrievalty of the City is executed by him, he is appointed by the corporation,

Secondary—*continued.*

Wire, 1938, 7939.—Is paid by salary, partly from fees, and has to account to the corporation for every shilling he receives, to see whether he has received to the amount guaranteed by them, which is 1,000*l.* a year. The fees and fines are therefore all accounted for, *ib.* 7958.

Secret Service Fund:

Statement respecting, *Acland*, 574-577.

Sessions:

The business of the quarter sessions held at Guildhall, together with the licensing, might be performed at one session, and the quarter sessions now held at Southwark ought to be abolished, *Lord Mayor*, 7169.—Gives particulars of the sessions, *Adams*, 7227, 7230.

Sewell, Mr. John. (*Analysis of his Evidence.*)—Is clerk of the chamber, that is, the chamberlain's court; attends the business relating to freedoms; has the issuing of the summonses. The City solicitor has the instructions for the prosecutions, 6240–6243.—Witness has held three appointments since first connected with the corporation; was elected in 1809 as assistant to the clerk of the chamber, and in 1831 was elected assistant clerk of the chamber, and in 1842 became clerk of the chamber, 6244.—Was elected by the Court of Common Council. States his duties as clerk of the chamber, 6245.—Is paid by fees, which vary very much, on account of the continued discussion in regard to the freedom of London. States the terms of his election, 6246.—The value of the office is about 500*l.* a year, but witness has not received above 300*l.* or 400*l.* a year, 6248.—That has been from the diminution of the number of freedoms, 6249.—In the event of freedoms not being enforced, the receipts will be greatly diminished; they are so now. For the last seven years there have been about 679 freemen admitted each year; last year there were 883; that was consequent upon the large number of parties who were suddenly ordered to be summoned; thinks as many as 4,000. A bill was brought into Parliament two years ago, which was lost, and the corporation then determined to enforce the freedoms. The objection of most of the respectable parties who came forward was, that they said they should be most happy to take up their freedom if they would not be liable to serve as common councilmen, aldermen, or sheriffs, 6252.—The object of the City in instituting those proceedings was, to enlarge its constituency, not to obtain a revenue, 6253.—It is merely the liability to serve the office that prevents many persons from taking up their freedom, 6254.—A person can be elected a common councilman or alderman without his consent; but the liability to the shrievalty is the principal thing objected to, 6255.—In cases of apprenticeship, the chamberlain sits as a magistrate in his court; he hears the cases; a summons is then taken out by the master, or by the apprentice if he complains. The case is heard before the chamberlain, and after hearing the evidence, he adjudicates. If a boy requires a reprimand, which is very frequently the case, he very kindly reprimands him, and orders him home to his duty. The majority of the cases are complaints of masters against their apprentices; those of apprentices against their masters are not very rare, 6258–6260.—The Court of chamberlain is an intermediate Court, below the Mayor's Court. If a case cannot be settled in it, it is referred to the Mayor's Court, and there the action is brought on the covenant in the indenture, 6261.—A master is seldom found who does not obey the mandate of the chamberlain. Scarcely knows a case in which a boy has been obliged to bring an action under such circumstances, 6262.—The chamberlain and witness act as a sort of court of arbitration between masters and apprentices; it saves them from the necessity of going to law, 6264.—The chamberlain can only adjudicate with respect to apprentices bound to the freedom of the City, 6265.—The committals to bridewell are very rare indeed. There is a place in bridewell appointed for the apprentices; they are not allowed to mix with the criminal part of the prisoners. The commitments on the average of the last seven years have been about twenty in the course of the year. Females are never committed to bridewell. The bindings within the last seven years have been about 427 a year. Does not think they have diminished. States nature of the bond, 6270.

Sewerage:

Would not limit the powers of the municipal board in that or any other matters by any other rule than a general subordination of all local interests to public interests, and an accordance with the common laws of the land, *Hickson*, 2956.—Necessity of uniformity with regard to sewerage and police, *Dillon*, 657.—On the whole, the sewerage of the City of London has been well carried out. They have recently been able to reduce their rate to 2*d.* in the pound, and will shortly reduce it to 1*d.*, *Haywood*, 5983.—The sewerage of the City is now completed, so that there is not a court, street, or lane, which has not a proper drainage, and believes the rate for this year will not exceed a penny in the pound, *Harrison*, 7285.—Rates upon property in the City of London at the present time amount to 3*s.* 4*d.* in the pound; that includes the consolidated rate, police rate, sewers rate, and City of London union, *ib.* 7285–7290.

Sewers:

Considering the small area of the City, it would be better to have all the sewers of the metropolis under one management, *Bennoch*, 2043.—Report of Mr. Walker, Mr. W. Cubitt, and Mr. Brunel on the subject, with a plan of the sewers of London, showing that there is no person in London who may not know where he can get immediate access to a drain, *Merewether*, 5224–5226.—The sewers are managed by a commission, appointed yearly under seal of the Common Council, the Act requiring that a certain class of the corporation should be commissioners—the deputies of the different wards, for instance, *ib.* 5312–5314. 5316.—The commission in the City is appointed by the Common Council under the Act of Parliament passed for the purpose, *Daw*, 5910.—Since the time of Charles II. the corporation have appointed the commission, *ib.* 5912.—The commission consists of the lord mayor, the recorder, and the common serjeant, ex officio, and all the aldermen and deputies, one commoner from each ward, except the ward of Farringdon Without, from which there are two commoners on each side of the ward, *ib.* 5914.—They effect improvement (which they have done within the last thirty years to the amount of nearly 100,000*l.*) under the Metropolitan Paving Act, *ib.* 5923.—States the duties of the commission as relates to the consolidated rate, *ib.* 5940–41.—Commission of, statement respecting, *Haywood*, 5950.—The commissioners of sewers are a distinct body in the City, subordinate to the metropolitan board of commissioners. Does not think it desirable to disturb them, *Elliot*, 1090.—Thinks the system adopted in the City is productive of the greatest practical good. Lives now in the neighbourhood of Brixton, and is painfully concious of the difference between the two. Made an application nine months ago to the General Board of Sewers, which is still unattended to. In the City, an application at Guildhall would have immediate attention, *De Jersey*, 7558.

Sheriffs:

Are elected at common Hall, *Acland*, 415.—On an average each sheriff exceeds his receipts by 2,000*l.*, *ib.* 417.—Each is expected to pay 700*l.* towards the dinners at Guildhall on the 9th of November, *ib.* 419.—A person elected sheriff who refuses to serve has to pay a fine of 400*l.*, but can generally by bribery to the amount of 100*l.* or 150*l.* prevent himself being elected, *ib.* 439.—The power of the sheriffs within the City is hardly more than ceremonial, *Pulling*, 924.—The corporation of London abuse the privilege of electing the sheriffs of London and Middlesex by the livery. States particulars, *Mills*, 989–993.—If there were no fines laid upon those who refused to serve the office of sheriff, competent persons would readily be found, *ib.* 994.—There has been a practice of making appointments of sheriffs for the purpose of inducing the persons so elected to pay the fine, *ib.* 1000.—Mr. Peto and other gentlemen have been nominated and elected without their concurrence since 1848, *ib.* 1006.—Enters into particulars as to the appropriation of the fines paid by those whose refuse to serve, *ib.* 1014–1016.—The office of sheriff has for some years fallen into disrepute from certain jobbing transactions by the under sheriffs, who have selected the sheriffs, and this year no one would serve, *Wallis*, 1349.—The cause of the difficulty in obtaining two persons to serve as sheriffs is the expense attendant on the office, and its being shorn of all its power, *ib.* 1350.—All the substantial duties of the office are performed by the under sheriff's deputy,

SHERIFFS—*continued.*

who divides the fees with him, *ib.* 1354.—A sheriff could not pass through his year of office without expending 2,000*l.* or 2,500*l.*, *ib.* 1358. Aldermen must have served the shrievalty before being elected Lord Mayor. Election to the office expensive, *ib.* 1441.—The office fallen into dishonour, *Jones,* 1568.—Does not think the present mode of election in common hall seems to answer, *Merewether,* 4960.—Particulars concerning the duties of their office, *ib.* 4960–4977.—Statement of accounts, *ib.* 5222.—Contemplated arrangement to pay them instead of their having fees and fines, *Pearson,* 5609–5624.—Mr. Rose, who calls himself an agent, gets a portion of his living by managing the elections of sheriffs, *Turnley,* 7730–7736.—The abuses with regard to the system of fines arose thus: Before the Test and Corporation Acts were repealed, many merchants who were Dissenters submitted to the fines when they were elected, rather than violate their consciences, *Wire,* 7919-7928.—The present system of electing in common hall objectionable; it should be in common council, *ib.* 7929–7932.—The expenses of the office never less than 3,000*l.*, *ib.* 7933.—The privilege of choosing their own sheriffs was bought by the City of London, and has been exercised by the people for 700 years, *ib.* 7935-7937.—Was one of the parties who (in 1819) took steps to prevent gentlemen being fastened on as sheriffs for the purpose of fining them. Thinks as much as 10,000*l.* had been exacted from gentlemen in two or three years before that time, *Pearson,* 8470.—After Mr. Raphael's election as sheriff he invited witness to be under sheriff, but no arrangement was made beforehand, though witness expected to be under sheriff, *ib.* 8470.—Was under sheriff to Mr. Salomons, though no arrangement was made beforehand, *ib.* 8470.

SHERIFFS COURT. (*See* Courts.)

SHERIFFS FUND:

Is of a very considerable amount. The funded property now consists of 8,100*l.* in the 3 per cents., 2,000*l.* in the 3½ per cents., and 1,000*l.* in the reduced. The funds are applied very beneficially to prisoners who are tried there and who are acquitted, and lately a considerable portion of those funds has been applied to assist them in emigration, *Williams,* 2402.—Those funds have been created by bequests, by subscriptions, and from other sources. Each sheriff annually contributes, and there are a variety of other voluntary contributions, *ib.* 2403.

SHERIFFS, UNDER. (*See* Under Sheriffs).

SHIP BROKERS:

Taxed by the City, 5*l.* each member of a firm, *Offor,* 2871.—City has no legal claim to the 5*l.* tax put upon them, *ib.* 2873.—Many carry on business without paying the tax, *ib.* 2877–2881.

SHOALS:

There are several shoals in the river which impede the Navigation. The effectual removal of them would be a work of great expense, *Leach,* 6382.—A few of them should be deepened, but thinks it dangerous to meddle much with them, *James,* 6878.

(*See also* Thames.)

SIFTER:

Is a very important officer, deriving a large income from his share of the metage, *Pulling,* 830.

SIMMONS, GEORGE:

States the case of, *Matthews,* 2509.

SIMON, JOHN, Esq. (*Analysis of his Evidence.*)—Is officer of health to the City; was appointed in 1848, 7391, 7392.—The salary was 500*l.* a year; but a year ago was raised to 800*l.* There are no other emoluments, 7393, 7394.—Acts under the Commission of Sewers, and attends the meetings of its committees as often as may be necessary. His duties are to advise the commission on all sanitary proceedings. Hands in two reports presented during last year; one is the annual report of the year, the other suggesting principles for a cemetery, and the organization of the proposed system of extramural interment. The details of the work from week to week are of this kind:—The Commission of Sewers has 6 inspectors of nuisances, acting partly for sanitary purposes under witness's directions, and partly as inspectors of lamps and pavements under the direction of his colleague, the engineer to the commission, Mr. Haywood. Rather less than half their time is due to the former office, which witness is expected to turn to the most useful account. Having acquired a knowledge of the sanitary defects and requirements of several districts in the City, and also knowing what deaths of all kinds are occurring from week to week, prepares for the inspectors a list of places to be inspected by them. The information they are directed to seek refers to various details of sanitary condition, to questions of lodgement, ventilation, cleanliness, &c., and has constructed tables which enable them to record this information. This inquiry brings under witness's notice a large number of cases requiring immediate attention; in all cases where the powers of the commission can be exerted, at the next court recommending them to issue the requisite orders; and another part of witness's weekly routine is to receive from the inspectors an account of the progress made towards compliance with the orders issued. In each case a fixed time is allowed for fulfilment, and if not done it is again brought before the court, 7397.—Under the Sewers' Act the Commissioners are empowered to call upon the landlords of private houses to amend their property in all particulars adverted to, 7398.—It is a local Act, peculiar to the City, passed in 1848, at the same time as the Public Health Act, but the powers of the commission were much increased for sanitary purposes by a second Act in 1851, 7399–7402.—The poorer house property is frequently in the hands of wealthy people, who only know their property through their agents. Often, for years, the commission can get at no representive of the property but the agent or collector who receives the weekly rent, 7403.—Witness's weekly list of sanitary recommendations is always accompanied by a tabular statement of the past week's mortality, giving the causes of death and the ages. From these weekly tables constructs more comprehensive tables, which exist as an appendix to the annual report laid before the court, 7404.—Is not registrar of either of the unions, but the registrar-general kindly lends witness the detailed reports of the several local registrars, from which he is able to make the requisite corrections for the mortality of workhouses and hospitals, and to compile the result in a convenient form, 7405.—Considers the sanitary inspection of the City to be in a very efficient state, and believes the rest of the metropolis has no sanitary supervision, 7406, 7407.—The Commissioners spend their money very liberally for public purposes, but wishes there was more money to spend in pulling down houses and making open spaces, as there are some parts where the residences of the poor are so enclosed by taller houses as to be unfit for habitation. The population is also very dense, the most crowded part being the area of the East London Union, 7408, 7409.—The population of the entire City has increased 5,000 within the last 10 years; it is now 130,000, and at the previous census it was about 125,000. The increase has taken place almost exclusively in the East London Union, a part without the original City proper, including Cripplegate and Bishopsgate, 7410, 7411.—The increase of the population has taken place principally among the poorer classes, and perhaps to a greater extent than the census would suggest; it has been partially masked by the conversion of dwelling-houses into offices and warehouses, and the number of houses having been reduced the increased population must have increased the crowding of the poor houses, 7412, 7413.—Does not know that there is any accommodation provided for the poor people when they are turned out of their lodgings by the houses being taken down. There has been no extensive disturbance of the poorer dwellings lately in the City. In the construction of New Cannon Street some courts have been destroyed, but does not believe that has removed a large poor population. The City contemplated building lodging-houses for the labouring classes, and a sum of money was destined for that purpose, in connexion with the plan for reconstructing Smithfield as a central market, but nothing has been done. Has not been consulted about the plan, 7414–7416.

SKINNERS COMPANY. (*See* Companies.)

SMALL DEBTS COURT. (*See* Courts.)

SMITHFIELD MARKET. (*See* Market.)

SOLICITOR, CITY:

The salary is 2,000*l.* a year, subject to the charges of the office, clerks, &c., deducting about 700*l.* a

Solicitor, City—*continued.*

year; but there are certain emoluments which make up a net income of 1,700*l.* or 1,750*l.* a year, *Pearson*, 5518–5520.—Functions and duties of, *ib.* 5527, 5528.—Office so ancient, practises by warrant. Account of salary, and how obtained. Statement of duties, *ib.* 5645–5661.—Salary and emoluments of the City Solicitor are 1,750*l.* a year, *Dakin*, 7369, 7370.

Southgate, F. T. Esq. (*Analysis of his Evidence.*)—Has the evidence of Mr. Mathews before him. Was solicitor to the defendant in the case referred to. Sees that though Mr. Mathews's statements are not untrue, they are calculated to leave an incorrect inference in the minds of the commissioners, 7231, 7232.—Mr. Mathews was solicitor for the plaintiff, Mr. Simmons. States the case, which was a question as to a right of embankment of a certain part of the river at Gravesend. The plaintiff had to pay all his own costs of action and suit in chancery, though he obtained an injunction, and verdict of 1*s.* damages. Mr. Mathews endeavours to throw blame on the Navigation Committee for not having interfered. Makes this statement in order to show that the Navigation Committee only refused to interfere in the matter on the ground that this was a squabble between the parties whether this was a private right or not, 7233, 7234.—Mr. Mathews said the object of enclosing and embanking the part was to build upon it. It might be; but the defendant had received rent for it for above 17 or 18 years. The difficulty that arose was with the pleadings. He pleaded custom, but was negatived, 7235.

Southwark Bridge. (*See* Bridge.)

Southwark:

The municipality of Southwark comprises three manors and five parishes,—the Guildable Manor, the King's Manor, and the Great Liberty Manor, *Acland*, 25.—If the borough of Southwark were independent of the City of London they would apply for a separate charter, *ib.* 38.—Petitions were presented from the inhabitants of Southwark to the Common Council, in 1814 and 1836, for a complete assimilation, not for a severance, *ib.* 40.—The best plan with regard to it, as well as to all other metropolitan boroughs, would be to incorporate it separately, *Pulling*, 867.—Would relieve the borough from the trifling jurisdiction which the City now has over it, and provide for its wants in the same way as those of Marylebone, *Elliot*, 1124.—It is in the power of the borough to apply to be admitted within the Municipal Act, *ib.* 1127.—Does not think there has been any such move in any of those boroughs, except when they have been instigated to it by the corporation, *ib.* 1128.—Must either be incorporated with the City or be allowed to apply for a corporation for itself; thinks it would be better to sever all connexion between them, *Wallis*, 1490–1493.—The City does not interfere enough with the borough of Southwark. The City holds three Courts Leet for the manor. It is not the case that at these courts fees are payable by parties called upon to serve offices, *Corner*, 2186.—The general feeling is in favour of a complete incorporation with the City, *ib.* 2208.—Average yearly emoluments of the high bailiff, *Pritchard*, 4148.—At a meeting held at the town hall on 25th of November last, they expressed a feeling that they would not be satisfied with the incorporation of the five ancient parishes, but would wish the eight parishes to be incorporated with London, *ib.* 4150.—Is believed to be as much a part of the City as Cheapside itself, *Pocock*, 4154.—Connexion of, with the City is onerous without any corresponding benefit, except the approaches to New London Bridge, *ib.* 4157.—No dues levied in the borough of Southwark over and above those levied over the whole port of London, *Sturmy*, 4168.—Excluded by its connexion with the City from the operations of the Municipal Act, although not exempted from the burdens of the county of Surrey, *ib.* 4172.—They might sever the connexion of the City with Southwark without the assistance of Parliament, *Merewether*, 4992.—Believes many of the inhabitants of Southwark have a great wish to be incorporated with the City, and the corporation have been approached more than once by petition, praying that they might participate in the benefits of a municipal government; but after great inquiry the corporation have always come to the conclusion that they have no power, without a special Act of Parliament for the purpose, to embody Southwark with the City for municipal objects. Does not think there is any particular objection in the City of London to a connexion with Southwark; but does not see any great advantage that it would be either to the City themselves or to the inhabitants of Southwark, *Lord Mayor*, 7170.—Suspended the election of constables, ale-tasters, and flesh-tasters, *Payne*, 7565.

Southwark—*continued.*

Stallage of Billingsgate:

Paid to the corporation to repay them for the annuities paid to the yeomen of the waterside, *Pearson*, 5638–5644.

Steele, Mr. Benjamin. (*Analysis of his Evidence.*)—Is not at the present time connected with the City of London; but has been, having filled various offices in it, and is tolerably well acquainted with its general management, 2600, 2601.—Has been a collector for consolidated rate; his claims to the consideration of the Commission are founded upon the circumstances of his birth in the ward of Farringdon Without, educated in the ward of Farringdon Within and Cripplegate Without, and having for 50 out of the 60 years of his life slept in the City, and taken an active part in all its proceedings. As a further claim has been harassed and tormented by corporation spies, for carrying on a trade within two hundred yards of the place of his birth, and consequently compelled by the corporation to collect its taxes, and subsequently became a corporation spy. These are the complaints which witness has to make against the City of London, and wishes to propose certain matters as remedies, 2602.—States the general nature of the complaints alleged against the corporation. Proposes that as the trading companies of London have become wholesale shams, and are unserviceable for the purposes for which they were established, that the money and estates left to them in trust by the old citizens should be amalgamated, and the objects of the donors carried out in the spirit of the givers; but such money or estates as may have been acquired by the collection of rates, fines, or contributions, be devoted to the promotion of education, under the superintendence of the corporation; that as every poor man pays at the rate of one halfpenny per cwt. of coals, in the shape of a tax, it would be expedient to retain that duty for the purpose of applying its produce to giving lands and bounties to builders or societies, for erecting in every district wholesome habitations for residence, in which a suitable room may be let at 6*d.* a week, and that the summit or basement of the building contain rooms suitable for schools; and that the society or individuals who accept the bounty of the corporation shall give ample security that no person receive more than five per cent. for the capital invested, and when the time for which the land might be granted has expired, the renewal of the lease shall be continued as long as the buildings are devoted to the objects for which they were intended; that the ancient duty of the corporation to superintend gaols and prisons be left to the Executive Government; that duty to be exchanged for the superintendence of the sanitary condition of the public buildings, and all educational establishments; that the income of the corporation from estates, tolls, and fines, amounts to 200,000*l.*, but by an effectual reform 100,000*l.* may be annually devoted to public objects of utility; that to secure an effective body of local representatives they should be chosen from a large area, and it would therefore be expedient to extend the boundaries of the City of London five miles round the General Post-office; to divide that space into 25 wards and 100 precincts, each ward to return one alderman, and each precinct two representatives, so that an undivided jurisdiction may govern and regulate the interests of the whole community, 2603.

Stevens, Mr. James John. (*Analysis of his Evidence.*)—Is connected with the borough of Southwark, as chairman of the board of the parish of St. George. In consequence of there not being a board to which they can apply for the redress of their grievances, the poor are in a very bad condition in respect to their health, 4173.—A board should be constituted that would embrace the several paving and lighting boards which are now distributed throughout the parishes of the borough of Southwark, having authority to execute public works, a joint action in regard to such matters as sewerage and paving, 4174–4176.—The paving in the borough of Southwark is now executed by five or six boards, 4177.—The ownership of property is very much divided in the borough of Southwark. The

STEVENS, Mr. JAMES JOHN—*continued.*

properties are small, with the exception of the City property in the Bridge House estates, which is considerable, 4178.

STOCKBROKERS:

Regulations of, *Lawrence*, 4056-4093.

STOCK EXCHANGE:

Statements with regard to the system pursued in the Stock Exchange, 4421.

STOCKTON, Mr. SAMUEL. (*Analysis of his Evidence.*)—Attends from the parish of St. Pancras to state, that the ratepayers feel the coal tax to be very oppressive, and that the poor pay more in proportion than the rich. It is also unjust in principle, for this parish have the termini of two great railways, which causes an immense traffic over their roads, and the corporation have never contributed anything towards the repairs during the thirty-three years witness has resided there, 2868.

SAINT PANCRAS:

Complains that it is taxed for City improvements by the tax upon coals, *Cooper*, 2850.—In 1851 applied to Parliament, at an expense of 3,800*l.*, for an Act for paving and lighting the whole parish; was rejected, *ib.* 2853.—Particulars, how peculiarly situated, *ib.* 2851.—Complains that all the coals brought by the Great Northern and North-western Railway Companies pass over their roads, and cause great additional expense, *ib.* 2856.—Should have a corporation of their own, *ib.* 2858.—The vestry have not sufficient powers for the management of their parish, *ib.* 2865-2867.—The vestry are desirous of having a corporation for the parish of St. Pancras, and states reasons, *Billet*, 4429.

ST. THOMAS'S HOSPITAL:

Action to prove they are obliged to have their leases certified by two governors, being aldermen, *Pearson*, 5630-5637.

STURMY, HERBERT, Esq. (*Analysis of his Evidence.*)—The allusion in the resolutions produced by the high bailiff of Southwark to the fares and dues levied on the commerce of Southwark is meant to apply to the fact, that ships laden with corn and potatoes coming to any wharf on the Surrey side cannot be unladen except on paying metage and porterage dues, 4167.—Is not aware of any dues in the borough of Southwark over and above those levied on the whole port of London, 4168.—The ward of Farringdon Without and the ward of Portsoken were in the county of Middlesex, but when they were annexed to the corporation, they were taken out of the county. 100 years ago the county of Surrey had not any jurisdiction in Southwark Proper, that is, the five parishes; but the jurisdiction was allowed to creep in, and was never resisted till it became absolute. The borough part of St. Saviour's is within the five parishes, but the clink part, which is the larger, is not within the jurisdiction of the City, and therefore is within the Parliamentary borough, in addition to the parishes of Bermondsey, Rotherhithe, and Christchurch. Will call the attention of the Commissioners to the little that has been done for Southwark in the way of improvement by the corporation. Out of the coal duties, to which Southwark must have contributed at least one third, only 4,000*l.* has been applied for the local improvements in Southwark, and that was as far back as 1778.—The City have applied to their own improvements immense sums out of the coal duties, to which the southern side of the river have been large contributors, and therefore they urge a right to have some provision made out of the Bridge House estates, for improvements in the borough of Southwark. A sum of 3,000,000*l.* has been expended by the City for their own purposes, whilst Southwark has received only an expenditure of 4,000*l.* beyond the necessary improvements of London bridge. Has endeavoured to effect local improvements, 4169.—The borough of Southwark suffers in its sewerage from the present state of its institutions. Have complained to Lord Palmerston of two or three large sewers debouching into the river; one close to St. Saviour's church, which is very injurious. The commissioners say they cannot remedy it, as the expense would be 100,000*l.* There was a heavy overflow of the tide into the parish about 10 or 12 years ago. The poor suffered severely in some cases. The water came up to the first-floor windows. The whole of the

STURMY, HERBERT, Esq.—*continued.*

bank was raised, and there is not the same suffering now except in extraordinary high tides, 4170.—The bank was raised at the expense of persons who lived along it where it was private property, and at the expense of the commissioners where it was public property. If any one having premises abutting on the river in Southwark wishes to erect anything on his premises projecting into the river, he must apply to the corporation for their assent. In consequence of the connexion of Southwark with the corporation of London, it is excluded from the benefit of the Municipal Act, 4171.—The connexion with the City excludes Southwark from the operation of the Municipal Act, though it does not exempt it from the burdens of the county of Surrey, 4172.

SUITS:

The discretion whether a suit should be instituted rests with the most eminent counsel of the day, who have the case laid before them by the City solicitor, *Pearson*, 5534.

SUMMONS, FORMS OF:

To the Court of Aldermen. To the Court of Common Council, *Merewether*, 4985.

TAX:

Thinks it will be shown that the burden of tax is lower in the City than in other parts of the metropolis, *Merewether*, 5319.

Land. In the City, is two shillings in the pound; in Marylebone it is one-eighth of a penny, *Jones*, 7798.—Does not complain of it; but it is a hard case upon the tenant to be subject to such inequality, *ib.* 7800.

TAYLOR, HENRY LOWMAN, Esq. (*Analysis of his Evidence.*)—Is chairman of the Markets Improvement Committee, to which is entrusted the erection of the new cattle market at Copenhagen Fields, 7805.—Has been connected with that committee since its appointment in 1849. Was the originator of a motion in the Court of Common Council to consider the subject of the City markets generally, 7806.—Is a wholesale warehouseman in the iron trade in the City, having a private residence a few miles from town, 7807, 7808.—Has been ten years an active member of the corporation. Originated a motion which was carried in the Court of Common Council, that a special committee should be appointed, "To inquire and report whether any addition of space or other increased accommodation is required in Smithfield, Newgate, and Leadenhall Markets; to give an estimate of the expense of such alterations or additions, and further to inquire whether it is necessary to apply to Parliament for the requisite powers to effect these objects." The Government were at that time preparing a bill for the removal of Smithfield Market, and the committee were censured for some steps taken in defence of that market, and for expenses necessarily incurred in conteracting the mistaken notions brought before the public by the "Times," 7809.—With the exception of the "Times," believes the whole of the daily press was in favour of the view taken by the corporation. Believes that the public opinion was in favour of the retention of Smithfield Market, upon the enlarged plan prepared, though not with its present admitted nuisances. The plan proposed was a great improvement upon the existing market, 7810.—Is anxious to convince the Commissioners that, as trustees for the citizens, whose market Smithfield is by charter, the committee only discharged their duty in endeavouring to do what they believed was for the benefit of the public at large, 7811.—Some expenses were incurred in opposing the Government Bill; some in ascertaining the public feeling, and counteracting the powerful articles which appeared in the leading journal. Mr. Acland was employed to ascertain the feeling of the constituency, and was remunerated for his services, 7812.—Seven thousand registered electors of the City of London signed a memorial to their representative, Lord John Russell, in favour of the corporation scheme, which will prove that the inhabitants of the City of London approved the alteration that the committee thought it necessary to make in that market, 7813.—The "Daily News," "Morning Herald," "Morning Advertiser," and "Morning Post," each contained articles advocating not the retention of Smithfield as it is, but the retention of a central cattle market, with the proposed improvements. Mr. Bennoch says, "Articles were sent to newspapers with a sum of money," and,

TAYLOR, HENRY LOWMAN, Esq.—*continued.*

"that he should no doubt be able to prove" that the money was sent to induce the newspapers to insert the articles as paragraphs instead of advertisements. That appears a charge against the public press, and feels quite certain the respectable part of the press would have thought it a gross insult to have a bribe offered them for the purpose. Is prepared to state that such an idea never entered the mind of any member of the committee. And yet Mr. Bennoch says he appears before the Commission to speak to facts within his own knowledge. The same witness states in No. 1181 that the market will not be finished for less than 400,000*l.* or 500,000*l.* The estimate of the cost at present is something like 343,000*l.* In No. 1182, Mr. Bennoch says the corporation are not competent to grapple with any great question, the committee not able to manage the affairs entrusted to them. Produces the model of the market to show that they have endeavoured to grapple with the question in the most comprehensive form. The largest portion of land which could be obtained has been purchased, in compliance with the wish of Lord Palmerston, Mr. Walpole, and every other gentleman who had anything to do with this new metropolitan cattle market. There will be a space of 15 acres in the centre for bullocks and sheep, the area of the present Smithfield Market being only six and a quarter acres, including the roadways through it. There will be public and private slaughter houses and lairs, and such like accommodation, and in addition taverns and public houses are being erected; 78 acres is a large space, and it is thought better to adapt the land for every accommodation in connexion with the market. There is a space for a hide market, lest it should be found necessary to remove the hide market from Leadenhall. There is likewise a scheme for the purpose of bringing foreign cattle from Blackwall to the market, and connecting also the Great Northern Railway with it, 7814.—The City will derive about 14,000*l.* a year from their property in the new market, 7815.—Upon a capital expended of about 350,000*l.*, it will pay about four per cent. A scheme has been submitted to Mr. Cardwell and Viscount Canning to bring a railway to the Post Office, within the walls, which would be considered a great advantage by the Government. That railway would also connect the City and the Cattle Market, therefore there would be a means of communication from the Metropolitan Cattle Market to Smithfield, where it is proposed bye-and-bye to erect a dead meat market, Newgate Market being a very great nuisance, 7816.—The exact site is not decided, but Mr. Bunning suggests somewhere near Long Lane. It will occupy about three acres, 7818, 7819.—It is not considered that Farringdon Market in its present form can be made available for a dead meat market. It is on an acclivity, and the approaches are not good, with the exception of Farringdon Street, 7821–7828.—It is a most difficult thing to move a market. The removal of Old Fleet Market into new Farringdon Market was a complete failure. Smithfield is more central and more likely to succeed as a market. Another object in view is to remove Leadenhall Market to the same spot, which should be in connexion with the railways, and would be a great advantage to the public. Thinks Newgate Market a much greater nuisance than Smithfield, 7829, 7830.—Mr. Bennoch says, "I believe you will discover that in 1849 a large sum of money was expended in various ways, some in dinners to members of Parliament, to manifest their gratitude for the assistance the corporation had received in the House of Commons." The only dinner they were invited to was one which it is customary for the sheriffs to have at Bellamy's when they present a petition to the House of Commons, which in this case was against the Government Bill, the expense of which dinner was 14*l.* 17*s.* Not one sixpence was spent by the committee in tavern dinners till last year, when a sum of money was voted, the business of the committee in the construction of the market occupying them so many hours of the day at some distance from London. Believes that Mr. Bennoch's idea of the incompetency of the corporation arose from his project for the erection of a new bridge not meeting with the favour in the common council which he anticipated. Has been upon most of the committees. Is now upon the City Lands Committee, which has the control of the City's estates, reporting to the common council from time to time the important part of the business. Is also on the Officers' and Clerks' Committee, to whom is referred all matters connected with the officers when a vacancy takes place.

TAYLOR, HENRY LOWMAN, Esq.—*continued.*

Is a member of the Orphan School Committee, that for erecting the Wellington monument, the Markets Improvement Committee, the Commission of Sewers, and one of the four members of the corporation on the Metropolitan Commission, 7831.—Finds the duties absorb a good deal of time, 7832.—Agrees with the suggestion that a smaller number of committees would be desirable, and if the members were retained more permanently they would become more masters of their business than under the present system, 7833.—Does not anticipate there would be danger of less publicity and popular opinion being brought to bear upon the subject, 7834.—The change of members gives the common council an insight into the general business of the corporation, but with fewer committees the business would be more condensed in those committees, 7835.—Has the greatest confidence in their judgment and discretion, 7836.—In dealing with public money and public affairs, thinks the larger body should have the controlling powers, the smaller not acting without reporting to the larger body, 7837.—On some occasions thinks the committees act too much as executive bodies, 7840.—Their power should be more limited than it is now, and they should report more frequently to the Court of Common Council before they carry anything into execution, 7842.—The Markets Improvement Committee, being composed of thirty-five or forty members, may have left in their hands a greater control than if their number were very much reduced, 7343.—Does not think the duties and responsibilities of the Court of Common Council, the committees, and the City officers acting under those committees, are properly defined. The institution is a very ancient one; much has been regulated by practice and custom, 7844.—Any confusion in those respects has a tendency to diminish the responsibility. Thinks the committee should be responsible, at the same time should look with confidence to the judgment of their officers. Have fortunately some very able officers, 7845, 7846.—The officers have the entire control of carrying out anything which it is referred to them to carry out, 7847.—Mr. Bunning is both architect and clerk of the works. Thinks no man could be found equal to him in the discharge of the multifarious duties connected with his office, 7848, 7849.—If the City were about to erect a great public building with which the corporation alone had to do, they would put it into his hands for the purpose of his producing plans, 7851.—Does not think the City bound to resort to him exclusively, but feels certain that nineteen-twentieths of the corporation have sufficient confidence in the ability of the present architect not to think of going elsewhere. It would not have been so with the late officer, who was not ostensibly the architect; he was clerk of the works and surveyor, 7844.—All the City markets are under the control of the Markets Committee, 7855.—Some of those markets may be considered metropolitan markets; such as Smithfield, Billingsgate, and Newgate Markets, 7856.—In managing the City markets the committee do not look to the limited interests of the City, but to the wants of the whole metropolis, 7858.—The great emporium of commerce is the City of London, and the great objection to parting with Smithfield Market arises from the desire to retain all the trade within the City. Seven or eight millions per annum change hands in Smithfield; to take that to any other locality, is, to a certain amount, an injury to the trade of the locality from which it is taken, 7859.—Does not think the interested persons occupying property in the immediate neighbourhood of Smithfield had any influence upon the decision of the Markets Improvement Committee, 7860.—There was a large majority in the common council in favour of the corporation scheme for enlarging the market, something like the proportion of 70 members to 7, which will show the strong feeling throughout the body to retain the market in the City, 7861.—Attends the Commission to defend the conduct of the corporation from many charges brought against it. Admits that so old an institution requires considerable revision and improvement. Is prepared to suggest at some future time what he considers would be improvements in the constitution of the corporation, it being understood in the consolidated committee that no new scheme should be propounded on the present occasion, 7862.

TEMPLE, Mr. JOSIAH. (*Analysis of his Evidence.*)—Is keeper of the Guildhall. States his duties connected with it. Was appointed to the office on 31st May, 1847. Before being appointed had held the situation

TEMPLE, Mr. JOSIAH—*continued.*

of first assistant for 21 years. Is admitted by the Court of Aldermen, and sworn, 6694.—Is paid by salary and emoluments, amounting upon the average to 412*l.* per annum. Has an official residence, and an allowance of coals and wood, 6695.—Orders 300 copies of a newspaper after every Court of Common Council, containing the best account of the proceedings, and if any two or three papers had the same account, then by rotation. Delivers them to the Court of Common Council and the officers, amounting to 280. The balance goes to the town clerk's office, 6696.—The paper is selected by the newsman early in the morning, the one having the fullest account of the proceedings, 6698–6701.—Gives the Commissioners an account of the sum of 1,000*l.* which witness received in 1852, which appears in the City cash statement for that year, 6703.

THAMES, CONSERVANCY OF THE:

The courts are mere excuses for parties of pleasure, *Acland*, 503.—The corporation are invested by very early statutes and charters with the conservancy and regulation of the river, *Pulling*, 806.—The extent of that privilege is now in dispute, *ib.* 813.—Is in the hands of the navigation committee, would not disturb an organization which has existed so long, *Elliot*, 1123.—The duties of the conservancy of the Thames are efficiently performed by the harbour masters, *Bennoch*, 1210.—Complains that the City as conservators ought to remove obstructions and prevent encroachments, but in cases of any difficulty they do nothing, *Mathews*, 2518.—Does not think the corporation qualified to perform the duties of the conservancy, *ib.* 2531.—It is only with reference to the Port of London that the conservancy has anything of a municipal nature, *ib.* 2536.—There are many shoals which at times impede the navigation, and ought to have been removed long ago. Gave evidence once before a former committee upon the subject, when it was proved that the City had not the right to remove shoals, as they were claimed by the corporation of the Trinity Board; but, in justice to the City of London, remarks that he believes this generation has done more towards the improvement of the Thames than any other, *Bullock*, 2612.—Thinks there are no shoals which ought particularly to be complained of, *Whistler*, 2630.—Would place it in the hands of the Government, *Williams*, 2839.—Gives a very long statement, with opinions, of a cause disputed between the Crown and the corporation as to their title to the soil of the river, *Pemberton*, 2929.—The right of conservancy is not disputed by the Crown; if disputed at all, should imagine it would be by the Admiralty. His office is merely with respect to the soil. Refers the Commissioners to Lord Hale, "Treatise de Jure Maris," Part 1st., Chapter 5, in regard to the office of conservators, *ib.* 2943.—Would not restore this conservancy to the corporation of London, nor to any strictly municipal body. Would have it provisionally handed over to the Woods and Forests till a special department for rivers and watercourses is provided, *Hickson*, 2948.—Report which was drawn up in the year 1842 by Mr. Walker, by Captain Bullock, the water bailiff, the engineer of the navigation committee, and other subordinate officers, on the question of the management of the stream of the river, *Merewether*, 5227.—Mr. Walker's plan for the embankment of the Thames, *ib.* 5227–5230.—Suit with the Crown concerning the bed and soil, *ib.* 5230–5252. 5282.—The conservancy of the river is beyond all dispute in the corporation. In the reign of James I. there was a question pending, and the attorney-general for the Crown admitted that the corporation of London were the conservators of the river by prescription, *ib.* 5281.—Suit with the Crown concerning the right to the bed and soil of the river, *Wortley*, 5500–5515.—Dispute between the Crown and corporation as to the right to the soil of, *Pearson*, 5571–5592.—Does not think the present powers of the City sufficient for them to exercise the duties of the conservancy and the protection of the river efficiently, *Leach*, 6423.—Thinks it very essential that the control over the soil and bed of the river should be combined with the duties of conservancy, *ib.* 6406.—At present the Lord Mayor is conservator on behalf of the corporation; the conservancy, in fact, being managed by a committee of the common council. In consequence of the notification which has been mentioned, there was some hesitation on the part of the City whether to accept that term of the compromise or not. Produces the proceedings of the Court of Common Council upon it; reads report, *Wortley*, 6470.—It is quite a mistake to suppose

THAMES—*continued.*

that the corporation derive any benefit from the profits of the river. So far from that being so, the 1,100*l.* a year is a mere trifle compared with what is really required, and which in truth is paid out of the corporation funds. Of course if you take the conservancy out of the hands of the City, you must find funds somewhere else for its support, *ib.* 6475 Would consolidate the offices connected with the conservancy of the Thames, *Lord Mayor*, 7161.—Would give the corporation the power of nominating a board for the management of the conservancy, subject to the approval of the Trinity House, *ib.* 7177, 7178.—Observations with respect to the navigation and conservancy of the Thames, *ib.* 7177–7180.—Very large sums of money would have been expended in improvements of the river if the question relating to the bed and soil of the river had been settled. It is before the Consolidated Committee, *Wood*, 7266.—Must decidedly negative the opinion that the Committee are incompetent to perform their duties, *Hall*, 7339.—City pecuniarily benefited by a separate jurisdiction, *Dakin*, 7369.—States that it is entirely a misapprehension that a considerable portion of the revenue of the Corporation is derived from the embankment of the Thames in Thames Street. There is no such rent from land so embanked from the Thames, *Pearson*, 8459.

THAMES, CONSERVATORS:

The City are conservators, *Williams*, 2833.—The City, as conservators of the Thames and Medway, have not maintained properly the embankments in either river, *Gooden*, 1329.—The navigation of the Thames is in a very imperfect state, owing to the impediments caused by the shoals between London Bridge and Erith, *Pratt*, 2454.—There is nothing to show that the City were conservators at the time of Richard I., *Merewether*, 5025.—Remarks upon the complaints of the conduct of the City in the character of conservators of the river, with regard to obstructions made by Mr. Mathews, *ib.* 5253–5274.—Duties of the corporation as conservators of the Thames, *Leach*, 6401–6402.

THAMES, NAVIGATION COMMITTEE. (*See* Committee.)

THAMES, NAVIGATION OF THE:

The Act of Parliament confines the navigating of barges, and craft of that description, to freemen, and gives them the exclusive right to navigate and manage all craft upon the river Thames. There are practices which are injurious to the community at large, which arise out of that exclusive right, *Pillow*, 3015.—Describes the duties of the engineer, *Leach*, 6362.

THORPE, Mr. ALDERMAN:

On one occasion 3,000*l.* was put down as having been spent by the Irish Society in an election at Coleraine, when Mr. Alderman Thorpe was a candidate, *Humphreys*, 8431.—Inquired as to truth, and was told less than 1,000*l.* was taken from the funds of the society, and expended in Coleraine, *ib.* 8432.—That was about the year 1830, *ib.* 8433.—Alderman Thorpe was governor of the society at that time, *ib.* 8433.

TIDAL HARBOURS:

The Admiralty is the general conservator of tidal harbours in this country as far as jurisdiction goes, *Merewether*, 5278.

TITHES:

Under the 37th of Henry VIII., there was a tithe of 2*s.* 9*d.* in the pound upon the rental of the City parishes generally, *Goodman*, 6303.—In St. Helen's parish it may be said, double tithes are paid, *Jones*, 7803, 7804.

TOLLS:

There is a toll on the transit of commodities into the City, *Elliot*, 1106.—The corporation levy a toll upon coals to the distance of twenty miles round St. Paul's, *ib.* 1108.—The tolls of the City ought to be abolished, *Bennoch*, 1259.—The toll is disliked chiefly on account of the manner in which it is demanded, *ib.* 1263.—The City of London maintain the system of tolls, *George*, 2282.—Not adapted to the circumstances of the present time, *Moore*, 4308.—There has been an increase in the proceeds of the tolls and dues, *Scott*, 4594.—The corporation have expressed their willingness to give up the tolls which are taken upon carts upon their entrance into the City. Those

Tolls—*continued.*

tolls have been mortgaged heretofore for public improvements; one was connected with the continuation of Farringdon Street. That money is either paid off, or very soon will be. The freemen of the places in which the toll is demanded are generally exempted from it, and that is the case in London. Strangers coming in are subject to it. The average amount of the toll is about 5,000*l.* a year, *Merewether*, 5215–5221.—In an application to Parliament in 1855 it was part of their plan to give up the tolls upon carts now levied on their entrance into the City, *Tyrrell*, 5421.—These tolls are collected at the different locks, and at another place in the tideway also, *Leach*, 6377.—There is not a single barge passes subject to toll which does not undergo witness's own check; in most cases seven or eight times over, *ib.* 6377.

Toll, Street:

Objections to, by the parishes of St. Andrew Holborn and St. George the Martyr, with particulars, *Hopwood*, 4888–8894.

Town Clerk:

Statement of office of, *Williams*, 2809.—Statement as to his duties, *Merewether*, 4682.—He does not engage in any professional business, except that connected with the City, his whole time being taken up with his duties, *ib.* 4683, 4684.—Salary, *ib.* 4686, 4687. 4689.—Fees, 4687–4688.—Is nominally registrar of the mayor's court, *ib.* 4687.—The town clerk, who is a very experienced barrister, is called on by the committee to express an opinion as to the advisability of instituting a suit, *Pearson*, 5536, 5537.

Travers, John Ingram, Esq. (*Analysis of his Evidence.*)—Is a wholesale grocer, 207.—Has lived in the City from his boyhood, 208.—Has never directed his attention to the municipal concerns of the City of London, 209.—Has never belonged to the corporation, nor taken any part in its affairs; is one of the court of the fishmongers' company, 210.—Agrees with most of his class that the corporation of the City of London is unsatisfactory in its management, in its system, and quite unfit for the requirements of the present day, 211.—Thinks it would be best to do away with the corporation and local government of the City altogether, 212.—Would have instead a chamber of commerce, which should give a voice to the commercial classes, and express opinions on purely commercial subjects only, 213, 214.—Would have no municipal body of any kind, 215.—Thinks that the higher class in the City would agree with him, but that the smaller shopkeepers are strongly in favour of the local government, 216.—Is of opinion that the inexpediency of municipal institutions applies to the whole of the United Kingdom. Doubts whether they are ever appealed to, as in case of public grievances an appeal is made at once to the Government through the House of Commons, 217.—Sees no hope of inducing the more highly educated classes engaged in commerce to undertake municipal or local government, 218.—Objects in some degree to the whole system of unpaid magistracy in England, 219.—Thinks that Mr. Thomas Baring, who is supposed to represent the commercial principles and character of the City of London, would feel insulted if offered an alderman's gown, 220.—Ascribes the feeling to the office having lost the character it once possessed. There is a feeling on the part of every educated man that the office is humbug, 221.—There may be some advantages connected with the office of alderman, but the higher class do not aspire to it, 222.—Thinks that nothing would induce the higher class of merchants in London to undertake an office at all like that of the present Lord Mayor, 223, 224.—At Liverpool merchants of the greatest eminence have accepted the office of mayor, as there the office gives great commercial and political weight. In London it gives none, 225.—Does not think that any merchant of high standing would accept the office, nor that it would be possible to give the office any commercial or political weight whilst hampered with any remnant of the present corporation, 226.—The office of mayor is not one of which a great merchant would under any circumstances be proud. The office of sheriff was lately hawked about the City, and it was a great favour to get any one to take it, 227.—Does not think that the feeling of distaste arises from the limited area of the City, 228.—Were the office invested with a Government character men of high standing would accept it, but

Travers, John Ingram, Esq.—*continued.*

it would soon of necessity become a Government situation, 229.—At Manchester the situation of chief magistrate is held by merchants of eminence. No comparison between Manchester and London, either in the character of merchants or offices, 230.—London might be included in the general management of the Government. The commissioners of police might include London without any great additional staff or expense, 231.—Is not prepared to abolish municipal institutions altogether, but would begin with London, 232.—Does not think that the reasons for doing so apply with equal force to other great towns, as the leading men of the manufacturing and out-port towns have more time on their hands than those of London, 233.—Were the corporation swept away, there would be no portion of the government of the City of London which might not be absorbed in the general government of the country in a week's time, 234.—The management of sewers is under a separate commission, but is a portion of the corporation, 235.—The organization of the police in the City of London is not equal to that of the metropolitan police, 236.—It would be better if the police of the City were absorbed in the metropolitan police, 237.—The objections urged against the corporation refer to the system more than the conduct of individuals. The management of the corporation has improved the last few years, 239, 240. —Does not consider the salaries of the paid officers of the City too high for men of talent, 241.—As the duties do not require men of much education, half the expenses might be saved, 242.—The office of chamberlain is next thing to a sinecure. The salary and emoluments are considerable, 243, 244.—Thinks that most of the offices under the corporation are the same, though some of the officers have considerable work, 245.—Complains that the management of the corporation with regard to tolls, &c. hinders commerce; for instance, in the case of green fruit, 247–249.—Sees no advantage in making a connexion between the freedom of the City and the trading companies, 251. —Considers it an act of oppression to require all retail traders in the City to be free of the companies, 252.—That regulation is only enforced now in the case of the small people, 253.—Practically speaking, many wholesale traders are not connected with the City in any way, 255.—Believes that attempts were made to enforce the regulation against wholesale traders, 256. —The privileges with respect to porters, brokers, &c., are a great nuisance and drawback to trade, 257.—Is willing to assist the objects and purposes of this Commission, and believes the same feeling is entertained generally throughout the upper classes, and the better classes of tradesmen in the City, 260.

Trophy Tax:

A sort of county rate, *Anderton*, 7701, 7702.

Trust Funds. (*See* Chamberlain.)

Turnley, Joseph, Esq. (*Analysis of his Evidence.*)—Has been recently elected chairman of the Navigation Committee, having been on the committee three years, 7707–7709.—Has been connected with the common council six years, 7710.—Is a lighterman; premises on the Custom House Quay, 7711, 7712.—The chairman of the committee is not always a gentleman connected with the trade upon the river. The last chairman but one had been connected with the sea for the greater part of his life, 7713, 7714.—There are only two on the committee, or even in the common council, who are immediately connected with the water-side; but there are other persons very conversant with that business who have been on that committee for years, 7715.—If it were possible, thinks a larger infusion of practical knowledge into the Navigation Committee would be desirable; but it is not absolutely necessary that all should be connected with the waterside, 7716. —Mr. Powles suggests that members of the dock companies should be admitted. Thinks that would work badly, as they would be interested men, whereas the members are now perfectly independent, and there is no chance of jobbery, 7719.—An infusion of members appointed by Government was proposed. Does not think that would do. It was likewise suggested that the Trinity corporation should send five or six members. Does not think they would give their time as the common council do. Attended the committee 82 days, from eleven till after five o'clock, 7720.—The officers of the committee are very competent men. The harbour masters are all first-rate men, 7721.—Does not always fall in with the views of the

TURNLEY, JOSEPH, Esq.—*continued.*

officers, nor do the other members, though they may sometimes do so. They are all efficient men, 7722.—Supposing a person comes for a grant to drive piles or make a pier, a plan is asked for, and inspected. It is then referred to the sub-committee, who view the premises, and request all parties concerned, that is to say, the neighbours right and left, to put in any objection they may entertain, but as far as possible one line of embankment is kept, 7723.—The condition of the river below bridge is not satisfactory; there always have been shoals, and always will be, and they are probably increased from the increased size of the vessels navigating the river, 7724, 7725.—The want of adequate funds to devote to the clearing of the shoals, is no doubt a serious injury to the river, 7726, 7727.—The jurisdiction of the corporation over the river below bridge is not a source of profit to them; beyond the tidal way it is a great loss to the City, 7728, 7729.—Wishes to refer to the system of appointing sheriffs. There is a Mr. Rose, who calls himself an agent, (believes he is in some way connected with the coal trade,) who appears to conduct this election just as he pleases. If a person wishes to serve, Mr. Rose calls upon him, and tells him, for 50*l.* he will ensure his election. On the contrary, if the gentleman refuses to serve, Mr. Rose tells him he will do what he can, but it will cost him 40*l.* or 50*l.*, so that in both cases Mr. Rose makes money. Was elected sheriff in June last, in consequence of not paying Mr. Rose to be kept out. Put in a memorial to the Court of Aldermen, praying to be relieved both from serving the office or from paying the fine. They have not at present put it into the hands of their solicitor, but witness is determined not to pay. After the election Mr. Rose left the hall without paying the hundreds of unwashed fellows who had brought about the election, and they applied to witness, who of course declined to pay them, 7730–7733.—Does not believe this system of appointing sheriffs for the sake of their fines is countenanced by any persons of respectability connected with the corporation, 7734.—This man acts independently of the corporation; he gets a portion of his living by it. It is only the inferior agents who make a profit by it, 7735, 7736.

TYRRELL, EDWARD, Esq. (*Analysis of his Evidence.*)—Has held the office of City Remembrancer since 1832, 5361, 5362.—Held the office of Deputy Remembrancer from 1827, 5363.—Succeeded his father, who had held the office of Remembrancer from 1793, 5364, 5365.—The emoluments attached to the office are derived from two sources; one is a certain annual payment of 1,000*l.* a year from the corporation, and 250*l.* a year for office expenses. Is also entitled to charge for parliamentary business done for funds, under Acts of Parliament, or otherwise not chargeable on the City cash; the amount of which, for the year 1852, gives the average of the previous five years about 700*l.*, 5366.—There would be a separate charge for business done for the police or sewers funds, 5367.—Thinks it would be very desirable that the whole of the emoluments should consist of a salary, 5369, 5370.—Receives at present a certain sum in the form of a salary, and the amount of receipts upon parliamentary business varies from year to year, 5371.—The annual expenses of the office have exceeded the allowance of 250*l.* by about 300*l.* This should be deducted from the 1700*l.*, leaving a net income of 1400*l.*, 5372.—Has no patronage, 5373.—The principal duty of the office is that of parliamentary solicitor for the corporation in the two Houses of Parliament. Is responsible for everything that passes there which affects the corporation. Is also expected to attend on Courts of Common Council and all Courts of Aldermen. The presentation of addresses to the Crown, and the business of the corporation at the Government offices, are in this department, 5374, 5375.—Is a solicitor, 5376.—In his capacity as parliamentary solicitor has to watch from 400 to 500 bills every year, and there are few years in which the corporation have not at least one bill of their own in progress, 5377, 5378.—With respect to the vast majority of these bills, can see at once that it is impossible that they can affect the City, 5379.—Last year the number of bills, which had directly or indirectly some relation to the City was 50. This was a larger number than usual, 5380, 5381.—Some of the bills were public, some private. Reads extract from the report of the Royal Commissioners with respect to his duties. The duties of the office are comprised under two heads; one, the conduct of parliamentary

TYRRELL, EDWARD, Esq.—*continued.*

business, and the other attending to all points of form and ceremony, 5383, 5384.—The Common Law Chancery and other legal matters are conducted by the solicitor, the conveying by the comptroller. When witness was appointed to the office a considerable reduction was made in the emoluments. In the year 1835 the House of Commons made an order that the clerks of the House should no longer be employed as parliamentary agents. Has acted as parliamentary agent himself since that time, and calculates that it has effected a saving to the corporation of from 300*l.* to 500*l.* a year, 5385.—If there were no officer holding the situation held by witness, the City would still be obliged to incur great expense in parliamentary business. The great majority of solicitors who are engaged in parliamentary proceedings employ a parliamentary agent, who makes a separate charge. Witness does the whole of the business, 5386.—With respect to watching bills in Parliament, the usual course is, at an early period of the session to report to the common council any bill which he (witness) thinks likely to affect their interest. They refer the bill to one of their committees, in whose department it may happen to be. If any proceedings take place on the bill, he puts himself into communication with the chairman, who either acts upon his own authority, or calls the committee together, who give instructions what to do. In case any proceedings arise of which he has not apprised the court, he then acts upon the orders of the lord mayor, 5387.—The course pursued on the bill with respect to Smithfield Market was, immediately he knew that such a bill was brought forward, he reported it to the Court of Common Council, who referred to the Market's Improvement Committee, 5388.—Had the management of expenditure incurred by the City in opposing the bill, so far as receiving the money and paying it to Mr. Scott, who paid it over to the parties, 5389, 5390.—The total amount of the outlay was 2750*l.*, 5392.—Believes that there were professional gentlemen employed who did not appear before the Committees of either House. Does not know by whom they were employed. It was represented that it would be desirable to have the aid of some literary gentleman, and witness gave his sanction to some small sums of money being applied for that purpose. It was only 100*l.*, 5393–5396.—The main part of the money went to the parties who got up petitions. Believes about 2,200*l.* was spent in this way, 5397.—Whenever any considerable amount was paid, the bill was brought to witness, who applied to the committee for the money required, 5398.—Did not select the agents, but gave his sanction to their being employed, 5399.—It was a most unusual occurence to devote a sum of money to an object of that kind. Thinks that upon two other occasions small sums had been expended; but it was an uncommon proceeding altogether, 5400, 5401.—In addition to the 2,750*l.* already named, there was a sum of 3169*l.* 11*s.* for counsel, witnesses, and other usual legal expenses, 5402.—Those two items constituted the whole expenditure, and are rather under the sum which was paid by Government for the same purpose, 5403.—Selected the counsel, 5404.—When he thinks counsel ought to be employed, he informs the committee and names the counsel, and if the Committee approve, engages them, 5405.—Every one of the accounts of the expenditure incurred by parliamentary business are laid fully before the court, but are not published. When the parliamentary matter is over, a detailed account is laid before the committee, and if the business charged for has been ordered by them, the bill is signed by the chairman. It is then laid before the Court of Common Council, and referred by them to the Law Bills Committee. This committee refers to one or two of their members, who are legal men. They go through it, and see the vouchers, and report again to the Law Bills Committee, and if they are satisfied with the report, a warrant is ordered and the bill is paid by the chamberlain, 5407, 5408.—It appears in the City accounts in a single item, as money paid to the city remembrancer for his account of disbursements, specifying the particular measure in respect of which the charges have been incurred, 5409, 5410.—Sees no objection to those accounts being laid before the corporation in extenso, 5411, 5412.—Was remembrancer when the recent Police Act was passed, 5413.—Believes that the description given by Mr. Rogers of the manner in which that operation was conducted is an overcharged description of what took place. There was a committee of the corporation to whom the bill was referred, and

TYRRELL, EDWARD, Esq.—*continued.*

they engaged a room in Palace Yard. Believes there were communications made to some portions of the country. The whole of the charges for that part of the business were 306*l.*, 5414, 5415.—Does not think that any literary gentlemen were employed on that occasion. It was a very rare occurrence when they were employed, an occasion of the confiscation of the property of the corporation 5416.—Imagines that the corporation consider that their property in the markets, which was the property then in dispute, belongs to them, and is exercised by them for the benefit of the citizens at large, 5417.—They consider the tolls of the markets in the same light as the rents of lands, and as strictly falling within the designation of property, 5418, 5419.—They would consider any measure which took away the tolls of a market without compensation in the light of a confiscation, but do not apply that doctrine to the tolls upon carts now levied on their entrance into the City. In an application to Parliament in 1852 it was part of their plan to give up those tolls, 5420, 5421.—If this had not been a voluntary surrender, would certainly have applied the term property to this portion of their revenue, 5422, 5423.—With respect to the tonnage dues, which are established by virtue of an Act of Parliament, apprehends there would be no claim of property, 5424.—The 4*d.* coal duty is decidedly property. Parliament when it passed an Act abolishing the charge of 1*s.* on every chaldron of coals, payable to the Richmond Family, gave a fair compensation to the parties entitled to it, 5426, 5426.—Considers the right of the City to the coal duties precisely on the same footing as the grant to an individual out of a duty, 5427.—Considers the metage dues as property, 5428.—Does not know of any fund except the consolidated fund available for the purpose of compensation, 5430.—Does not think it would be any compensation if the corporation came upon the rate-payers of the City, 5431.—It would depend upon the terms of the grant as to whether any distinction could be drawn between the right to levy dues of this description conferred upon a public corporation for public purposes, and a similar right given to an individual for his private benefit, 5432.—Every right and every property enjoyed by a corporation belongs to them for the benefit of the parties by whom they were chosen, 5433, 5434.—When the 4*d.* duty was granted to the corporation they represented the same part of the metropolis which they do now, 5435.—There was not so large a portion outside the walls as there is now, 5436.—Believes that when the coal duty was first granted there was no idea that the buildings outside the walls would become so numerous as they are, but the coal duty has for some time been employed for the advantage not only of the City of London, properly so called, but of all that part of the metropolis which surrounds it, 5437, 5438.—The 4*d.* duty has always formed part of what the City calls its general funds, 5439.—This duty is contributed by the whole metropolis and the country around it, 5440.—The principle which has been followed in watching parliamentary business has been to insist upon the exemption of the City from the operation of any act which would control and interfere with the rights and privileges enjoyed by the corporation, 5441.—Thinks that the course taken by the corporation with regard to the Charity Trusts' Act was in no way injurious to the passing of the bill, but the contrary. The statement that witness, as the officer of the corporotion, applied for the insertion of any clause in the bill, is wholly unfounded. The clause complained of is in section 38, and was inserted in the bill without the smallest communication with or suggestion from the corporation. When the bill was brought in it was laid by witness before the common council, who referred it to the Parliamentary Committee, and they referred to the town clerk, witness, and Mr. Scott, to peruse the bill and report to them respecting it. Reads the Report. Several of the parties who had opposed the former bill applied to witness, as the officer of the corporation, but finding that the corporation did not oppose, they did not, 5442.—The bill now includes in its operations every one of the charities of the City of London, 5443.—The Lord Chancellor has not applied the same process to charities in the City, the incomes of which are under 30*l.*, as he has to charities outside. In charities outside the resort is to the judge of the County Court. The charities of the City, the incomes of which are under 30*l.*, go to the Court of Chancery in the usual way, 5444.—The City would have been perfectly satisfied with reference of those charities to

TYRRELL, EDWARD, Esq.—*continued.*

the judge of the County Court of the City, 5445.—There never was an exemption clause for the City in this bill, 5446, 5447.—This distinction of jurisdiction was not put in at the instance of the City, nor does witness know that it was ascertained beforehand that such a clause would be acceptable to the City, 5448, 5449.—When a bill is introduced into Parliament on the behalf of the corporation it is part of the duty of the remembrancer to draw it up, 5450.—The effect of the Police Act, the 2nd and 3rd Victoria, cap. 94, local and personal section 59 was to make the Temple a part of the adjoining ward, and to bring it and other places within the Police Act, whereas before they were extra-parochial and watched themselves. The part of the clause referred to was inserted by the Select Committee of the House of Commons. Finding that the clause was put in, witness drew the attention of the late recorder, Mr. Law, to it, 5451, 5452.—There was no direct communication with them, 5453.—The word "employment" in the City County Court Act was introduced into the clause at a consultation between Mr. Russell Gurney and Mr. Ogle. The facts which were brought before them were, that there were a great many persons in the employment of the Bank of England, and other large public establishments, who did not carry on business in the city, and a legal decision of the courts had been given that a person so employed did not come within the meaning of a person carrying on business, 5454.—Has not heard that this has occasioned any inconvenience, 5455, 5456.—When instructed by the corporation to oppose any private bill, takes the ordinary course of opposing it before the Select Committee of the House of Commons, and failing there, would then go before the House of Lords. The practice would differ in no respect from that of any public body opposing a private bill, 5457–5459.—With respect to opposing a public bill, the same course would be adopted by the corporation as by other parties, 5460.—The only advantage for opposing parliamentary bills which the practice of the house gives to the remembrancer is, that by virtue of his office he is entitled to a seat behind the sergeant-at-arms in the House. This is an ancient privilege, 5461, 5462.—The general principle which the City follow in deciding to oppose either private or public bills is, that if any bill proposed to take from them that which they possessed they would oppose it, 5463.—They would not oppose a bill which made any alteration in any custom of the City which was not in the nature of a possession, unless they thought the repeal of it would be injurious to the City, 5464, 5465.—Thinks they would oppose any bill making an alteration in the law of debt, or the remedies against debtors interfering with the custom of foreign attachments, 5466.—Very few cases have occurred in witness's time of their having procured the insertion of clauses excepting them from the operation of general Acts. The first instance was the Small Debts Act. In 1848 there was a general exception of the whole of the metropolis from the Health of Towns Act, 5467, 5468.—The ground for applying was, that the bill proposed to interfere with a vast number of sanitary arrangements which belonged to and were exercised by the Commissioners of Sewers. The next instance was the Metropolitan Sewers Act. This was opposed because it proposed to deprive the corporation of the management of their own sewers. The next was the Common Lodging House Act. An exception of the City was procured from that, because more stringent powers were contained in the City Sewers Act for that purpose. The next instance was the Smoke Prevention Act. A clause was inserted in the bill that the Act should not interfere with the powers in the Sewers Act, because that Act had much stronger powers for the same purpose, 5469, 5470.—There have been no clauses of exemption in private Acts, but there have been a good many clauses inserted, as far as the navigation of the Thames is concerned, and also that pipes shall be laid down in the City as the Commissioners of Sewers shall direct, 5471.—There have also been clauses inserted in Docks Acts and Railway Acts with regard to the privileges of the City, but those clauses have not gone beyond the preservation of the existing rights, 5472, 5473.—There has been no disposition on the part of the corporation to create a separate system of legislation in the City, or to exempt it from Acts of general operation, and is quite sure that in instructing him (witness) to oppose any public bills, they have not been influenced by any general view of that kind, 5474, 5475.—The average cost of the entertainment on lord mayor's day has been 2,200*l.*,

TYRRELL, EDWARD, Esq.—*continued.*

including a sum of 200*l.* paid by the corporation: The sum of 2,000*l.* is defrayed in equal moieties by the lord mayor and the two sheriffs. The usual cost of the procession has been under 200*l.* Last year it cost 490*l.* The extra expense was paid between the lord mayor and Mr. Sheriff Wire, 5476–5479.—In former days the lord mayor's pageant was something in the style of the show last year, but it was carried still further. There were generally actors who had a part to perform. Some of the early pageants were written by Peele, Webster, and other early dramatists, 5480.—For some years the City had a regular poet laureate, but a person was usually engaged from year to year to compose those pageants who had no share in the establishment, 5481, 5482.—Begs to say that no such sums of money were spent in entertaining Members of Parliament on the occasion of the opposition to the Smithfield Market Removal Bill, as was stated in answer to questions 1221, 1222, 5483.—With respect to the conservancy, the corporation have been very anxious for the public interests to have the matter arranged with the Government. There are many improvements which they are anxious to carry out, but they feel that while the matter remains in its present uncertain state they cannot proceed to do so. Several improvements which are contemplated would relate to the bed and soil of the river as well as to the conservancy, 5484, 5485.

TYRRELL, EDWARD, Esq. (*Second Examination.*)—Reads the statement which on a former occasion he promised to prepare with respect to the coal duty, 7236.—There is an essential difference between the 4*d.* coal duty and the other duties. The 4*d.* duty is permanent, and claimed by the City as part of their own estate, subject to their own control. The rest of the duty on coal is temporary; will expire in 1862, and is affected by Act of Parliament to particular objects of public improvement, 7237.—The last portion of the 700,000*l.* which the City lost on the closing of the Exchequer by Charles II. was repaid in 1834.—It need not have remained so long, but there were parties who were disposed to allow their money to remain there as long as they could, 7238.—The City have not given large sums out of this 4*d.* duty to the improvement of the metropolis beyond the limits of the City; but out of their general funds, 7239.—For many years the 4*d.* duty formed part of the general property of the City; within the last few years, a certain part has been assigned for public improvement, 7240.—Does not think that the City consider the metropolis at large to have any legal claim upon the proceeds of the 4*d.* duty, but for some years past have voted out of it large sums for the improvements within the City, which other parts of the metropolis have the advantage of, 7241, 7242.—There is about 580,000*l.* of this 4*d.* duty mortgaged for New Cannon Street, besides other charges, 7243, 7244.—Supposes that if the coal duty were not sufficient, the other part of the City property would be liable as security for that mortgage, 7245.—Can hardly tell what the financial effect of allowing the 4*d.* and the rest of the coal duty to expire in 1862 would be, but it would leave very large sums of money to be paid by the corporation, which have been advanced on the credit of the 4*d.* duty, 7246.—By a calculation made last year by Mr. Scott it would take 16 years to pay off the amount of debts now charged upon the 4*d.* duty, 7247.—If the proceeds of the 4*d.* duty had been sufficient between this and the year 1862 to pay off the debts specially affected to it, the ratepayers could not have been called on for an equivalent payment, as the corporation have no power to call upon them to contribute sums for improvements, 7248.—Supposing a general power were given to levy an improvement rate, in lieu of the coal duty, of course the City would have the same power as the rest of the metropolis, but thinks there would be difficulty in getting parties to agree to such a rate, and the money would not be so immediately and readily applicable as a fund arising from a certain duty like the coal duty, 7249.—Within the last 6 or 7 years the Court of Common Council have resolved to apply 20,000*l.* a year out of the 4*d.* duty for improvements, 7250.—The corn duties, and other duties of that nature, are paid by the inhabitants of the metropolis generally, 7251, 7252.—Mr. Pemberton, in his evidence, No. 2992, on the Greenwich Pier Act, says a clause was inserted, "saving the rights of the Crown," instead of "any rights of the Crown," which merely implies a reservation in case there should be any, 7253.

UNDER SHERIFFS:

Are appointed by the Sheriffs annually. Their duties and emoluments, *Anderton*, 7589–7614.—Does not think the office susceptible of amendment, *Wire*, 7934–7946.—Emoluments about 1,000*l.* a year, *ib.* 7943.

UNIONS:

The City having three unions when one would suffice, has cost 300,000*l.* Under one union the poor would have been more efficiently relieved. The whole of the extra expense has been for establishment management. The poor have greatly suffered by the existing system, *Hickson*, 2768–2771.

WADDILOVE, ALFRED, Esq., D.C.L. (*Analysis of his Evidence.*)—Is a doctor of civil law, practising at Doctors Commons. In practising in the Court of Admiralty, has had opportunities of seeing the injury which often results to owners of vessels and underwriters, from the want of education and general intelligence of captains and mates. Has turned his attention to the Gresham College, with the hope that the fund devoted to instruction by Sir Thomas Gresham might be rendered more applicable to the wants of the present day. Has looked into the will and endeavoured to obtain all the facts which bear upon the trust. Mr. Bennoch has given a summary of the will of Sir Thomas Gresham and the foundation of the college. Will therefore endeavour to show what has been the conduct of the trustees and professors since its foundation. Gives his account up to the year 1755. Thirteen years after, in 1768, the college was sold. Continues the history of the college to the present time. Ventures to suggest that under the late Charitable Trusts Act, the trustees, if anxious to make their lectures more in accordance with the wants of the present day, might apply to the commissioners for a scheme for the purpose of rendering the funds at their disposal more serviceable for public purposes, 7270–7272.

WALLIS, GEORGE APPLETON, Esq. (*Analysis of his Evidence.*)—Is one of the sheriffs of the City of London, 1345.—Has been a citizen from the age of twenty-one, 1346.—Is not a member of the common council, 1347.—Is a freeman and liveryman, 1348.—The office of sheriff has for some years fallen into disrepute, from certain jobbing transactions by the under sheriffs, who have selected the sheriffs, and this year no one would serve; therefore, by desire of some of the leading gentlemen in London, took upon himself the duties of the office, rather than the Queen's authority in the City should be lost, 1349, 1350.—The cause of the difficulty in obtaining two persons to serve as sheriffs is the expense attendant on the office, and its being shorn of all its power. They are supposed to keep the keys of the City prisons, and to be responsible for all that takes place within them; but the visiting magistrates, the aldermen, claim the exclusive right of granting orders to visit the prisons, 1351.—Thinks the sheriff for the year ought to be an ex-officio member of the court of aldermen and court of common commen, 1352, 1353.—All the substantial duties of the office are performed by the under-sheriff's deputy, who divides the fees with him; so that the sheriff and under-sheriff have little to do but to attend the judges at the Old Bailey, attend the lord mayor upon state and other occasions, and, most unpleasant of all, be present at executions, 1354, 1355.—A sheriff could not pass through his year of office without expending 2,000*l.* or 2,500*l.* There are some trifling allowances made for his expenses by the City, 1356–1358.—Some persons elected to the office of sheriff prefer paying a fine to serving, and the fines have amounted to a large sum in the course of ten or twelve years, 1359.—As an election agent, has had little to do with the sheriffs, but has been frequently concerned for aldermen and other corporate officers. Mr. Alderman and Sheriff Wire knows more about the sheriffs than anyone else, 1360, 1361.—An alderman must have served the shrievalty before he can be elected lord mayor, but does not think that is an inducement to anyone to accept the office of sheriff. The latter being a Queen's officer, is far higher than the aldermen, or even the lord mayor, as now constituted, 1362–1364.—Is an election agent for civic offices, and has been engaged in most elections for the last twenty years, 1365–1369.—Believes the election of common councilmen, as far as the franchise goes, to be pure, but referring to the election of aldermen, lord mayor, chamberlain, and sheriffs, thinks as much as

WALLIS, GEORGE APPLETON, Esq.—*continued.*

10,000*l.* has been spent on both sides when the contest has been for an office of 2,000*l.* or 3,000*l.* a year, 1370–1374.—Corruption does not exist in all cases, but in many it does. Has been engaged for aldermen, and caused to be paid a certain amount for the purpose of obtaining their magisterial gown, 1376, 1377.—Some of the money is given to the voters, some is spent in giving dinners and suppers, and some for agency in canvassing. Has known the expenses of a candidate for an alderman's gown to be 1,500*l.*, 1378–1380.—The corrupt system of elections continues much the same since the contest of Sir Peter Laurie and Sir John Key. The system of bribery commenced at the time of the Reform Bill, and there has been more money spent in that way since that period than before it, 1381, 1382.—Attributes it to a new class of people being introduced at that time. A worthy alderman, since deceased, assumed a power of exercising a control over certain parties at the waterside, and those parties used to come in great numbers. Is not referring to the election of aldermen, but of other city officers, 1383–1386.—Has generally found it most difficult to obtain an alderman's gown in a ward where there is a low-rated class of occupants. In the out wards more expense is incurred than in the inner wards of London, the commercial wards, 1387.—In the commercial wards there are only a certain number of people, of the class of servants, who sleep there to take charge of the property; the merchants and traders leaving London to sleep in a purer atmosphere, 1288.—Class of voters in the inner ward, 1389.—There are no improprieties in the election of common councilmen. It is not much to fight for. There are no magisterial duties connected with the office. A seat in the common council for one year, and a chance of getting upon a committee, 1390.—Thinks the office of lord mayor the most valuable in the City, 1391.—It is more lucrative than the office of chamberlain, 1392.—£10,000 is allowed the lord mayor for the year, besides other things, 1393.—Can make money by his mayoralty; many have; but he generally spends more than he gets, 1394, 1395.—The office of chamberlain in point of form is an annual office, but not in practice, 1396, 1397.—Cannot say that there has ever been an instance of a chamberlain once elected being opposed, 1398.—Every case of election for the office of chamberlain in witness's time has been influenced by money, 1399.—The inducement to obtain the office of alderman is, that a man is elected a magistrate for life, and has unlimited power over the funds and affairs of the corporation of London, 1400.—He has patronage in all the hospitals in the City, 1401.—He has considerable power in providing for his relations by City appointments. The present way of electing aldermen and common councilmen is very imperfect; the wards are not proportioned; some are very large, some very small, 1402, 1403.—The franchise of the Municipal Corporation Act would be advantageously applied to the City of London, 1404.—Thinks the livery the most perfect franchise in London. A liveryman has to pass through a severe ordeal before he attains to that position; and before he can get upon the court, he has to show that he is a man of wealth and character, 1405.—Some companies compel parties to take up their livery, which is wrong; as if they compel a man who cannot afford it, they admit into their body one who will be open to temptation, 1406.—The livery of London should be taken as the basis of any future constituency, because it has been tested. Would amalgamate the livery of London and the occupiers of property within the City, take an electoral list of them, and then elect them to fill all offices, 1407.—Does not think you can fix the residence of a liveryman now, as they can reach the metropolis so quickly by rail, 1408.—Would only limit the residence of liverymen to England. Now, in whatever part of the world he resides, he may appear, 1409, 1410.—In cases of a contested election, if there is an important question at stake, and they think they ought to come and exercise their franchise upon it, they will do so, but are too respectable to require to be brought up, 1411.—Does not find that, in regard to the livery of London, the non-resident voters increase the expense of a contested election, 1412.—Has only had experience in the payment of expenses for a member of Parliament, and has not found the non-resident voters, who were principally freemen of boroughs in the country refuse to take the payment of their expenses, 1413, 1414.—Thinks that the case would be different with regard to liverymen, who are principally men of affluence, and it would be an insult to offer expenses to such parties as those, 1415.—Not necessary to diminish the number of wards if they are equalized, 1416.—The Court of Aldermen ought to be swept away, and a lord lieutenant of the City of London substituted, to be elected by the citizens generally, 1417.—The absurdities attached to the office of lord mayor are not consistent with the spirit of the times, and would prevent a first-class man from taking the office under that title, 1418.—Would like the title of lord lieutenant better, 1419, 1420.—Would call those citizens who are on the register or electoral list, and would take the livery as the basis, 1421.—A liveryman must be a member of a company, 1422, 1423.—Would extend the present franchise of the common hall, and add the municipal franchise, to form one register of the two bodies; and as a liveryman purchases his livery, would allow him the privileges for his life, 1424.—Thinks it desirable to perpetuate the connexion between the companies and the City; and would propose there should be a burgess roll, formed of occupiers fulfilling certain conditions, and the existing liverymen, and as the liverymen die off, the burgess roll should consist exclusively of occupiers, 1425–1427.—The elections in common hall are badly taken; the poll clerks sit at the desk, but have no official register or electoral list before them to detect which are liverymen, and many poll merely to get the fees allowed for the day, 1428.—Does not object to a man being paid for his loss of labour for the day, 1429.—There have been several expensive contests for the office of lord mayor. Knows of two in which the expenses of both candidates together amounted to about 15,000*l.*, 1430–1432.—It was spent in committees, to whom power was given to obtain voters, part in direct bribery, and part in treating, 1433–1435.—The poll can be kept open eight days at the common hall, 1436.—The poll ought to terminate in one day, as at parliamentary elections, when there are several polling places, while elections in common hall have only one, 1437–1440.—The election for the office of sheriff has been expensive; necessary expenses to support the dignity of the office, 1441.—Cannot say whether anyone would stand an expensive contest for the office, but believes the aldermen would go to any expense to thwart an unpopular candidate, 1442, 1443.—If there is a feeling against a candidate, another can come forward to keep him out, 1444.—Every election for the office of chamberlain has been expensive, 1445.—The office is by law an annual office, but in practice it has generally been for life, 1446, 1447.—The chamberlain signs documents, and adjudicates upon apprenticeships, but upon the chief clerk devolve the main duties, 1448, 1449.—Its few duties is the inducement to seek for the office. It is understood the senior alderman in rotation should obtain it, 1450.—The income is about 2,500*l.* a year, 1451.—Has been agent in the elections for chamberlain for twenty years, and the greatest sum expended in a contest for both candidates was 10,000*l.*, 1452, 1453.—Has very little knowledge respecting the funds of the corporation, and does not think he ought to be called on to impart it, 1454–1461.—Was informed that a sum of 1,900*l.* had once been subscribed by the aldermen at the Mansion House to secure a brother alderman's election, 1462.—Does not consider a subscription from the private funds of an alderman a payment from the corporate funds of the City, 1463.—This is one instance referred to "by having very little knowledge of the funds of the corporation," 1464, 1465.—Believes that the statement about taking money to admit the public to seats at the Old Bailey during criminal trials was perfectly true, and hopes with the assistance of the recorder it will be put a stop to, 1466, 1467.—Would suggest that whatever name the future chief magistrate should assume, he should have 20 deputy lieutenants to assist him. That the court of common council should be reduced in numbers, and should give to the City deputy lieutenants a statement of their accounts; that they should still perform the duties with respect to sewerage and lighting, but that the police should be amalgamated with the metropolitan police, which would be less expensive and more efficient, 1468.—No inconvenience results from the separate sewerage of the City of London, and if all power is taken from the common councilmen, it will be difficult to obtain men to go into court to do any duty at all. It is the trust reposed in them which induces them to take the office, and thus serve their fellow citizens, 1469.—Officers of the City should be elected by the common councilmen, subject to the revision of the

WALLIS, GEORGE APPLETON, Esq.—*continued.*
court of lieutenancy and the lord lieutenant, 1470.—The chief magistrate of London should be the representative of the sovereign, 1471.—The lord lieutenant should be elected by the citizens of London for three years, and the deputy lieutenants by the Crown, 1472, 1473.—It is generally understood that the lord lieutenant of a county or of Ireland stands in the place of the Crown, and is appointed by the Crown, 1474, 1475.—The lord lieutenant of London being elected by the citizens would not create an inaccurate impression, but he might be called royal high commissioner, 1477.—As the chamberlain has the charge of the City cash, he should be appointed by the same franchise as that which elected the chief magistrate, 1478.—Generally speaking, it is better that the town council should elect the officers, subject to the veto of the lieutenants and chief magistrate, 1479.—If the office of aldermen be abolished, would propose that four stipendiary magistrates should be appointed, two for the Mansion House and two for Guildhall, appointed by the Crown, and paid out of the City funds, 1480–1482.—Would propose the regulation with regard to the City that existed under the Municipal Act, that the town council can petition the Crown to appoint stipendiary magistrates upon their finding the salary, 1483.—Has not paid much attention to the City accounts, but has been told by one that the income of the City of London is about 100,000*l.* a year, and by another 130,000*l.* Can only get a correct account from the Court of Aldermen, 1484, 1485.—It is not possible to understand from the accounts now published the total revenue and total expenditure of the City of London, 1486.—Has never been a merchant in London, and has no knowledge of the trading privileges of the City, 1487, 1488.—With regard to the connexion of Southwark with the City, it must either be incorporated with the City or allowed to apply for a corporation itself, 1490, 1491.—Cannot say which is the better plan, but should feel inclined not to extend the limits of the corporation, 1492.—It would be better to sever whatever connexion there may exist between London and Southwark; the rivalry between them would be productive of great advantage to the citizen, 1493.—Has no means of judging what is the opinion of the inhabitants of Southwark, 1494.

WARD ELECTIONS. (*See* Elections.)

WARDS:
The division of the City in that form encourages party feeling and local prejudice, *Acland*, 519, 520.—Not necessary to diminish the number, if equalized, *Wallis*, 1416.—Too large, *Hyde*, 1503.—Their inequality one of the glaring defects of the corporation, *ib.* 1505.—Would reduce the twenty-six to twelve, combine the small, and divide Farringdon Without, *ib.* 1515, 1516.—Statement as to wards, *Norris*, 4213.—Queenhithe ward in 1851 had the smallest number of voters (73), and Farringdon Without the largest, *Merewether*, 4886–4888.—Would reduce the number of wards from twenty-five to eighteen, *Lord Mayor*, 7161.—Would alter the wards so that they should be more uniform in their extent and representation, depriving some of the small wards of their aldermen, and giving them to the larger wards, *Jones*, 7798.

WATER:
Sees no reason why the supply of water should be taken out of the funds of private individuals or companies, *Dillon*, 724, 725.—Water is supplied to the City by the New River Company. It is very good, but the supply in houses is shorter than it was, *Whistler*, 2631.

WATER BAILIFF:
Gives particulars as to the office and its duties, *Saunders*, 6836. 6849. 6863.

WATERLOO BRIDGE. (*See* Bridges.)

WATERLOW, Mr. SYDNEY HEDLEY. (*Analysis of his Evidence.*)—Is a liveryman of the Stationers' Company, 2590.—The point to which witness wishes to call attention is the continuance of the election throughout each of the 26 wards of the City of a score, or thereabouts, of inquest men, to serve upon the inquests for the ensuing year. The reason he thinks this an annoyance, and needlessly so, is that the duties of the inquest have almost entirely passed into the hands of paid officers appointed by the corporation. Explains the mode of election, and then the duties, and the manner in which they have lapsed, 2591.—There is one duty which the inquest men still perform. The duty consists in walking round the City in silk gowns with furred edges, going into the shopkeepers' shops, and merchants' counting-houses, asking for contributions to charitable purposes. The inquest men are expected to do this, and if they do not they are looked down upon in their wards. This part of their duty they are not obliged to do. Large sums are collected by these means. In the ward of Broad-street more than 400*l.* a-year, for the last few years, has been collected, 2592.—These contributions collected by the inquest men, are applied in charitable purposes at the discretion of the inquest men. They are voluntary contributions, 2593, 2595.—One of the annoyances to the citizens which witness complains of is this, that the deputation present themselves at your door, and say, "I have come for a contribution to the inquest;" to get rid of them some parties give more, some less, 2596.—It is a great inconvenience that citizens should be elected upon inquests at all; the only thing that sustains it is, that they always elect about one-third who they think will not serve, but who they hope will be willing to pay the fine of 5 guineas for not serving. This fine was supposed to be compulsory, and has been paid by many gentlemen; but as foreman of the inquest this year, witness was anxious that all those who did not attend should be put on the same footing, and, having been told that those fines might be legally demanded, called upon the Court of Aldermen to enforce them against an absentee who refused to pay the five guineas; but found, on pressing the question, that the Court of Aldermen had no power to enforce this fine. All they could do was to compel the inquestman to take the oath of service, and then if he neglected his duties, they could bring an action against him for the damages which might be caused to the ward by his non-attendance; but, inasmuch as those duties have all lapsed, no damage would accrue. Thinks that if this were generally known the inquest might die a natural death, 2597.—There is decidedly no power of enforcing the fine of 5 guineas, 2598.—Sees no reason why those inquests should be maintained. If there is any charity to be dispensed throughout the wards, it would be much better done through a body of half a dozen persons, who may voluntarily associate themselves for that purpose, 2599.—Articles of the charge of the wardmote inquest; the oath of the foreman of the inquest; the oath of the rest of the inquest.

WATERMAN'S COMPANY. (*See* Companies.)

WATERMEN, FREE:
Characters of, most of the free watermen who look out for barges requiring a free watermen on board, *Ashley*, 4118.

WEIRS:
Statement of charters respecting weirs, *Merewether*, 5012–5021.

WEST INDIA DOCK COMPANY:
In one year realized a profit of 18,000*l.* on corn labour alone, *Brown*, 4020.

WESTMINSTER BRIDGE. (*See* Bridges).

WHISTLER, Mr. FREDERICK. (*Analysis of his Evidence.*)—Is a Portugal and Brazil merchant, and connected with the wine trade, 2628.—Lives in Sise-lane, Bucklersbury; has been in that neighbourhood forty-six years. Is a freeman and liveryman of the Merchant Tailors' Company. Has been twice asked to become a common councilman, but was prevented by the paramount duty of attending to his own business. Is of opinion that an alderman should be in independent circumstances, and have time at his command to devote to his duties, 2629.—Makes no objection to the orphan's dues, of about 2*s.* 4*d.* per pipe, which are received by the City. Sometimes feels vexed that 2*d.* should be charged on a trifling package of oranges or lemons, in however decayed a state it may be, perhaps when the thing is hardly worth the money. Waited upon the city solicitor some time ago to ask him if he had a tariff as a guide to what the meters should charge. Was referred by him to the meter, by whom he was received very courteously. He said there was an old Act of Parliament in the time of James I. Thinks it would be very unjust and very

WHISTLER, Mr. FREDERICK—*continued.*

ungrateful towards the City to sweep away the corporation with its rights and immunities. The state of the City now is such that one can hardly move from one part to another; another bridge is wanted. Begs to bear testimony to the excellent arrangement of the police. With respect to the navigation, does not think there are any snoals in the river Thames which ought particularly to be complained of. There is one at Limehouse Reach, which is a part of the bank; it runs out, in fact; but the City, very wisely, instead of allowing all the colliers to remain in that neighbourhood, distributed them in twos and threes almost as far down as Gravesend; so that there is a free navigation. Knows that the General Steam Navigation Company runs its large ships, even at low water, at a considerable risk. The company cannot expect that low water they can bring up their heavy ships. With respect to lights, thinks it most commendable in the City of London to order a light to be placed on the bowsprit, 2630.—Is not a shipowner, but has had a good deal to do with ships. There is a complaint made that there are not sufficient watermen and craft for the loading and unloading of the goods, and conveying them. There are upwards of 6,000 licensed men, who are all lightermen and watermen, and able to steer a craft. Considers that if a man effects an insurance at Lloyd's, and then employs an unqualified man, and the craft is lost, the underwriter would not be liable for the insurance. It is absolutely necessary that a man should be educated, and serve his time, to know the various currents and turns of the Thames. Has heard many intelligent men say that it would be better to have a stipendiary magistrate; witness does not think so. Has never heard a complaint of the decisions of the magistrates of the City; has heard the first judges of the land admire and praise the manner in which they get through their business. Thinks, therefore, that an alderman who has gone through all the various paraphernalia of office, and arrived at that high position, is a very fit person to occupy it. An alderman is elected for life; if he falls into a dilapidated condition, he remains still a magistrate, and presiding over his fellow men, though he himself is perhaps under the lash of the law. Complaints have been made that there is not a higher class of persons in the council, and it is to be lamented; but, at the same time, thinks that, as by the effects of the Reform Bill, the freedom costs very little, the gentlemen who find so many faults ought to be willing to pay that small sum, and so have an opportunity of being in the council. They do not do so, and there is a want of a larger number of men, who are in a different position of life to bring in their experience. Can conceive no other way of accomplishing it than by throwing open the franchise, or, in other words, taking away the right of freedom, not making that the qualification; but saying that the man who is qualified to vote for a Member of Parliament shall be qualified to be admitted to the council. If that were done, it might be wise to have it stipulated that when a man is elected he must serve or be fined. Witness complains of the heavy rates, particularly the consolidated rate: it is excessive. Believes the corporation have an Act of Parliament which gives them great latitude, and very often in that consolidated rate the expense of sewers is included, notwithstanding the heavy sewer rate. Certainly greater control is required over the finance of the City; that could be accomplished by doing away with the freedom. They have not in the City of London water enough; it is very good; it is supplied by the New River Company. In days gone by the City, by an arrangement, had plugs opened in the streets, which were flushed as well as the sewers, but now that is never done. The supply of water is shorter in the houses than it was. Thinks it a disgrace to the City that they have not better markets. The rents, not only of the markets, but the houses round about no doubt bring in a large income; but witness thinks the City might get as large an amount of income if they were to rase the old markets to the ground, and build proper and suitable places. Has stated that he is a freeman of the Merchant Tailors' Company, though not in the court. Believes there are erroneous impressions prevailing with respect to the companies. The funds of those companies are most virtuously administered. With respect to the City funds has no doubt the corporation exercises its trusts rightly, but it requires to be spurred on from time to time, and does not see any other way of doing it than by bringing in a different class of men to those who at present occupy the position of members of the corporation, 2631.

WHISTLER, Mr. FREDERICK—*continued.*

WICKENDEN'S EVIDENCE. (*See* Gibbs.)

WILKINSON, MICHAEL EATON, Esq. (*Analysis of his Evidence.*)—Has been clerk of the London Small Debts Court between three and four years, 6895, 6896.—Was a member of the Court of Common Council at one time; but was six years out of the court before becoming a candidate for his present office, 6897.—The salary is stated at 400*l.*, but it is subject to deductions which leave it 371*l.* or 372*l.*, 6898.—Has no other emoluments. Is obliged to be an attorney, but has given up practice, 6899.—The duties are to issue all summonses, warrants, &c., &c.; register all judgments of the court; to keep an account of all the court fees, submitting the accounts to the treasurer whenever required to do so; to send to the mayor, aldermen, and commoners, once a year or more, if required, an account of all sums paid to the treasurer of the court, and in March to make a correct list of all sums paid into court and remaining unclaimed for five years previously, 6900.—Is decidedly of opinion that the proceedings in that court are generally satisfactory to the suitors, and the business increases in consequence every year, 6903, 6904.—About one half of these cases are disposed of before they come to a hearing, the other half are tried, 6905.—In the year 1852 there were 9629 summonses issued, and there were only 15 juries; in 1853, 10,279 cases and 36 juries, which were very small proportions. Supposes the suitors are better satisfied with the decision by the judge who gives his reason for the judgment than by that of the jury, 6906.—Either party may ask for a jury, 6907.—It is quite accidental in what cases they ask for a jury, 6908.—All classes are suitors in the court, 6909.—The members of the corporation are very seldom parties to suits, 6910.—By the Act of Parliament the common council have the power to diminish the fees, and to re-impose them when they think proper. On the 28th July 1853 the fees were diminished (states particulars), which will be the means of reducing the receipts from the fees about 1,000*l.* a year, 6911.—Thinks the business is increasing in consequence. The expressions of satisfaction are very general, 6912.—There is an appeal in all causes between 20*l.* and 50*l.*, 6913.—There have been no appeals in the City Court, 6914.—The judge of the Sheriff's Court is the judge of the Small Debts Court, 6915.—It is a matter of arrangement on the part of the corporation what the judge of the Small Debts Court's salary shall be, 6916, 6917.—There is in section 15 a provision tha no clerk treasurer, bailiff, or other officer of the said court shall either by himself or his partners be directly engaged as an attorney or agent in any proceeding in the court, but there is no clause which prevents his practising generally in the other courts. Witness has given up his practice, feeling that the duties of his office are quite enough to occupy him, 6918.—The court is held in the Sheriff's Court, Basinghall Street. The building which was the old Court of Request (that court having been abolished,) has been altered and modified and made the Sheriff's Court, 6920.—Witness pays the fees which he receives into the Chamber every week, 6921.—Suppose the fees taken from the suitors exceed the expenses of the court, the corporation have the power to dispose of the difference, 6922, 6923.—They might make a profit of the court, but witness thinks they would reduce the fees, as they have done before, if there were an accumulation of more money than was necessary, 6924.—The court pays 280*l.* to the corporation for the use of the building out of the fee fund of the court, 6925, 6926.—The payment of the bailiffs is also left to the discretion of the corporation, 6927.—The chief bailiff has 200*l.* a year, two of the under bailiffs 100*l.*, two others 80*l.*, 6930.—Believes that is much less than the amount received by the bailiffs in the other County Courts. Hands in for the inspection of the Commissioners the legal and financial summary for the years 1852 and 1853, which shows the whole operation of the office, 6931.

WILLIAMS, Captain WILLIAM JOHN. (*Analysis of his Evidence.*)—Is one of the prison inspectors, and has filled his situation about eighteen years, 2359, 2360.—Has had the home circuit for six years, 2361.—The City prisons come entirely under witness's jurisdiction. Has been in the habit of regularly inspecting them, 2362, 2364.—The prisons which are under the control

WILLIAMS, Captain WILLIAM JOHN—*continued.*

of the Corporation of the City, are as follows, Newgate, the New Prison, the City Bridewell, the Debtors' Prison in Whitecross Street, and the Borough Compter, which is now disused, but which was lately occupied by women, 2365.—All the prisons except Holloway are situated within the limits of the City, 2366, 2367.—A very extraordinary power is given to the City of London under the 4 George IV. chapter 64, by which the Court of Aldermen are constituted a Court of Quarter Sessions at all times for prison purposes. Reads the clause of the statute, 2368.—This clause leads to differences of practice between the City and other parts of the country. It is a power which ought never to have been given to the City of London. The Court of Aldermen sometimes exercise their power of excluding strangers from their court, which is not the case in the Court of Quarter Sessions. Was present on one occasion when the subject under discussion was the erection of the New Prison at Holloway when the standing order was enforced for all strangers to withdraw. Consequently this may be done where money is voted away in superannuation to prison officers which the Court of Aldermen is in the habit of doing, 2369, 2370.—They do not always adhere to the provisions of the Act. Cannot state the particulars, but in the case of a pension to the governor of the late Giltspur Street compter has understood that the Act of Parliament has not been adhered to, 2371.—Cannot say whether the decision by which the grant was made was come to in one of the courts described with closed doors. Believes that it was a recommendation from the gaol committee, which is composed exclusively of the mayor and aldermen. The gaol committee reported to the Court of Aldermen as a sessions, who confirmed the report, and the sum of 500*l.* a year was granted, 2372, 2373.—Has seen no notice of the case referred to in the public papers. Believes there are no prisons in the country where the visitation is so well kept up as in the City. The management of the prisons generally reflects great credit on the authority, and the New Prison at Holloway is managed in a way which would almost make it a pattern prison for the entire country, 2375, 2376.—The superintendence is exercised by the Aldermen, the visiting justices; the duty is very well performed, and reflects great credit on the aldermen, 2377, 2378.—The visitation of the aldermen is exercised in rotation. With regard to Newgate prison its construction is such that it renders it impossible, even as a well-regulated prison to do anything with it. It was constructed shortly after the riots in the year 1780. It was then burnt; the present building has a most deterring exterior, and perhaps does more good by its out than its inside, 2379, 2380.—It now remains pretty much in the state in which it was originally built. Improvements have been effected, and everything which could be done by the magistrates has been done, 2381.—There is only one remedy for Newgate, namely, the entire abandonment of it, and the construction of a new prison. Thinks the present lord mayor is of the same opinion. The House of Correction at Holloway is most admirably situated, but is too large solely for the City of London. There are and have been ever since the prison was erected from 100 to 200 cells vacant. Thinks the removal of the Newgate prisoners to Holloway, and constituting it the gaol for the county and City, would be attended with amazing advantages. The City would have the opportunity of building more convenient courts on the site of Newgate, 2382.—The prisoners who are now confined in Newgate are Middlesex prisoners, who are committed for trial at the Central Criminal Court, and others from the adjacent counties comprised in the Act of Parliament. In the intervals between the sessions of the Central Criminal Court there are scarcely any prisoners in Newgate, more especially since the jurisdiction of the assistant judge of Middlesex has been so largely extended, 2383.—The prisoners in Newgate are all untried, with the exception of the City of London convicts under sentence of transportation, 2384.—There are none but convicted prisoners at Holloway. At Newgate there may sometimes be prisoners sentenced to imprisonment without labour, and occasionally prisoners are there for non-payment of taxes and frauds upon the revenue, 2385.—The prison at Holloway has been open about a year and a half, 2386.—Is not aware from what funds the expenses of the construction have been defrayed, but it was built at the exclusive expense of the City, 2387–2388.—The plans were submitted

WILLIAMS, Captain WILLIAM JOHN—*continued.*

to the Secretary of State, and approved of by him. It is a most convenient prison, and reflects great credit upon the City architect, Mr. Bunning, 2389.—No prisoners are confined in the prison at Holloway before trial, 2390.—Cannot account for there being so many unoccupied cells. It was built with 400 cells. One obvious reason is, that crime has in a certain measure decreased. The salaries at Newgate are enormously large. They amount to 3,953*l.* annually, besides fees and emoluments. They are fixed by the Court of Aldermen. The keeper has 700*l.* a year, with emoluments to the amount of 35*l.* 14*s.* The chaplain has 500*l.* with other emoluments, 2391, 2392.—Is well acquainted with the general scale of prison salaries in other parts of the country. Thinks that the salaries at Newgate are too large for the number of prisoners, and that the time has arrived when those salaries may be reduced by uniting the gaol with the House of Correction at Holloway, 2393, 2394.—Can hardly give an opinion as to whether the officers of the prison are too numerous, as the population is so fluctuating at Newgate, 2395.—Thinks that some of the salaries were too large, considering what the state of Newgate was when the prison establishment was formed. The City do not require the payment of any charge from Middlesex for prisoners committed to Newgate at the county gaol. They defray the expense of all the Middlesex prisoners committed at the Central Criminal Court, and the Middlesex debtors in Whitecross Street prison. The prisoners from other counties are charged for their maintenance at Newgate previously to trial, 2396.—If county executions take place in the City, it is always at Newgate, 2397.—The class of convicts received at Newgate are those sentenced to death, who have been tried and convicted at the adjoining sessions house in the Old Bailey, and Middlesex and London convicts under sentence of transportation, until removed by Government. The average annual expense of a prisoner at Newgate amounts to the large sum of 39*l.* 3*s.* 2¾*d.*, 2398.—Thinks the ordinary rate as regards untried prisoners in other prisons is not above 20*l.* The reason of that great difference is the large amount of salaries, and the small number of prisoners, 2399, 2400.—The condition of the prisoners in Newgate is not at all better than in the other prisons, 2401.—Is not able to state whether there are any funds added to the ordinary allowances for the maintenance of the prisoners from ancient charities or endowments, but has no doubt that there are bequests. There is a fund called the sheriffs' fund, of a very considerable amount. The funded property now consists of 8,100*l.* in the 3 per cents.; 2000*l.* in the 3¼ per cents.; and 1000*l.* in the reduced. The funds are applied very beneficially to prisoners who are tried there and who are acquitted, and lately a considerable portion of those funds has been applied to assist them in emigration, 2402.—Those funds have been created by bequests, by subscriptions, and from other sources. Each sheriff annually contributes, and there are a variety of other voluntary contributions, 2403.—This fund is of great utility and is exceedingly well and very liberally managed as regards the prisoners. There are also dinners given by the lord mayor and sheriffs on Christmas and New Year's Days to all the prisoners in the London prisons. Has recommended one of these dinners to be discontinued, as vagrants have been known to get themselves convicted for short terms that they might partake of them, 2404.—The City Bridewell is situated in Bridge-street, Blackfriars, and is an appurtenance of the Bridewell Hospital. It is a most inconvenient, ill-arranged, and useless prison, 2405.—The class of prisoners confined there is generally vagrants committed by the magistrates, and apprentices by the chamberlain, and by the comptroller of the City lands. Witness reads a copy of a conviction by the comptroller, 2406—Has always known that the chamberlain had a criminal jurisdiction over apprentices in the City, but was not aware till now that the comptroller had, 2407.—Has made some inquiry but could not ascertain under what legal authority he acts, 2408.—The average number of apprentices committed by the City authorities to this prison is ten a year. They would be much better committed to Holloway, 2409.—The other prisoners are vagrants, chiefly boys. Confinement in prison acts most mischievously on boys. In connexion with this prison is the House of Occupation, a most valuable institution. It is attached to Bethlehem Hospital, and close to it. Has always urged the aban-

WILLIAMS, Captain WILLIAM JOHN—*continued.*

donment of this Bridewell as a penal establishment. There is a disposition now on the part of the magistrates and governors of the City to allow the jurisdiction to fall into abeyance by not committing there, so that the House of Occupation may become of greater utility in reclaiming boys and girls, who in consequence of its close connexion with this prison invariably refuse to go there, supposing it is merely a step from one prison to another. The present cost of the prisoners at Bridewell, at an average of thirty prisoners, would amount to 50*l.* each, 2410.—Vagrants of both sexes were committed there, but lately the aldermen have ceased to commit women there, and they now send them to the House of Correction at Holloway, 2411.—Thinks with respect to Bridewell that if there is any legal authority by which the governors of Bridewell are obliged to maintain it as a prison, the sooner the Legislature give them the power, to discontinue it and divert the funds to the House of Correction the better, for it really is a most useless and absurd institution, as a penal one. The present treasurer, Mr. Johnson, has done everything in his power, as far as the buildings will admit, to make it a most useful institution, 2412.—The governors of Bridewell comprise a great number of influential persons; the lord mayor and aldermen are, by virtue of their office governors. Although it is very likely that this prison may fall into abeyance by the aldermen having ceased to commit there, the governors are by their charters obliged to maintain a prison, 2413.—Is not aware that there are separate estates or endowments for the maintenance of Bridewell, 2414.—The Giltspur Street Compter is abandoned, 2415.—It still exists as a public building, for the City have not disposed of it; not decided as to what uses they intend to apply it. The House of Correction at Holloway is the next. It is one of the best-regulated prisons in the country, and reflects great credit on the City magistrates. It was constructed two years ago. The next is the Borough Compter, which is no longer used as a prison, all convicted prisoners being sent to the House of Correction at Holloway, 2416, 2417.—The building still exists, 2418.—The Debtors' Prison for the City of London and the county of Middlesex was erected in 1812. Believes there is scarcely a prison in England in so bad a condition, from its injudicious construction, and inconvenient internal arrangements. Witness here quotes a report from the House of Commons on this prison before it was occupied. The committee was appointed to examine into the state of the King's Bench, Fleet, and Marshalsea prisons, and into the arrangements made for the better management of the prisons of Newgate, Giltspur-street, and the Borough Compter, 2419.—No improvement has been made since the date of that report. Witness here enters into a long statement respecting this prison, 2420.—Believes that whenever there is a large amount to be disbursed in charity in a debtors' prison, low practitioners often get persons placed in prison for the mere sake of obtaining their costs from this source; the experience of the managers of the Thatched House charity is much to the same effect. Has no doubt, however, that the benefit far exceeds the abuse, 2421.—Believes it to be very well managed, a better officer or more discreet man than the present governor is not to be found. The magistrates have done all that could be required in the way of ventilation. They might indeed have altered the construction and interior arrangement, 2422.—Attributes the defects of the prison solely to its construction. An Act was passed, chapter 98 of the 55th of George III., which gave the magistrates the power to remedy all the defects of classification, and to place the prisoners together, under the circumstances of their being overcrowded, but this they have never done, 2423.—The Act requires that the charities should be strictly regulated by the bequests, and therefore the Middlesex prisoners could not enjoy anything that was left to freemen of the City of London, and the other divisions, 2424. Under the second Act those who had the superintendence might certainly have altered the classification of the prisoners, and abolished the absurd distinctions still maintained, 2425.—Has represented to them the propriety of doing that. Witness in his last report observed that he thought that it was desirable to apply to the Legislature for power, but afterwards found that this Act was in existence. Does not think the visiting magistrates were aware of it, 2426, 2427.—Does not think the keeper of a prison ought to be entrusted with the bequests made to inmates; that

WILLIAMS, Captain WILLIAM JOHN—*continued.*

ought to be more looked into than it is; believes Mr. Burden to be a most conscientious man. The City have inquired into these charities, and many which were obsolete have been recovered; the inquiry is not yet complete, 2428.—Some higher authority than the keeper should deal with the bequests to debtors, 2429.—It would be very difficult for any person to enter into all those cases, and judicially deal with so large a sum of money, 2430.—The gaoler is under no responsibility for the appropriation of the money, it is a power without any check. There should be a controlling power over him, 2431.—Is not prepared to say that it would be better if no such charities existed, but thinks an excess in their number may tend to mischief, 2432.—Has known the greatest benefit arise from the reasonable application of them, 2433.—Were the money which is left to freemen distributed among all the prisoners, including those of Middlesex, many objections would be done away; that applying so much money to so few prisoners appears liable to abuse from the attorneys and creditors outside, 2434.—Thinks it would be wise if the Legislature were to apply the funds to destitute prisoners generally, whether from Middlesex or elsewhere, 2435.—Believes there are not similar bequests to other gaols in the City; does not know about Newgate, 2436.—There is scarcely a town where there are not small bequests of that sort, 2437.—Most of them are of very ancient date; many might be recovered by inquiry; one case of an unapplied bequest of 10*s.* 6*d.* at Christ's Hospital, has not been inquired for for 28 years, and the officers of the hospital hardly know what to do with it, 2438.—Thinks the giving part of these charities to the Middlesex prisoners would be an extension of the testators' intentions, 2439.—The money was left specifically to debtors in particular prisons. Many of these charities emanated from the companies of the City of London, and are mixed up with other bequests, sometimes to freemen and sometimes to others, 2440.—The Middlesex prisoners do not receive any, because the money was left to others by the bequests, 2441.—It ought to be known that the City have diverted considerable sums from the Orphans' Fund for the benefit of the county of Middlesex, and 5,500*l.* for a sessions house at Westminster, 2442.—It is the Orphans Fund to which the coal duty is applied, 2443.—The City obtained an Act of Parliament empowering them to make this diversion of the receipts, 2444.—The above were voluntary contributions. Mentions that the police courts of the magistrates in the City are very inconvenient for the transaction of public business. Recommends the application of Giltspur-street Compter to the purposes of a police court. Thinks the appointment of a stipendiary magistrate for the City would be of the greatest benefit, 2445.—One magistrate could do the business of the present two courts, 2446.—It would be advisable to substitute two paid magistrates for the present jurisdiction exercised by the aldermen, 2447.—The aldermen have other official duties to perform, 2448.—Has found the benefit of stipendiary magistrates, 2449.—If masters and apprentices whom the chamberlain has the power to commit to Bridewell, were committed anywhere else probably the chamberlain's jurisdiction would drop also, 2450, 2451.

WILLIAMS, WILLIAM, Esq., M.P. (*Analysis of his Evidence.*) Is a member of Parliament for Lambeth, 2773.—Was for a short time connected with the corporation when engaged in commercial affairs, 2774.—Resided partly in the City, 2775.—Was first connected with the corporation in 1830. The custom was for the common council to fix upon gentlemen to audit the City accounts, 2776.—The common hall of the livery elected the auditors, but gentlemen were selected by the corporation to fill that office, 2777.—They were quite independent of the corporation; it was considered a friendly affair, but there was nothing improper. In 1830 witness was elected auditor; in that year the chamberlain furnished bills of particulars of the different items of all accounts as far as he was able. But there were thousands of pounds for which there were no bills, but mere orders to pay the amount to the person to whom it was due, and an able report was made, compared with any which had been given for fifty years. £50 pounds a year was given to the auditors to be spent in dinners, which witness declined to accept, 2778.—He and his colleague received a vote of thanks for the manner in which they had performed

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their duties, but presumes the corporation did not like submitting bills of particulars, as the auditors stated numerous items which they thought extravagant, and in the year 1834 the chamberlain received orders not to produce bills to the auditors; who then refused to audit the accounts, and reported it to the common hall, 2779.—It was the auditors of 1834, appointed to audit the accounts of 1833, who were refused bills, 2780.—When the auditors presented their report to the common hall, and stated that they refused to examine accounts because they had been refused bills of particulars, the common hall appointed some of their own body to audit them, and resolved that the chamberlain be instructed to pay in future no money without having bills of particulars which are to be laid before the auditors. The resolution was then referred to the committee of the City lands, who resolved that the auditors had no power or authority to require bills of particulars, or to reject or allow any payment made under such competent authority as the chamberlain's, 2781.—Does not know whether since that time bills of particulars have been given to the auditors, as he has left the City 17 years, 2782.—Unless the auditors have bills of particulars, they have nothing to do but take the orders to pay money, tick them off, cast them up, and sign their name at the bottom, 2783.—The orders to pay are given by the common council, or court of aldermen, or whoever has incurred the expense, 2784.—Considers it the duty of auditors to judge of the propriety of the expenditure, and report to the common hall their opinion, 2785.—The auditors are no check to misappropriation in point of fact, as the accounts are given in gross. The chamberlains are always men of high character, 2786.—When the corporation commissioners came into the City in the year 1833, some of the leading City reformers, of whom witness was one, formed themselves into a committee to give them what information they were able. The commissioners made light of their evidence, and were entirely led by the City officers, who put the best face on everything. The principal officers are clever men, and when any inquiry takes place they show great ability in describing their affairs. A vacancy in the common council occurring, witness was elected for the purpose of looking into the accounts, as they refuse giving any account to any but members, but found that there were no accounts of the real amount exacted by the corporation from the public, and that the common council had no idea themselves of the extent of fees, &c., received by their officers; seeing this, witness moved for a committee of inquiry, and produces the report of that committee, 2787.—The committee consisted of 25, that being a member from each ward, 2788.—Believes the course usually adopted in selecting such a committee is that the person moving for a committee puts down a list of names; any member of the court can move an exchange to another name, and those named have the power of declining to serve, 2789.—On this occasion there was no unfairness in the selection of the committee; the majority of them, though not City reformers acted most conscientiously in the discharge of their duty. The general committee appointed a sub-committee of seven. They found such an immense number of officers, that to examine the whole of them would have occupied too much time. They therefore sent a letter to all the officers receiving money from the corporation requesting an account, after which they were arranged, and a report sent to the common council, and leave asked to have the report referred back to the committee, in order to give the information in detail and in form, to which the court agreed. Then, with the assistance of Mr. Scott and the town clerk's chief clerk, this report was formed; in which there are schedules: one of them gives an account of all the City officers, by whom appointed, the amount received from the corporation in cash, and also from fees and other emoluments, Then follows an account of the corporation revenue, and then of the expenditure; the first thing considered was the cost of the mayoralty, upon which a special report was made; the account reported for that year, and that was not an extraordinary year, was 25,034*l.* 7*s.* 1*d.*, each item of which was stated and accounted for in the most distinct manner under the hand-writing of the City officers. The report was signed by fifteen working members of the committee, 2790.—There are two things which the common council defend; the 4*d.* duty on coals, and the expense of the mayoralty; there was an increase in the salary of the lord mayor

WILLIAMS, WILLIAM, Esq., M.P.—*continued.*
in 1800 of 1,500*l.* a year, and another in 1811 of 1,500*l.* on the ground of the great depreciation of bank notes. The committee sent a request to the aldermen who had passed the chair for a return of the money they received. None answered but Sir Peter Laurie; he gave an account of his receipts to the amount of 7,900*l.* and odd. There are sometimes what are called godsends in the mayoralty, for instance, if a jew broker dies there is a great contest for the office as the number is limited. The common price is 1,500*l.*, and as the mayor has the appointment, that of course goes to him in addition to his allowance. The common council struck off some of the items of the mayoralty agreed to by the committee, and reduced the amount received by the lord mayor; saying that the committee had put down amounts which were not justifiable, but witness can prove the report to be true, 2791, 2792.—The common council expressed their opinion by a regular motion in court to consider the report, 2793.—The cost of the Mansion House was one of the items disputed. The committee argued that as the money laid out in building the Mansion House, and the value of the ground, would have amounted to many millions sterling, that they were only doing what was fair in taking a per-centage, they therefore followed the advice of the City surveyor, and took the amount of the buildings at 7 per cent., and the value of the ground at 4 per cent. This came to upwards of 7,000*l.* a year; they had no means of finding out how much was lost by Stocks Market, which was abolished to make room for the Mansion House. The common council resolved that they ought only to take the value of the Mansion House at that time; they also struck out certain officers of the mayor's household, calculating that those men paid at certain periods so much money for those offices, which with interest and compound interest to this time would amount to so much, therefore they had a right to strike that off, 2794.—Has no doubt that the sums invested in the purchase of those offices are spent as revenue. Proceeds to compare the accounts of the corporation of 1833 and 1852. The fees, &c. received by the various officers of the corporation which do not appear in the accounts in 1833 amounted to 74,440*l.*; the details are in the report to which he has referred. Considers the amount of the real estates, and of the taxes levied by the corporation in 1833 to have been 321,461*l.*; last year they amounted to 406,885*l.*; taking the amount of taxes levied in 1833 it will give 2*l.* 12*s.* 6*d.* a head, besides the expense to the public in being only allowed to employ freemen for certain occupations. A gentleman told witness that he has to pay those men 6*l.* and 7*l.* a week for that which he could get done just as well for 25*s.* or 26*s.*; in fact, were the corporation to exercise their full power, no work could be done in the City but by freemen. The Government expenditure in the year 1833 was 1*l.* 17*s.* per head for the population of the United Kingdom including everything, 2795.—This shows nearly 50 per cent. more for the municipal government of this one-twentieth part of the metropolis as compared with the general Government of the United Kingdom; in addition to that there is the 1*d.* per ton duty on coals for the abolition of the sale of coals by measure, 8,498*l.* A part of this tax has since been paid to the Woods and Forests. The tolls payable on boats, &c. westward of London Bridge amounted to 15,813*l.* The tonnage duty on shipping coming to the port of London, or eastward of London Bridge, amounted to 7,000*l.*; and the fees received by the Court of Requests amounted to 1,657*l.*, that gives the amount of 354,429*l.* The navigation committee have the management of the Port of London. The corporation claim jurisdiction from Staines to Yantlet Creek, 2796, 2797.—Every vessel coming into the Port of London pays tonnage duty to the corporation, 2798.—Enters into particulars as to the trust and charitable funds of which the corporation have the management, and also of another fund arising from the 8*d.* per ton duty on coals; this last, with three other items out of the funds of the corporation, go to pay the principal and interest of the 1,000,000*l.* sterling borrowed of the Bank for making the approach to London Bridge, and 250,000*l.* for erecting Farringdon Market, upon which there has been a loss, 2799.—Considers it a public advantage to have Farringdon Street clear by the removal of Fleet Market, but thinks another market instead of it was not required. Attributes the failure of Farringdon Market to the fact that the principal customers of

WILLIAMS, WILLIAM, Esq., M.P.—*continued.*

Fleet Market were inhabitants of those very houses which were cleared away for the site of it. Fleet Market produced the last time witness saw the accounts 1,300*l.*, but does not know whether that was the profit or the whole revenue of the year, 2800.—All sorts of things were sold at Fleet Market, 2801.—Not one penny of the 74,000*l.* for fees appears in the City accounts, to the best of witness's belief, 2803.—States how the gross sum was ascertained, 2804.—The column "received from other sources" does not appear in the annual City account, 2805.—That column is filled up from statements made by the recorder and other officers who receive the fees, by letters which are appended to the report, in answer to a circular sent them, 2806–2808.—Statement as to the office of chamberlain and town clerk, 2809.—As to the expenses of establishments, and the emoluments of officers which are included in various heads of departments, 2810.—No similar report to this has ever been furnished before or since, 2811.—The last commissioners did not call for any such account, they were pretty well satisfied with the ancient records. Statement as to the cost of the management of the affairs of the corporation, 2812. There are 10 City tradesmen, and has heard the Irish Society has the patronage of eighteen Irish livings. The bills of the three lawyers amounted together in ten years to 162,620*l.*, averaging 16,262*l.* per annum. There are twenty-eight other lawyers, who in 1838 received among them 22,843*l.*, 2814.—Reads the names of the lawyers. Produces another document, comparing the salaries of the twelve Cabinet Ministers with twelve of the City officers. Compares the expenditure of the City of London with that of the most populous corporations in England. In Birmingham, with a population of 232,841, the salaries, pensions, and allowances to municipal officers amounted to 1,134*l.*; law expenses, 691*l.*, 2815.—Besides that, there are the coroner who has 1,400*l.*, and other officers who are not municipal officers at Birmingham, but who hold situations analogous to the situations which are held under the City of London. Again, the administration of justice is separate from the municipal officers in Birmingham, but is paid for in London by the corporation, 2816.—Proceeds to speak of Bristol, Hull, Leeds, Liverpool, Manchester, Norwich, Sheffield, which are all the corporate towns whose population is more than that of London, the aggregate of whose population is 1,509,908; of the salaries, pensions, and allowances to their municipal officers, 31,517*l.*; and of their law expenses, 29,944*l.* Begs to call attention to the duty on coals, the 8*d.* duty last year amounted to 117,606*l.*; the 1*d.* duty to 14,467*l.*; and the 4*d.* duty to more than 60,000*l.*, making altogether a tax of 192,000*l.* upon coals alone levied upon the inhabitants of this metropolis and twenty miles round; up to this time the 8*d.* duty has been expended for public improvements within the City, except the balance of the 8*d.* duty, which has been turned over to the Woods and Forests, 2817.—This 8*d.* duty will expire in 1862, 2818.—This duty is pledged to public works, so that it must of course be continued to that time, or some other means must be found. Thinks it a great hardship to task the poorer classes upon coal, to such a large amount, for improvements in the City, 2819.—Thinks it most unjust that this twentieth of the metropolis should have the power of taxing the whole of the metropolis, for the purpose of making improvements within the City, to the amount of a million and a quarter, 2820, 2821.—Does not mean the Commission to understand that, in his opinion, the arrangement for the distribution of the future proceeds of this tax among the different portions of the metropolis at large is inequitable. For instance, in the return presented to Parliament in the last session of 200,000*l.*, for improvements at Waterloo Bridge, Holborn, and so on. The whole of the improvements out of the City under various Acts which witness mentions amount to 753,000*l.* The 8*d.* coal duty has not yet paid off the whole of the 1,000,000*l.* for the approaches to London Bridge, and the 250,000*l.* for Farringdon Market, which is all laid out in the City. There is an accumulation of interest upon those items, for making improvements out of the City, to the amount of 296,000*l.*, therefore the duty has not yet reached the amount necessary to pay off the 1,250,000*l.* The 4*d.* duty amounts to 60,000*l.* and upwards, and goes into the corporation funds. This 4*d.* duty is a very curious affair. In the reign of Charles II. the Court of Aldermen exercised a power, which is no doubt vested in them as much now as it

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was at that time, of being trustees to the property of the children of all citizens who died intestate. The City officers say they were plundered of that, but witness always understood that the Court of Aldermen lent the money, which amounted to 747,000*l.*, to Charles II. It was certainly never paid back. In the reign of William and Mary they got power to raise money to pay those poor orphans the amount of which they had been plundered. The Act of the 5th and 6th of William and Mary gave them 4*d.* per ton upon coals in perpetuity, and 6*d.* per ton for fifty years, to pay off those claims. That 6*d.* per ton was extended for 35 years more by the 21st of George II. It was again extended by the 7th of George III. for 46 years, but they found in the year 1766 that the produce of those duties was more than was required to discharge the money borrowed. They sought to apply portions of the money in completing the building of Blackfriars Bridge, and in making the approaches to it on the City side, and also in purchasing the tolls, on building Newgate, repairing the Royal Exchange, and other purposes. However, the whole of it was wound up in 1834. The parish of Lambeth, which contains a population of 140,000, who are the largest consumers of coals in the metropolis, have no share whatever in those duties. Thinks it is a cruel shame to impose 4*d.* duty upon them, or upon any other portion of the metropolis, in order that it may go into the coffers of the corporation, whose funds amounted last year to 406,000*l.* in taxes and revenue, 2823.—The 8*d.* duty will be a difficult question to deal with, on account of the outlay already expended in anticipation of it, but the 4*d.* duty is applied as positively a part of the corporation funds, 2824.—The 4*d.* duty is quite distinct from the 9*d.*; it goes into the funds of the corporation as much as the rents of their estates. In their accounts it is described as integrally a part of their revenue, and whatever is paid for public improvements is described to be out of the revenues of the City, and not out of this tax, 2825.—Thinks that if the 4*d.* tax was abolished the price of coal would be reduced more than that, 2827.—Has not heard that the 4*d.* duty has been specially mortgaged. There is 11,500*l.* mortgaged, to make the approaches to London Bridges They will very likely tell you it is from the coal duties, but it is from the revenues of the corporation, as described in their own account, 2828.—Reads description by Mr. Scott, clerk of the chamberlain, 2829.—Has turned his attention to the expediency of giving municipal privileges to other parts of the metropolis. States that the common council have been great reformers when threatened with any reform from another quarter. In 1834, after the Commission came into the City, a committee was appointed, of which witness was one. It agreed to most extensive reforms, but the court would not entertain the subject. In 1836 there was a committee of the whole court, to effect a reform in the corporation, and to consult with the Government as to a bill which was promised to be brought in by Lord John Russell. Had an interview with Lord John Russell, for the purpose of considering what reforms should be effected. Had an intimation from him that he did not mean to bring in a bill. There has been great dissatisfaction in the City with the corporation. Would constitute the metropolitan boroughs into corporations, if desired, out of which would appoint a central power for certain purposes, with great powers. Would make the lord mayor the head of this body, giving him a liberal allowance for maintaining hospitality, 2830.—Would rather, if lord mayor, keep up the hospitality out of his own pocket than tax the necessaries of the poor. The lord mayors of the olden times do not seem to have had near such a liberal allowance, 2831.—For no purpose but for taxation do the City represent the whole metropolis, 2832.—They are conservators of the Thames, and many of the City markets are metropolitan markets, but they get a large profit from them, 2833.—The feeling of the common council is to preserve things as they are, which is not in accordance with the general interests of the metropolis, 2835.—Considers nearly the whole of the City privileges disadvantageous to the metropolis at large, 2836.—Thinks it impossible to reform the present corporation of the City of London by any extension of the franchise to all householders, or by shortening the duration of the period for which the aldermen are elected. There is a good remedy in the Municipal Corporation Act, 2837.—If that Act were applied to the City there would be as good a municipal government as any town in England, 2838.—There is a large amount of trust

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property in many of the old corporate towns. Had the honour to represent the city of Coventry for a great many years. They have in that city a great many charities. The old corporation had the management of them, but under the new Act the Lord Chancellor is empowered to appoint the trustees to those charities. Would take the conservancy of the Thames from the corporation, and place it in the hands of the Government, who ought to undertake the conservancy of such a river, 2839.

WILSON, Mr. EDWARD. (*Analysis of his Evidence.*)—Was a silk manufacturer in the City of London, and member of the common council for the ward of Cripplegate from 1832 to 1839, 4375.—Took a very active part in the business of the corporation, 4376.—Went into the common council as a strong reformer and free-trader. Was upon a committee moved for by Mr. Williams, the present member for Lambeth, to inquire into the salaries and emoluments of the lord mayor and corporate officers. Is anxious to correct a statement, bearing his signature, that the total expenses of the mayoralty amounted to 35,000*l.* That mistake in the report referred to, arose from reckoning the cost of the original building of the Mansion House, and the cost of the ground upon which it was built, with interest at seven per cent., and then debiting that as expenses of the mayoralty during the year of office, 4377, 4378.—The aldermen and common councilmen have to hear complaints of undue assessment in their wards, and to correct them for the purpose of rating the inhabitants, 4379.—They place on lists, as their standing warrants, parties who are liable to serve on juries. No publican is licensed unless approved by the common councillors of the ward. The deputy, being a commissioner of sewers, any nuisance or want of repair to the pavements is communicated to him, and he reports it to the commission, 4380.—The deputy is appointed by the aldermen from the common council, and continues for life, or till he ceases to be a member of that court. He receives no remuneration whatever, 4381.—Suggests important alterations in the constitution of the mayor, aldermen, and commonalty of the City of London. Gives memorandum of the same, which should be carried into effect as soon as possible. With respect to questions connected with the Watermen's Company, the fellowship porters, and other bodies having certain exclusive privileges in the City, thinks that must be a separate subsequent inquiry, as it would be impossible for Parliament to deal with them without appointing committees, and hearing evidence on the subject, 4382, 4383.—Thinks it would be impossible to deal with them on general principles. The Watermen's Company would assert privileges and charters which would take a long time to inquire into. Believes it would be necessary to have some restriction upon the navigation of the river Thames; whether it should be dealt with by the navigation committee; whether the meterage of corn is an important thing, as between buyer and seller; whether the present fellowship porters are a restriction upon trade, should be looked at in a separate form, 4384, 4385.—If there were any matter of importance connected with the docks or banks of the river, refused by the navigation committee, and the parties felt themselves aggrieved, there might be some power to which they could appeal. If the authority consisted of some of the elder brethren of the Trinity, or some practical men appointed by the Crown, sees no objection to allow them a peremptory decision in case of appeal, 4386, 4387.—Believes that the public generally would have more confidence, and the facilities of trade would be much greater if the management were in the hands of the navigation committee as at present, an appeal being given as above mentioned, 4388.—Has no apprehension that it would produce delay and expense. The navigation committee may be called a popular body. Thinks the members with their officers possess the knowledge necessary for them to deal judiciously with questions of this description. Many of them bring some degree of knowledge to the subject, 4389–4391.—On any important question respecting the conservancy of the river the sub-committee go down to see the spot, and make their report to the grand committee. They have their officer to point out what would be detrimental and what useful, and the committee decides upon their report, 4392.—The harbour master is a very efficient officer. The gentlemen of this committee are all practical men of business, though not acquainted with matters connected with navigation; believes no

WILSON, Mr. EDWARD—*continued.*
one can point out an instance where they have come to a wrong conclusion, 4393–4396.—Believes an Act of Parliament has been passed by which, in case of bankruptcy, insolvency, or fraud, an alderman is obliged to vacate his office. Likewise in the Court of Common Council there is a byelaw in such cases to prevent members sitting upon committees. With respect to auditors not being members of the corporation, there is in the Gas Consumers' Company a case in point, which works very well. The corporation appoint two auditors to inspect the accounts, and they appoint a party to inspect the quality of the gas, 4397.—When applications are made for driving piles, building out, or anything of that sort, the payment of a small sum, merely nominal, is required for the purpose of ascertaining the freehold right, if it is necessary to remove those things. The money goes into the funds for the navigation, 4398.—The accounts are most strictly kept and the amount reported from time. Never saw a better statement of the affairs of a corporation than that which is annually laid before the corporation of the City of London. It is a great mistake to suppose the City funds are large; properly speaking, they are very small; should say not above 150,000*l.*, so much of which is apportioned to particular purposes as to leave but little to be dealt with by the City. They have undoubtedly large funds to deal with under the Bridge House estates, the navigation of the river, and various improvement trusts; but all obliged to be kept as strictly separate as one merchant's money from another's, 4399, 4400.—The present form of accounts is very satisfactory and clear. Thinks the corporation extremely good landlords. It is their desire to give every fair advantage to the then tenant when a lease runs out, and there is a clause which enables them to know into whose hands the leases go, 4401.—Believes the 4*d.* coal duty is considered part of the City estate, and the corporation calculate upon that to repay them for the large sums expended in pensions to their coalmeters, 4402.—Does not think that the money has yet been wholly recompensed, 4403.—Considers that for purposes of improvement on a large scale, nothing can be fairer than that the fund should be taken from the coal duties. Believes it to be the case in most cities. It would be unjust that the citizens of London should be compelled to rebuild London Bridge by an improvement rate, because that bridge is for the traffic of persons coming from a long distance from London, 4405, 4406.

WIRE, ALDERMAN:
Is the only alderman who is a practising attorney, *Goodman*, 7868, 7869.—Explanation of a statement that Mr. Alderman Wire sat on a case where his partner was solicitor, and the prosecutor his client, *ib.* 7864–7866.

WIRE, DAVID WILLIAMS, Esq. (*Analysis of his Evidence.*)—Is one of the sheriffs and an alderman, 7913, 7914.—Has been connected with the corporation twenty-three years, and has always taken an active part in its affairs. Is a solicitor. His office is in London. Does not reside there, 7915–7918.—Is acquainted with the manner of electing sheriffs. Was under-sheriff five or six times before he became an alderman, 7919.—Has paid great attention to the abuses with regard to the system of fines. Has always endeavoured to prevent any body being elected sheriff who was unwilling to serve, and in most cases with success, 7920, 7921.—The practice arose thus. Before the Test and Corporation Acts were repealed, many merchants were dissenters, and could not take corporate offices. They were elected, and rather than violate their consciences they submitted to the fines, 7922.—Believes at that particular time it was made a means of getting money, because it is stated the larger part of the expense of building the Mansion House was paid out of those fines. Since connected with the corporation does not think any one has been elected for the sake of the fine, 7923.—Thinks no considerable sum has been received from that source, certainly for thirty years, 7924, 7925.—The lord mayor has lately declined exercising his privilege of nominating to the office from the list of eligible parties, put up in the Guildhall, 7926.—Mr. Turnley has recently complained bitterly of having been elected, but he had been nominated a considerable time. Does not know what Mr. Rose stated to him, but his election was prior to witness's, 7927.—Unless means are taken by the friends of the candidate wishing to be elected, or by the parties not wishing to be

WIRE, DAVID WILLIAM, Esq.—*continued.*

elected, it is likely a man might be elected against his will, and consequently subjected to a fine. The common hall is thinly attended unless some question of interest is stirring. Thinks the system of electing sheriffs by common hall as at present conducted very objectionable, 7928, 7929.—The liverymen not having attended to their duty, if the constituency in the City be altered, that may induce the constituency to attend. Failing that, the election should be in common council, who would always avoid every possible abuse, 7930.—There was some difficulty in electing a second sheriff this year, as a person requires some preparation previously to taking the office, 7931, 7932.—The expenses of the office of sheriff are never less than 3000*l.* a year. Shall this year have to pay more, in consequence of his colleague in office declining to pay certain portions of the expenses which are usually borne in equal portions by the two sheriffs, 7933,—Does not think the office of under-sheriff susceptible of amendment. The sheriff nominates his own under-sheriff, 7934.—Thinks the connexion between the shrievalty of the City of London and the County of Middlesex a great advantage. In times of danger and excitement, and political movements, it has been manifest. The power and influence of the City have been brought to bear upon the county of Middlesex beneficially for both parties. The privilege of choosing their own sheriffs was bought by the City of London, and has been exercised by the people for 700 years, 7935–7937.—There are distinct under-sheriffs for the County and for the City. The under-shrievalty of the City is executed by the secondary, who is appointed by the corporation, therefore they would indemnify the sheriff against any loss from the neglect of his officer, though the sheriff is primarily responsible for the acts of his officers, 7938, 7939.—The same person acts virtually as under-sheriff for the County of Middlessex, without removal. Mr. Burchell is that by annual appointment. The under-sheriff might take the business into his own hands. When under-sheriff, thought of doing so. Is speaking of the County of Middlesex. Could not have done so in London, 7940, 7941.—In London the under-sheriffs jointly perform the duties, but in truth one has nothing to do but attend upon his sheriff. The rule is to swear only the senior under-sheriff, 7942.—When under-sheriff the emoluments were about 1,000*l.* a year, but the amount varies. Was out of pocket the first year, in consequence of the change of the law, which took away nearly all the fees, 7943.—Alludes to the abolition of the arrest for debt, 7944.—Was under-sheriff six years. Not consecutive years, 7945.—The sheriff appoints his own under-sheriff without reference to the previous tenure of office. Happened to be under-sheriff because his clients were serving the office, 7946.—Did not adjudicate in the case which has been referred to by Mr. Goodman. Only remanded the prisoner, who was committed by Alderman Wilson, 7947, 7948.—The proceeding was not conducted by his partner Mr. Child. Neither solicitor nor counsel were employed, because the man persisted in admitting his guilt, and there was an end of the matter, 7952.—Before hearing any evidence so as to justify a remand, sent all over the City to find another alderman, 7953.—Is perfectly acquainted with the case of Mr. Gray, 7954.—At his request supported his petition in the Court of Common Council, which resulted in a grant of 50*l.* beyond what other persons had subscribed for him. He made an application to the Home Office. Knows no instance of the Crown granting the estreats to parties who prosecute, 7955, 7956.—Has no recollection of any correspondence with him till after he had given evidence before the Commissioners; then received a letter to know what had become of the fines. Must explain that the fines are set over, and it is two or three years after you are out of office before you know anything about them. Received a portion of the fines of that year about a year ago, 7957.—Those estreats regular are first returned by the sheriff or his officers to the Court of Exchequer, who set over to the City what belong to the City and to the Crown what belong to the Crown; then they are recovered by a process from the Court of Exchequer, directed to the sheriff, but it is three or four years after you are out of office before that is done. The secondary is paid by salary, partly from fees, and has to account to the corporation for every shilling he receives, to see whether he has received to the amount guaranteed by them, which is 1,000*l.* a year. The fees and fines are therefore all accounted for, 7958.—Knows a case in which the corporation, having had a fine of 10,000*l.* set over to them, divided it among the sufferers from the delinquencies of the man who paid the fine, 7959.—Does not think the Crown would have given that estreat to Mr. Gray, if the Crown had known what was known to the committee. The City always deal most liberally with every person who has any connexion with them or any reasonable claim upon them. They gave the man 50*l.* which he said he was out of pocket, and thought the case would have ended there. A long time afterwards Mr. Gray applied for those recognizances. Believes the money had been set over by the Crown, and distributed to the parties entitled to it, 7960, 7961.—Has no knowledge on the subject, therefore cannot say whether Mr. Gray's statement is true, 7962.—Thinks the City acted with quite as much liberality as the Crown would have done under the circumstances, 7963.—Was not on the committee, but believes, from the habits of the committee, a full inquiry was held, 7964.—In the Court of Exchequer the fine would undoubtedly be set over to the City of London, 7965.—It would go into the secondary's hands, 7966.—He would account for it to the City solicitor, 7967.—What he receives for himself are the fees of office, not the fines; they are distributed to the parties entitled to them, 7968.—The City solicitor, having the fines in his hand, would pay them over to the sheriff; they do not get into the funds of the corporation, 7970, 7971.—It depends upon the understanding between them as to whether they go into the pocket of the sheriff or under-sheriff. It would have been money out of their pocket if those estreats had been given to Mr. Gray, 7969–7972.—Thinks the corporation would have paid the amount out of their own funds, if they had thought it a case which called for it, 7973.—Had witness paid the money to Mr. Gray, it would have been out of his own pocket, 7974.—In all places, unless by particular charter or grant, the estreats go over to the Crown. In Middlesex, those which arise in connexion with the City of Westminster, go to the Dean and Chapter of Westminster, 7975.—Wishes to advert to the Manchester Railway, in connexion with which it was implied that witness carried his professional character into the Court of Common Council. It did so happen that, as the bill was on the eve of going to Parliament, he was asked in a great hurry, by the solicitor conducting the business, to take a portion of the line. After having been concerned in it never took any part in the common council on the subject, 7976.

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WOOD, JOHN, Esq. (*Analysis of his Evidence.*)—Is chairman of the consolidated committee of the Court of Common Council, and attends as such to state that they are most anxious to afford the Commissioners the fullest information they require. Reads the terms of the appointment of the consolidated committee, which consists of about 60 members, 7254.—It is a large number, and for ordinary committees would be too large, but by putting on this committee the chairman of every committee of the court, any matter which any particular committee had in charge might from time to time be considered in this committee, and also that through their chairman the various committees might be informed of the proceedings of this consolidated committee, without the formality of a meeting of the Court of Common Council. Within the last few days the consolidated committee has thought it necessary, with the sanction of their chairman, to call together all the committees of the court upon matters connected with this Commission, 7255.—The lord mayor has represented that this committee, by a deputation of its members, has taken upon itself not only to confer with the Government upon various matters but to agree in respect to them; this is not correct. The Government have always been told that it was not possible for the deputation to do more than treat upon certain subjects; but if the treaty arrived at such a stage as would enable the committee to recommend to the common council, then the committee would report, and the court would probably agree. Agrees with the lord mayor that it would be too great a power to commit to any members of the court the right of binding the court without express authority. There has been an understanding among the members of the corporation that they should give the Commissioners any information required, but reserve any opinion as to alterations in the constitution of the corporation till the whole facts have been laid before them. Has been a member of the corporation for about 16 years, and is satisfied that however unnecessary some alteration in the constitution of the court may be, the general management of the business cannot be better than it has been, 7256, 7257.—Allusion has been made to the consolidated committee having expended large

WOOD, JOHN, Esq.—*continued*,

sums of money secretly. Knows of nothing of the kind. Mr. Scott has stated what has been spent in the purchase of newspapers, also a sum of money for the establishment of a projected newspaper. This committee never gave any directions on the subject, 7258.—After the matter had quite ceased the committee sanctioned the repayment of the sums advanced, but they had nothing to do with the getting up of the paper, 7259.—Having heard a statement that 1,000*l.* a year was expended in bribing the press, felt greatly indignant, but felt that the matter would be set right, as nothing of the sort was ever contemplated. About 160*l.* or 180*l.* a year has been spent in purchasing and distributing newspapers, 7260.—Is not aware that there was anything like concealment. This sum appeared in the accounts, 7261, 7262.—With regard to the sum expended in opposing the bill for the removal of Smithfield Market, no payment could be made by the chamberlain without a warrant signed by 7 members of the committee, 7263.—Thinks there should be a statement in the accounts of the nature of the expenditure, but it would be impossible always to detail every particular sum. The matter of the expenditure would be on the warrant of the chamberlain and the report of the particular committee, 7264.—Is not a member of the Markets Improvement Committee. Has not looked into the particular question the commissioner refers to; but if the sum of 2,500*l.* was expended in opposing that particular bill, though a general statement of the object is sufficient for the general account, thinks there should be some means of arriving at the details. The consolidated committee wished to take means for the circulation of the reports of the proceedings of the Court of Common Council; it was referred to a sub-committee to carry out temporarily that resolution, at a cost not exceeding 20*l.* a week, and to devise means for a permanent arrangement, and to report the same to the consolited committee. The sub-committee consisted of witness as chairman, Messrs. Norris, Lowman, Taylor, Blake, Low, Richard Taylor, and Holt. One of the suggestions made was that short-hand writers should take notes of the proceedings of the corporation, and send transcripts of them to the various newspapers, but the expense was estimated at about 2,000*l.* a year, and that was abandoned. At length it was suggested that whenever anything took place in the court it should be furnished with 300 copies of the following day's paper. With respect to committees, wishes to refer to one. There are large sums of money to pay annually for law and conveyancing business, and about 10 years ago a committee was appointed, called the Law Bills Committee, consisting of the solicitors in the court, some few other members, and the chairmen of all the other committees. Thinks the corporation has every reason to be satisfied with the manner in which that committee has acted. Previously to the Law Bills Committee it was usual to refer any bill incurred by direction of any particular committee to some solicitor who was a member of it, or some solicitor in the court. But what one solicitor would allow another would disallow, and it was thought that by placing all the solicitors in the court upon this committee troubling them to examine the bills, that uniformity would be secured. They meet in committee. The chairman of the particular committee will state that the business was done; the vouchers will be produced; sometimes the members take the bills home, carefully examine them, and report to the committee. This has all the effect of a taxation by a taxing master, except that the bills would be more liberally dealt with by a taxing officer than they are by the members of the court, 7265.—Is quite sure the expenditure under the head of law proceedings is effectually controlled. The consolidated committee have no allowance, though the business has been very laborious to its members, but they have always thought it right to decline any. One of the important matters before them is the question relating to the bed and soil of the river. They are most anxious to have this question settled. Very large sums of money would have been expended in improvements of the river if this question had been settled, 7266.—No inconvenience has been found to arise from there not being any allowance to the consolidated committee, the matters referred to them have been known to be connected with the welfare of the corporation generally, and there has always been a very fair attendance of the members. The deputation, consisting of 7 or 8 members, have constantly attended to the business which has come before them, 7267.

WOOD, JOHN, Esq. (*Second Examination.*)—States that any other information, oral or documentary, which may be desired, will be immediately given; that a committee has been appointed to consider a communication from the Commissioners, inviting the corporation to make suggestions for improving its constitution, 8497.

WOOD, THOMAS, Esq. (*Analysis of his Evidence.*)—Is chief clerk of the justice room. Was formerly an alderman of the City of London, 6316, 6317.—The duties which he performs in the court to which he is attached are very similar to those duties described by Mr. Goodman, 6318.—The establishment of the court at Guildhall is, chief clerk, two assistant clerks, a receiver, a summoning officer, a gaoler, and a messenger, 6320.—The receiver receives all the fines that are paid into the office, 6321.—Witness examines witnesses. Very seldom advises the magistrates on questions of law; there is more said about it than is real, 6323, 6324.—Was a professional person before appointed. Has been upon the roll of attornies and solicitors from the year 1807, 6325.—The expenses are about 150*l.* less than at the Mansion House. Mentions, that because it has been reported that the expenses at Guildhall exceed the expense of the metropolitan police, whereas finds for the eleven metropolitan offices the charges are 44,000*l.* a year, 6326.—The court sits from 12 till the business is finished; every day's business brings with it its own duties. The magistrates sit according to rota, one alderman sitting every day a week at a time, 6327–6329.—The business of the court has decreased in one way, and increased in another. It has increased in consequence of the great number of Acts of Parliament enlarging the summary jurisdiction. It has decreased in certain descriptions of crime, but in others it has also increased. The summary business is greatly upon the increase, 6330.

WOODLEY, Mr. THOMAS. (*Analysis of his Evidence.*)—Is a butcher in Aldgate High Street, City; himself established a long time, and his father previously, 2981–2983.—Has been very much annoyed by a class of journeymen freemen, who attempt to monopolise the whole of the slaughtering work; make their own claim for price, and do not allow you to make a free choice of servants. They demand 2*s.* 6*d.* for the slaughtering of a bullock, which is a great deal more than there is any occasion to pay, and they will work on no other terms. They apply for work as freemen, and if you refuse them, the mode is to proceed at the Lord Mayor's Court, and an action is brought against you for employing a non-freeman, 2984.—Believes there is a byelaw of the Court of Common Council, passed in the year 1712, which ordains that no freeman shall employ a non-freeman under a penalty of 5*l.*, 2985.—There is no particular fellowship of labourers employed in the butchers' trade; believes that every journeyman and every shopman in the City employed by a freeman (the action will not lie against a non-freeman) is liable to the same thing if it were enforced, 2986.—It is not as members of any particular fellowship, but as freemen of London, that they claim to be exclusively employed, 2987.—Compromised the first actions brought against him for not employing freemen, and took up freedom for the man. Was very shortly after served with another notice; took up freedom for a second, and then for a third. Immediately that freedom was taken up for the men, they considered it a matter of obligation if they stayed and served, and either required a great advance in their wages or left. It is a very obnoxious system, because nearly 7*l.* is a large amount for a journeyman butcher; and if he is induced to part with that amount for his freedom, he has very extravagant ideas as to the rights he obtains by it. It costs him 6*l.* or 7*l.* to take up his freedom, 2988, 2989.—Employs three journeymen in the slaughter-house and one in the shop. This system is unknown in every other neighbourhood. The claims have been resisted, but always unsuccessfully, 2990.—The action against witness was about three months ago; was served with a declaration on the 28th of October. Believes it is quite against the will of the present officers of the corporation that such things should be carried on; and when witness obtained an interview with Sir John Key on the subject, he strictly prohibited any further proceedings in the matter. This was about a month ago; the action was brought in his name, 2991–2993.—The circumstances which induced Sir John Key to alter the usual course of proceedings were that he considered it was merely a question of malice. The man left witness in

WOODLEY, Mr. THOMAS—*continued.*
an improper manner, and he thought it was one of his rights that he could sue for this penalty, 2994.—The claim is not enforced anywhere but in the Aldgate High Street, or Whitechapel Market as it is called, 2995–2997.—The distinction is made because several masters were punished years ago, and they submitted to it, 2998.—It is not enforced in Newgate Market, and a large portion of the meat supplied to Newgate Market is killed at Aldgate and at Smithfield, where there are several large slaughtering establishments, and no such law is recognised, 3000.—Those men only apply in the case of slaughtering; they charge 2*s.* 6*d.* a bullock, and can easily earn 10*s.* or 12*s.* a day, 3001.—There is no difference between employment in slaughtering and in any other branches of the butcher's trade. The law would equally apply to any journeyman, 3002.—The claim is not enforced in any other case. The men get a large increase of wages by paying 6*l.* or 7*l.* to take up their freedom, 3003.—Considers 2*s.* 6*d.* an unreasonable charge for the service in question; could get the business done at thirty per cent. less without the interference of those freemen, 3004.—Thinks the whole system of freemen journeymen should be abolished. It produces no advantage except to the man himself; all the advantage to the man is disadvantage to the employer, 3005, 3006.

WOODTHORPE, Mr. EDMUND. (*Analysis of his Evidence.*) Is a district surveyor for the City, appointed by the Court of Aldermen, 6827.—He has to attend to all buildings which are erected within the northern division of the City; there are four district surveyors, but witness also holds a small division in the county of Middlesex, and therefore sees the practice both in the City and in the county. Has had great difficulty in dealing with parish bodies, in inducing them to condemn or rather assist him to condemn ruinous buildings, which he considers one of his most important duties, 6828.—Has not found that difficulty in the City, 6829.—When witness sees there a ruinous building that is dangerous to the public, examines it, and applies to the official referees, in conformity with the Act of Parliament, for their authority for a survey. When that is done, reports back again to the official referees, and they send their report in the City to the Court of Aldermen, and in the county to the overseers. Can give the Commissioners an instance in which nearly two years expired before the overseers would act, whereas the Court of Aldermen acted rigidly, in conformity with the time specified by the Act of Parliament in every instance, 6830.—The overseers are enabled to provide for it out of the poor rate, under clause 40 of the 7th and 8th Victoria, chapter 84, 6831.—It appears from that clause that the aldermen of the City and the overseers of the parishes have precisely the same powers; and whereas the Act is carried into effect in the City, in the parishes out of the City it is very imperfectly so, 6832, 6833.

WOODTHORPE, Mr. FREDERICK. (*Analysis of his Evidence.*)—Has been one of the minuting clerks in the town clerk's office since 1838.—6135, 6136.—Has to attend the minute proceedings of the several committees, and keep that record under the direction of the town clerk, 6137.—Acts as secretary to the Thames Navigation and Port of London Committee, to the Consolidated Committee, to the Police Committee, to the General Purposes Committee, to the Markets Improvement Committee, and to others when required, 6139.—When witness cannot attend the duties are performed by one of the other minuting clerks, 6141.—One of the duties is to draw the report under the direction of the town clerk, and in this way become acquainted with the business transacted by the different committees, 6142, 6143.—The establishment of the town clerk's office consists of four minuting clerks, four copying clerks, and there is a clerk employed in sorting the papers and books and keeping them in order, and one messenger, 6144.—The allowance for the cost of the establishment is about 1,800*l.*, 6145.—The office is in Guildhall, 6146.—On the retirement of a clerk after some years service some consideration is generally looked for, and usually rendered, not on any definite scale; each case is considered on its own ground, 6147–6149.—Many members of the corporation have considered whether they should not establish some system of cauings their employers to insure their lives, 6150.—There is no deduction from the salary to create a fund for superannuation allowances, 6152.—Attends the Thames

WOODTHORPE, Mr. FREDERICK—*continued.*
Navigation and Port of London Committee, and they practically have a great deal of conservancy business before them, 6153.—The duties are somewhat divided, one portion is the Thames navigation, and the other is the port of London; but the committee and the corporation generally consider, that though there are separate Acts of Parliament for the two branches of the service, they are intimately connected, and that the port of London is not restricted merely to that portion upon which the tonnage dues can be at present expended, 6154.—Their regular meetings are once a month. At each meeting of the grand committee they appoint a sub-committee, and they meet about twice in the course of the month, 6155.—In 1852 there were upwards of 80 meetings, 6156. The business is to appoint their sub-committee, then receive applications from parties who are desirous of having accommodations in the river, making embankments or driving piles, the regulation of private moorings for a temporary purpose, steamboat piers, and the proceedings of the sub-committee during the previous month are read and considered by the grand committee, and either sanctioned or otherwise, 6158.—They also receive communications at every meeting from persons occupying warehouses, or engaged in trade on any part of the river, on various subjects. They receive reports from their officers, 6159.—The business is important, sometimes urgent, 6160, 6161.—The Navigation Committee do all in their power to keep the port of London in an efficient and commodious state. Their means are very limited, excepting for specific purposes, for which certain sums are devoted, such as the tonnage duty. The principal funds are the tonnage duty fund, the Thames navigation committee fund, and the rental fund, 6162–6164.—The purposes to which the tonnage duties are applicable are explained in the Acts of Parliament, 6165.—They are quite sufficient for the purposes, 6166.—The Thames navigation fund is applicable to the locks and towing paths on the upper parts of the river, but is very inadequate to the purpose, 6168.—There is no fund by which the shoals in the river can be removed, except when the corporation advance the money out of their own funds for that purpose. If the tonnage duty were rendered for the same purpose, it would materially assist in carrying on improvements in the river, 6170, 6171.—The shoals which impede the navigation at certain states of the tide are numerous; much increased in consequence of the extent to which the water now ebbs, compared to what it used to do before the removal of Old London Bridge, 6173, 6174.—The removal of Old London Bridge has affected the flow of the river both up and down, and that has increased the expense of maintaining the river, 6177, 6178.—The corporation take charge of what may be called the river traffic, with regard to the over-crowding of steam boats, and matters of that kind. The Court of Aldermen have power to pass byelaws for the regulation of that traffic; it is considered as a mere matter of police, 6179, 6180.—Some of the members of the Navigation Committee are persons who have peculiar acquaintance with navigation; they attend very regularly, 6182, 6183.—One gentleman, Mr. Phillips, has been a member for five years. He was an extensive lighterman on the Thames for nearly 40 years, 6184.—The case of Mr. Matthews' client has been before the Navigation Committee, 6183.—Witness gives a detail of the entire proceedings, with his own view of the case, 6190–6197.—The Consolidated Committee was appointed for the purpose of communicating with the Government, and of carrying on suits which had been instituted either by or against the corporation on several matters, and generally to consider the affairs of the corporation, and to interfere where it should be actually necessary. It is a sort of advising committee. It has considerable executive duties, with large discretionary powers conferred upon it, 6198–6200.—In most cases they would apply to the Court of Common Council for their authority, 6201.—An idea at one time prevailed as to the propriety of encouraging and promoting a newspaper for the purpose of advocating the interests of the corporation. The subject was never brought under the attention of the members of the Consolidated Committee as a committee. The only instance when the repayment of money advanced by individual members was authorized was a payment of the sum of 250*l.* to Mr. Scott, and 280*l.* to Mr. Remembrancer, 6203.—They consider they have authority without specifically reporting any particular case to the court. Their terms of reference were suf-

Woodthorpe, Mr. Frederick—*continued.*
ficiently wide to give them a discretionary power of expending money in that way, 6205, 6206.—The common practice is for the committees of the common council to make orders for payments for purposes within reference. Witness wishes to qualify his previous answer with respect to the Consolidated Committee drawing money. Believes, at the time those warrants were drawn, a report, which has been referred to before this Commission, with respect to publishing the proceedings of the Court of Common Council, had been confirmed by the Court, which decidedly gave them, beyond their general reference, those additional powers of drawing money, 6207.—Generally the expenditure of this committee comes under the cognizance of the Court, but it is audited by the committee itself whenever necessary, 6208.—The whole of the accounts come before the City auditors. In the case of trust funds they are very carefully audited, 6210.—In some cases, as in the case of the Thames Navigation Committee, the accounts are rendered only to the chamber. A return is made to Parliament of the expenditure of the tonnage duties fund, 6211.—The duties of the General Purposes Committee are principally to look after the mansion house; but during the last two years they have had a very important matter under their consideration—an inquiry into the charges made, and the privileges maintained by the porters and meters of London, 6212, 6213.—The object of the negotiation has been to bring about a sort of compromise between the City and the trade, 6216.—The footing of the compromise has been that the system of compulsory metage should be retained, and the trade have suggested certain conditions by which the working of it would be alleviated. The system of metage and porterage is highly spoken of, though the charges are considered too high, 6217.—Is not aware of any other place in England where there is a compulsory system of metage, 6221.—The business of the common council is so multifarious that a subdivision into committees is considered highly desirable, 6224–6226.—The Police Committee have no superintendence over the actual executive force. They superintend the supply of clothing and the various articles of store, and they have the supervision of the station-houses, 6227.—The corporation consider that these things should be taken out of the hands of the police, and managed by a committee of the common council, 6228–6230.—The committee consider that the duties of the principal officer of any police establishment should be confined to the executive management of the force. They consider that it is managed with more economy and efficiency by a committee than it would be by the superintendent himself, they being subject to a very strong popular control through the Court of Common Council, who are annually elected, 6233.—The committee have the arrangement of the rating, not the actual rating of the inhabitants; that is done in each ward; but they supervise all the rate books, and where objection arises they make alterations if necessary. They supervise the assessment, also the expenditure of money, and regulate all the collections, 6234, 6235.—At the commencement of every year, the duties are divided so as to render to each member of the common council as much duty as can conveniently attach to one person, 6236.—Is not positively acquainted with the mode in which the different wards arrange for members being placed upon committee; that is regulated by the members themselves. The returns are sent to the town clerk; they are arranged in a tabulated form at a previous meeting, and the common council actually appoint. They generally accept the recommendation of the wards, but in some instances they make alterations, 6238.

Wortley, The Right Hon. James Archibald Stuart, M.P. (*Analysis of his Evidence.*)—Has held the office of recorder of the City of London since the autumn of 1850, 5486, 5487.—The salary attached is 3,000*l.* a year, and some trifling fees. Has made a return of those fees to the town clerk, which will be laid before the Commission, 5488, 5489.—The amount in 1852 was 150 guineas, in 1851 sixteen guineas, and in 1853 fifteen guineas. There are deductions to be made, namely, a clerk and chambers, which together cost at present about 85*l.*, 5490.—Practically, he is debarred from practising in Westminster Hall, by the nature of his duties and the constant employment at the office. At the time of his appointment had been retained in more than one peerage case in the House of Lords, and has continued to attend the House of Lords in

Wortley, Right Hon. J. A. S.—*continued.*
those cases; but, with these exceptions and arbitrations, has not practised in Westminster Hall, 5491.—Will furnish the Commissioners with two reports which will state exactly what his duties are. May say generally, that he is the chief legal adviser of the corporation. Attends upon all state occasions. Reads addresses to the Crown. Sits at the right hand of the lord mayor in the Court of Aldermen and in the Court of Common Council. Puts the question for him, and assists and advises him in deciding matters of order. Executes the formal part of the speaker's duty, but has no decision in his hands. Advises the lord mayor, who is the responsible officer, and who decides questions of order. Is one of the Commissioners under the Central Criminal Court Act, and is considered the chief judge connected with that court except Her Majesty's judges. Is expected at the commencement of every session to charge the grand jury, and has to attend as assessor to the magistrate both in London and Southwark; the latter however is a mere matter of form, 5491 *a*, 5492.—Further particulars as to his various duties, 5493.—Has no control over the management of the legal business of the City, 5494.—Does not consider it part of his duty to communicate or direct the solicitor in his management of law proceedings connected with the City, unless a resolution of the Court of Aldermen or the Court of Common Council is passed that the matter be referred to the solicitor and to the recorder, 5495, 5496.—Has never known the aldermen sitting at the Central Criminal Court interfere with the judges in the question of what the sentence to be passed should be. Has himself frequently derived great comfort and assistance in consulting the aldermen who were sitting as to extent of punishment to be inflicted. It is a gross misrepresentation if it has been stated that they improperly interfere, 5497.—It is the usual course in the Court of Queen's Bench, when an argument takes place upon a civil matter, and the judges decide it at once, for the decision to be given by all the judges, one after another. If time is taken to consider, one generally delivers the judgment, 5498.—In criminal cases the sentence is passed by one judge, the senior puisne, after consultation with his colleagues, 5499.—One of the duties of the recorder is to certify the customs of the City by word of mouth, 5500.—Explains how that rule operates and gives instances, 5501–5504.—Sees no objection to giving the fullest liberty to the public to have access for ordinary purposes to the records of the corporation, but cannot go so far as to say that he can see no objection to admitting the public to the charters and title deeds of the corporation upon a subject which is in actual litigation at the time in the courts. This is a question which deserves great attention. Believes there was a case of some great town in which the corporation became involved in a suit in Chancery, and produced voluntarily their title deeds and lost their property; and Lord Eldon rebuked them strongly for having taken that course (see 8 Vesey, jun. 141; Cock *v.* St. Bartholomew's Hospital, Chatham). 5505.—Has no doubt that the corporation is in a higher position, than the trustees of a charity, inasmuch as it is a body established for the benefit of the whole community, whereas the trustees of a charity are for a specific purpose. Cannot otherwise distinguish its position with regard to litigation with other parties. Believes that in the very cases in which complaints have been made, every fair statement has been offered as to what the nature of the title of the corporation is upon which they rely. All that has been refused has been the actual production of the documents, till the time comes when they must be produced in court for the purpose of the decision there, 5506.—Has no personal knowledge of the case of Messrs. Combe, Delafield, and Company beyond this, that for the last two or three years, while it has been in the House of Lords, it has been hung up there by the acquiescence of both parties, neither being anxious to bring it to a conclusion, and in the hope that some arrangement would be made which would get rid of all difficulties of this kind. Speaking generally, should say that it was the duty of every public body holding its position for the benefit of the public to give such information, as, consistently with the sound advice given them by those under whose direction the suit is conducted, they could give to the opposite party of the nature of the title upon which they make their claim. Admits that it is a question which may be put more ways than one, and on which he does not feel capable of forming a definite opinion,

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5507.—Does not believe that substantial information of the title which is insisted on has ever been withheld from any litigant, 5508.—With respect to the suit with the Crown concerning the right to the soil and bed of the river, it was felt by the City to be a harsh proceeding on the part of the Crown; but notwithstanding that, the City were anxious to avoid being involved in almost the most expensive form of litigation the Crown could have selected, therefore they have been anxious to come to some arrangements which would be for the public benefit, as well as for the preservation of their own just rights. It is true the course adopted by the Crown was one which by strict law they were at liberty to adopt, namely, passing by the Courts of Law to file an information in the nature of a discovery in the Court of Chancery, calling upon the corporation to disclose their title, but it was by far the most expensive and most cumbrous mode of proceeding which could have been adopted. It was always felt that a proceeding by writ of intrusion was the course which the Crown ought to have pursued. In consequence of that it was that the corporation were advised by a very high authority to resist this claim by every means in their power as against the Crown; but at the same time they of their own accord, and with the advice of their officers of the day, made every effort to come to an amicable arrangement with the Crown. Before coming into office there were negotiations upon this subject with the Crown, the results of which were embodied in a bill which was brought into Parliament and passed its second reading; an amendment was carried in committee, but the bill was not proceeded with. It was among other things recited in the preamble that the Crown, on the one side, and the corporation on the other, were willing to forego their claims to the soil and bed of the river, and transfer them to a board of conservancy, which was at that time projected, 5510.—If the bill had passed, the conservancy would have been vested in a mixed body, consisting of the lord mayor for the time being, three aldermen of the City of London, six members of the common council, and the remaining five conservators were to be elected by the mayor, aldermen, and commons in common council assembled, 5511, 5512.—The bill was withdrawn by the City when there was forced upon them an admixture from other portions of the metropolis in this board, 5513.—Shortly after coming into office, in 1850, witness became aware of the nature of the suit, and it immediately occurred to him that it was a matter which ought again to be made the subject of negotiation with the Government; he, therefore, with the sanction of the committee to whom these matters were referred, opened a negotiation with the Government of Lord John Russell. Communicated with Lord John Russell in the first place; asked for and obtained a meeting with him, Lord Seymour, and Sir Francis Baring, the First Lord of the Admiralty. Eventually they referred the matter to Lord Seymour to negotiate with witness upon the subject. In the course of correspondence with Lord Seymour witness drew up a sort of minute of what the propositions on the part of the corporation were, and Lord Seymour, in the shape of an answer to that letter, stated his view of what the points of agreement should be. They substantially coincided, and eventually it was agreed that upon those terms a document should be framed which would embody the settlement of that question. The corporation proposed to take under the Crown a charter, with a grant of the bed and soil of the river, on certain terms, the acceptance of that grant of course having the effect of precluding them from ever again disputing the right of the Crown to the bed and soil of the river. Further provisions were proposed that the whole of the revenue derived from the bed and soil of the river should be applied to the improvement of the river itself or expended upon the banks of the river in public improvements, 5514.—This arrangement did not include any proposition on the part of the Government that they should have any share in the managing body that was to control the river; on the contrary, it provides, in compensation, for their allowing the Crown to assume the right to the bed and soil, an admission which they consented to make by taking a charter that the conservancy of the Thames should be left in the hands of the lord mayor, in the form in which it now is, leaving it of course to Parliament if they choose to interfere at any future time to make a new arrangement. Eventually upon those principles an arrangement was come to without prejudice to either party, if not carried into

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effect between Lord Seymour and witness. Lord Seymour consulted the solicitor-general, Sir William Page Wood, who advised him throughout in that transaction. A charter was prepared on the part of the City, and submitted to Sir William Page Wood, who made several suggested alterations, and the only matter left to be decided was the mode in which the charter should be framed, and the manner in which the suit should be put an end to in the Court of Chancery. Unfortunately at this time the Government broke up. Application was made to Lord Derby's Government, and the matter was referred to Lord John Manners who was in the Office of Works. He was willing that this matter should be carried to a conclusion when this Government broke up, the present Government coming into office in the beginning of 1853. Their time was so fully occupied that it was in vain that endeavours were made to get their attention to the subject. It was not left to Sir William Molesworth, be as Lord John Manners had decided to let the thing go on, and sent it to the Board of Land Revenue for it to be submitted to the law officers. Sir Frederick Thesiger refused to take any responsibility about it unless it was laid officially before him; in that way it got back into the hands of the Commissioners of Land Revenue. It was then referred to the Treasury. Witness reads the correspondence which has taken place quite recently with Mr. James Wilson, Secretary to the Treasury. States that the corporation are as ready now as ever to negotiate the arrangement of that suit, on liberal principles, beneficial to the public as well as just to themselves, 5515.

WORTLEY, the Right Honourable JAMES STUART, Esq. (*Second Examination.*)—During the three years he held office various instances have come before him, in which the prosecutions have been by order of the aldermen, and they have been of the character which has been described by the solicitor. In no one instance during that time has there been any case prosecuted by order of the Court of Aldermen which has had a political character of any description. In every case it has been greatly for the benefit of the public that the prosecution had been taken up by the magistrates. With regard to the general exercise of their duties as magistrates, as the judge in the Central Criminal Court can form an opinion from the depositions which come before him, is disposed to say that the committals by the City magistrates would bear the most advantageous comparison with those of any other class of magistrates who commit to the Central Criminal Court, 5674.—Has an opportunity of seeing the committals and depositions taken by the magistrates of all classes, and repeats that the depositions from the City magistrates will bear advantageous comparison with those of any class of magistrates who commit to that court, 5675.

WORTLEY, the Right Hon. JAMES STUART, M.P. (*Third Examination.*)—When asked upon a former occasion as to the propriety of a public body like the corporation of London producing their documents and their titles, except upon compulsion, referred to a circumstance which he believed to have occurred, and which he had a strong impression was somewhere recorded, viz., that in an instance of that kind, where without compulsion the corporation of a large town had produced their documents, it had led to the taking of a technical objection to their title, which resulted in the forfeiture of their property, to the amount of 7,000*l.* a year, which they had enjoyed for centuries, and when this was mentioned before Lord Eldon, he had rebuked them for taking that course. The corporation alluded to was Newcastle-upon-Tyne, 6468.—That property was in the nature of tolls. With reference to the negotiation in 1847, as to the suit about the bed and soil of the river, produced upon the last occasion a bill which he stated to be the final terms of the compromise between the Government and the corporation of the City. Finds he was mistaken in the copy of the bill. Had the bill as it came from the first recommitment, and not from the second. In the second bill an alteration was made, and it was provided, after naming the lord mayor and three other aldermen, and some of the common council members of the board of conservancy, that the remaining 5 out of the 15 should be elected by the corporation, but subject to the approval of the Crown, the avowed object of that being to give the Crown power to object to those persons being other than persons independent of the corporation; there-

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fore it gave the Crown a direct power of nominating in fact, though by the circuitous mode of a veto, five of the members of the board of conservancy. Gives second clause, 6469.—At present every member of the conservancy committee is a member of the common council. At present the lord mayor is conservator on behalf of the corporation, the conservancy in fact being managed by a committee of the common council. In consequence of the notification which has been mentioned, there was some hesitation on the part of the City whether to accept that term of the compromise or not. Produces the proceedings of the Court of Common Council upon it; reads report, 6470.—That gave virtually and really the appointment of those persons to the Crown. At that time the City were, to the extent named, willing to acquiesce in it. Has no authority to intimate that they would consent to it now, 6471.—On being referred to the evidence of Mr. Powles on the subject, in page 111 of the evidence, witness takes for granted that Mr. Powles was speaking, as witness was on the last occasion, from memory merely, and certainly he is mistaken. The fact was the City eventually consented to the only modification of the board which was proposed. It was not in the House, but in committee; some members of the committee contended for putting the chairman of the dock companies, or persons connected with the shipping interests ex officio upon that board; others, of whom witness was one, objected to that, and preferred that the Crown should have the power of nominating those persons, and on this ground, viz., that if they were put on the board it would only be substituting a class of interested persons; that they would come to protect particular interests, such as the interests of the dock, an establishment of which they were officers or members; and in fact they would come to serve their private and commercial interests, rather than promote public good, 6472.—The effect of the arrangement made with the Government, so far as was completed, was this, that the whole of the funds at present under control of the Navigation Committee should continue to be applied to the conservancy, and that in addition to those funds there should be whatever profit might be made from the right which the Government are now contesting with the City in the soil of the river, 6473.—The whole of the proceeds of the river amounting at present to only 1,100*l.* a year was to be paid into a fund for the specific purpose of being applied either to the conservancy of the river, or being handed over to the Government to improve the banks and approaches to the river, 6474.—It is manifest that with the fund so constituted the sum is wholly inadequate for the proper maintenance of the conservancy of the river. It is quite a mistake to suppose that the corporation derive any benefit from the profits of the river. So far from that being so, the 1,100*l.* a year is a mere trifle compared with what is really required, and which in truth is paid out of the corporation funds. Of course if you take the conservancy out of the hands of the City, you must find funds somewhere else for its support, 6475.—Is not aware whether any estimate has ever been made of the annual sum likely to be required for the proper maintenance of the conservancy, but in the year 1846 there was a report published of the works which Captain Bullock and Mr. Walker recommended, amounting to 60,000*l.*, 6476.—At that time, if the suit had not been commenced, a very large sum of money would have been laid out; the consequence of the suit has been that nothing has been done for the last ten years, 6477.—There is no doubt that the present state of litigation between the Crown and the City is very detrimental to the proper maintenance of the river, 6478.—Witness states facts connected with the City courts, the Central Criminal Court, and to the jurisdiction and proceedings in that court. It is not a corporation court. At the time the Central Criminal Court was established the jurisdiction of the courts of quarter sessions within the metropolitan districts was confined to simple felonies. The consequence was that all burglaries, housebreakings, and compound felonies were tried at the Central Criminal Court. The remedy applied was two years ago by an Act passed, restoring to the quarter sessions their jurisdiction in those confirmed felonies, and leaving to the Central Criminal Court only those more serious cases which are now tried there. Thinks, if it could be managed, it would be very desirable to concentrate the whole of the criminal jurisdiction of this metropolis in one court, that court sitting almost permanently, 6479.—Would confine the business to

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the Central Criminal Court, increasing the staff, and appointing assistant judges to that court, 6480.—Supposing the lord mayor and aldermen of the City of London were to be excused altogether from attendance at the Central Criminal Courts the same objection would apply, and the same circumstances would occu- about counsel not being able to attend if the law continued with respect to the quarter sessions as it now is. There is one other suggestion which is worth consideration, that is whether it is worth while to keep up the quarter sessions of the City of London, at which, by the charter, it is necessary to have a quorum of four magistrates. Sits there as assessor to the lord mayor, and there must be three aldermen present besides the recorder. Very trivial cases are tried. A great many gentlemen are called together as jurymen and grand jurymen for very little purpose, and sees no reason why that jurisdiction should not be transferred to the Central Criminal Court. With respect to the Lord Mayor's Court thinks if they were assisted by the authority of Parliament in making a few alterations that court is capable of being made of great value to the inhabitants of the metropolis; it has all the power of the superior courts, with some exceptions, 6481.—The Lord Mayor's Court consists of the recorder trying with a jury. The court being a customary court, of course, though it has power like other courts to alter its practice, it cannot alter the customary proceedings, therefore the corporation itself, unless it were under the charter of Edward III., which gives the power of altering something in the corporation provided the alteration be for the benefit of the public, have no power of altering the proceedings in that court. Originally, and by custom, there were four common pleaders, but by a late arrangement with the only two remaining common pleaders, in which they behaved with great liberality, all difficulty upon the subject of their exclusive privileges has ceased, and the court is now open to all counsel. One great difficulty in the Lord Mayor's Court has been from the customary existence of an exclusive practice in four attorneys, whose interests are vested, and valuable interests, and, therefore, of course, must be fairly considered. Witness here enters into particulars about the attorneys. It has been a great object with the corporation, and since he has had the honour of holding office he has endeavoured to press it on, to come to some arrangement with those gentlemen for throwing the practice open to the general profession. In the meantime an Act of Parliament had passed, admitting all attorneys to practice in the inferior courts. In a case which was argued in the Queen's Bench, of which one of the commissioners is cognizant, it was decided that that Act applied to the Mayor's Court. Whether it was an inferior court or not, speaking generally, it was held to be an inferior court within the meaning of that Act, 6482.—The court is actually thrown open to all attorneys, and in the next month the year will have expired, when the committee is pledged to come to a consideration of the question of compensation. Unhappily there has been a misunderstanding between the attorneys and the committee, and the attorneys were induced to take a step which he thinks has been very unfortunate, both for themselves and for every one else. Mr. Remmell has brought an action against one of the attorneys admitted under the authority of the judgment of the Queen's Bench, for a disturbance in his office. There have been 131 attorneys admitted, and had it not been for that action has reason to know that a great many more would have been placed upon the roll formed for the conduct of the court. The consequence of all this has been very injurious. Respecting the power of the corporation to admit all attorneys, provided they compensate those who have existing rights, there might be doubts, but there would be no one interested in disputing that power. The only question before the Court of Queen's Bench is, whether the Act of Parliament, which enables all attorneys to practice in every inferior court, applies to the Mayor's Court of London. If it does, not only the Court of Aldermen have the power, but they are bound by general law to admit those persons. Acting upon that, foreign attorneys have been admitted; the result of the change has been that business has greatly increased, 6484.—The jurisdiction is confined to causes of action arising within the City; that in some cases is inconvenient, 6485.—The principal peculiar custom of the court is that of foreign attachment; it is a custom peculiar to the City of London, and one or two other cities,

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Believes, from experience, that it is a very valuable custom, 6486.—It would be a very valuable custom to extend to all commercial communities, 6487.—Knows of no injurious effects it could produce in country districts, 6488.—Cannot see why it should be a good custom in Lombard Street and not in the Strand; that is the mode in which it should be dealt with, 6489.—There is nothing at present which remarkably distinguishes the City of London from other parts of the metropolis, with this exception, that within the City there are more bankers. One principal use of the custom has been to attach balances in the banker's hands. When a debtor leaves the country, then, if he has a balance in his banker's hand, and his creditor finds that out, the creditor waylays the banker as he comes into the City; he serves an attachment upon him, and gets his debt paid, though the debtor may be in the East Indies or America. There are certain objections to this custom, which witness thinks deserve great consideration. At present they are liable to a certiorari from the superior courts at any moment. That is the case both with actions, suits in equity, and attachments. Some limit upon that right would be very desirable. There is a difficulty about the attachment of goods. States difficulty, 6490.—Goods may be released by putting in bail, that is, the attachment may be dissolved by the defendant putting in bail, because the whole proceeding purports to be for the purpose of compelling appearance. The fiction is, that the defendant being summoned, and not answering after four proclamations, the attachment issues, 6491.—At present bail is put in to double the value in goods as well as in money. The plaintiff swears to his debt or to the value of the goods, and till lately, the defendant could only come in to defend the action, in the first instance, upon putting in bail for double the sworn value, either of the debt or of the goods. This was much complained of. The new rule established is this: "An attachment may be dissolved by bail, or by payment of money into court with the defendant's consent, when the sum in the garnisher's hands is larger than the debt sworn to by the plaintiff, by paying the amount of the plaintiff's debt so sworn to, or when the money in the garnisher's hands is less than the amount sworn to as the plaintiff's debt, then such sum as the court may direct." Of course the court would not direct any larger sum to be paid in than that which appeared to be in the garnisher's hands, 6492.—Has considered the question, whether it is consistent with the custom, and hopes it is so. By this rule they may either give bail as they used to do, or pay into court either the whole amount claimed, if there is sufficient in the garnisher's hands, or such amount as the court may authorize, if the amount in the garnisher's hands is less than that which is sworn to by the plaintiff, 6493.—If the attachment merely stood as a security, the defendant putting in common bail, that would put the plaintiff in peril of the possible insolvency of the garnisher, whereas if the plaintiff were obliged to put in bail, or the garnishee were obliged to bring into court the amount of the property attached, there would be greater security to the plaintiff, 6494.—The introduction of a greater number of attorneys to practice in the Lord Mayor's Court, who probably may not be acquainted with proceedings under foreign attachments and the custom of the City, and who are not under the control of the corporation, as the four attorneys in some measure were, may lead to collusions and frauds and difficulties, unless some greater authority is given by Parliament to prevent it. Another point upon this subject, which is of very great importance, if foreign attachment is to be retained. At present, by the custom, there are no costs in foreign attachment. Another imperfection in the proceedings of the court, both in actions and in attachment, is that there is no appeal, 6495.—Would have a motion for a right for moving for a new trial in all cases, but not before the recorder alone, either in the superior courts of Westminster, or in the cases adverted to, before the recorder, the common serjeant, or the judge of the sheriff's court. Then, with regard to the jurisdiction of the court, thinks it would be desirable to limit the power of removing causes to causes above 50*l.*, which is the limit in the County Court Act. At present any small cause may be removed at a moment's notice to the superior courts by a certiorari or habeas corpus, 6496.—Practically it is a matter of course that a certiorari issues; but there might be some discretion exercised upon that subject, because a certiorari is not a writ of right like a habeas

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corpus, but in practice it issues as a matter of course. It issues out of the common law courts in cases of actions, and out of chancery in cases of suits in equity. The Commission is aware that this court has, besides its law jurisdiction, a perfect equity jurisdiction in matters arising within the City, concurrent with the equity jurisdiction of the highest courts, 6497.—That equity jurisdiction is not often exercised; there are not above five or six equity suits in a year, 6498.—There is no appeal in such cases; at least there is no instance of it. Should suggest therefore that if anything is done by Parliament upon that subject, they should provide against causes under 50*l.* being removed. If the court is maintained, some regulation also might be provided for preventing suits in equity being removed, at all events in small cases. There may be money attached in London, and if the defendant comes in after the verdict in the attachment, and it turns out that the contract upon which the debt arises took place out of the City, the whole of the proceedings are set aside. There is another matter, which is that the court, if it is to continue, requires additional power of amendment. Also wishes to call attention to distribution. On a freeman dying, half his property goes to the widow if there are no children, and one-third to the widow if there are children. Under the statute of distributions the widow has but one-third in all cases. That sometimes leads to great difficulty and doubt. There is another custom which witness thinks is of value, which is the custom that enables a femme covert to be a sole trader, 6499.—That is often enforced; she cannot make a bill of exchange, nor can she bind herself by bond; the reason applying to the bill of exchange being in all probability, that the bill of exchange is of modern origin, and therefore the custom could hardly apply to that, 6500.—Thinks the custom is not confined to the retail trade. There is another custom, which is of some value, that all shops within the City are market overt. In the case of the sale of stolen property, for instance, the party who buys is protected, except in cases in which he is liable under the provision of statutes which make it necessary to surrender property under some circumstances. There is also a customary law of apprentices, which is administered by the chamberlain, cases under which have sometimes come to the Mayor's Court. Is of opinion that, with certain regulations and amendments, this court is one to which the citizens have been in the habit of resorting, and which they value as a court regularly sitting every month within their own limits, and whose proceedings are less expensive and cumbrous than those of the superior courts of Westminster, 6501.—Thinks the practice of taking fees from the public for admittance in the court at the Old Bailey very objectionable, but according to regulations of long standing a fee was taken for admission to all the galleries of the court, and had for a great length of time been divided between the lord mayor, the sheriffs, and some one else; in point of fact, however, going to the under-sheriff, 6502.—It is alleged that the authorized fee is a fixed fee. It is, however, objectionable, and more especially so now, for there is in the rest of the court no room for the public at all, though nominally open to the public, 6503.

WORTLEY, the Right Hon. JAMES ARCHIBALD STUART, M.P. (*Fourth Examination.*)—With reference to the Irish Society the Commissioners have heard that there have been from time to time complaints made with regard to the 1,500 acres. Finds that an application was made to the corporation in the year 1834, and a threat made at that time of a petition to the House of Commons. Whether that petition was ever presented, does not know, but believes no committee was appointed, and no inquiry took place; but at that time finds a statement was drawn up in two columns, in one of which appeared the substantive petition and in the other appeared the answer. (The same was handed in.) In 1837 came the municipal inquiry, and subsequently the Municipal Reform Bills of the two kingdoms, which interferred with further proceedings about this matter. It was not till 1847 that the corporation of Derry came again with complaints to the corporation. They then presented the petition to the common council. The statement they made on that occasion in reference to the 1,500 acres is this: that in the year 1704, after the passing of that Act of Parliament which settled everything between the Irish Society and the bishop, those lands passed into the possession of the Irish Society; and from some reason or other the cor-

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poration of Derry were obliged to acquiesce at that time, and they have since received 90*l.* 10*s.* per annum from the society. When this petition was presented to the common council the petitioners thought that body had the power of rendering them redress. Nothing can be more conclusive to show how distinct the Irish Society is from the corporation than the course of proceeding which then took place. The petition was presented on the 25th of February 1847. The usual motion was immediately carried upon its presentation, that the petition be printed, and a copy sent to every member of this court, and that the petition be referred to the City solicitor, to advise with counsel as to the proper course to be pursued. Then on the 12th of April, that having been done, it was again taken into consideration by the Court of Common Council; and then it was "Resolved, that a committee be appointed to investigate the allegations and matters contained in the petition of the corporation of Londonderry respecting the Irish Society, and to report thereon to this court. Committee appointed accordingly." Then there are the names of the committee, beginning with the lord mayor and four aldermen; the committee consisting of the principal gentlemen belonging to the corporation. Then in the usual course the committee made their report to the common council of what had happened. It is a long report; but the effect of it is this: that they met and communicated with the Irish Society, and informed them of the petition which had been received; that the Irish society thereupon met—that they resolved to attend the committee by a deputation, attended also by counsel, to meet the complaints which were made on the part of the City of Londonderry. The committee met with the expectation that the corporation of Derry would come represented by the mayor and others to attend that committee. However, when the corporation were ready, or the committee were so prepared to receive them, they received a letter from Derry of the date 6th May 1847, to the effect that, having been advised by Mr. Turner, Mr. Martin, and Mr. Lloyd, that the corporation of London had not the power to rectify the subject matters of the petition, it would therefore be unnecessarily wasting the time of the Court of Common Council to attend them. Brings this before the Commission, first, to show that there was every disposition on the part of the corporation of London to entertain these complaints and investigate them, as well as perfect readiness on the part of the Irish Society to meet them fairly; and also to show that the corporation of Derry were advised, at that time, by the highest authority, that those two bodies are distinct. Though there may exist some visitorial power in the corporation, yet, when the members of the Irish Society are once appointed, the corporation cannot interfere, and cannot regulate their proceedings, 8440.—If the Irish Society were to be guilty of any direct infraction of their charter, there may rest in the judicial body of the corporation some power to rectify such an abuse, but it has never been put in practice, 8441.—Does not think that it affords any practical means of redress for any misconduct on the part of the Irish Society short of some complete breach of trust. Here, though the corporation were willing, and the Irish Society made no objection, the parties themselves were obliged to repudiate the interference of the corporation, because they were advised that it

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would be futile, 8442.—The governor is elected annually; they might refuse to re-elect him. With the exception of the recorder, who is permanent, the other members are elected to serve for two years, and are re-eligible only after an interval of a year. There have been various occasions on which propositions have been made in the Court of Common Council for an alteration in this constitution, but it has been found to be impossible, owing to the terms of the charter. A gentleman has been, within a few days, elected to the Irish Society. One of the members of the common council thought there was an objection to that gentleman being on the society; and gave notice of a motion to rescind that election. In the capacity of recorder, witness was obliged to advise the lord mayor that this gentleman could not make the motion, because, the common council having already made the election, they could not rescind it; that they were, in point of fact, functi officio, 8443.—This state of things can only be altered by an Act of Parliament, 8444.—Is unable, on account of his numerous other duties, to take any active part in the business of the Irish Society. Has never been specially summoned; has only been present on two occasions, 8445.—Expected they would consult him before any law proceedings were instituted, but has not been consulted at present, 8446.—On the last occasion they took the opinion of the first men in the profession. Will illustrate the position in which the recorder stands with reference to the Irish Society by what took place in the proceedings of 1847. A deputation appeared from Derry several times, and there was a negotiation. The society felt there was a claim for assistance, though no claim for the 1,500 acres. The corporation of Derry were without resources to maintain their courts or improve their town. They were going to Parliament for an Improvement Bill, and required assistance in that way. There was a negotiation by which the society should give them some settlement in lieu of their claim. One object was that there should be a recorder appointed to maintain the custom of foreign attachment which prevails in London and also in Derry. The Irish Society agreed to give them 700*l.* a year for their corporation, and 500*l.* a year towards improving their town. A complaint has been made that the grant is only from year to year, and that it was done only to keep the corporation of Derry in the power of the corporation of London. Mr. Recorder Law was in office on this occasion, but was unfortunately taken ill in the middle of the deliberations. Will read his opinion, as it was sent in writing, addressed to Alderman Wilson. They acted upon the opinion of the recorder and made the following resolution, "That the court will in each year recommend the society to grant the sum of 500*l.* and 700*l.*" Though they were thus advised not to bind themselves beyond two years at most, thinks it would be a gross breach of faith if they did not continue annually to propose that sum and do their best to pay it over. Thinks a more permanent board would be a much better means of carrying on the business of the society, 8447.—Is aware of the decision of Lord Langdale and the House of Lords in the case of the Skinners Company, 8448.—Has no doubt that the twelve companies have no beneficial interest in the income of the Irish Society, 8449.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.